

**The Republic of Uganda**

**MINISTRY OF LANDS, HOUSING AND URBAN DEVELOPMENT**

**LOCAL GOVERNMENT BUDGET CONSULTATIVE FRAMEWORK PAPER WORKSHOPS FOR FY 2017/18**

**FEEDBACK ON ISSUES RAISED AND RECOMMENDATIONS MADE DURING THE LAST LG CONSULTATIVE BUDGET FRAMEWORK PAPER WORKSHOPS**

Prepared by Ministry of Lands, Housing & Urban Development,

Kampala – Uganda

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1. **INTRODUCTION**

The Lands, Housing and Urban Development sector is comprised of three (3) sub sectors/Directorates namely: Lands, Housing and Urban Development. It is guided by the strategic framework summarized below:

The **Mandate** of the Ministry is ***“To ensure rational and sustainable use, effective management of Land and Orderly Development of Urban and Rural areas as well as Safe, Planned and Adequate Housing for socio-Economic Development”.***

The **Vision** of the Ministry is ***“Sustainable Land Use, Land Tenure Security, Affordable, Decent Housing and Organized Urban Development.”***

While the **Mission** is “To ensure sustainable land management, planned urban and rural development and decent housing for all”

**Sector Outcomes**

1. Security of land tenure and productive use of land resources
2. Planned and adequate housing for socio-economic development
3. Orderly development of urban and rural areas

**Linkage between Sector Policies to the National Development Plan 11**

Paragraph 600 on Page 205 of the NDP IImandatesGovernment through the Ministry of Lands, Housing and Urban Development (MLHUD) to provide policy direction, set standards and coordinate all matters concerning lands, housing and urban Development while Uganda Land Commission ensures effective holding and management of all Government land and property.

However specific policies of the sector include;

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| --- | --- | --- |
| **Policy** | **Strategic Interventions as per NDP II** | **Implications to LGs /Required Action** |
| National Housing Policy | * Develop, disseminate and implement a comprehensive National Housing Policy
 | * Budget and support officers responsible for Housing in the Districts
* Disseminate prototype plans to Communities
* Create awareness of the policy in their respective LGs
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| The 2010 Physical Planning Act | Develop and implement District Physical Development Plans and Plans for priority urban areas, for the oil and gas areas, highly mineralized Areas and infrastructure corridors as per Intervention (iv) of objective i) of the Physical Planning and Urban Development section of the NDP II Page 210 | * Districts should develop and implement Physical Development Plans and Local Area Plans in fulfilment of the provisions of the 2010 Physical Planning Act.
* Districts should constitute, support/ Budget for operation of the Physical Planning Committees
* Enforce compliance to Physical Development Plans
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|  | * Recruit, train and equip physical planning and urban development officers
* Encourage stakeholder involvement in the physical Planning process
* Continue development of Urban Forums for inclusive management of urban areas.
 | * Fill the staffing gaps that exist at LG level especially in the Section of Lands, Surveys and Physical Planning
* Prioritize Physical Planning in LG Work Plans and Budgets
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| National Land Policy | Implement and disseminate the National Land Policy and Land Use Policy as provided for in intervention***(iv) and (v)*** of objective 4 of the Lands and Housing Section of the NDP II. | * Train District land boards
* Budget for Area Land Committees
* Dissemination of NLP to lower Local Governments
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| The National Urban Policy | This is provided for in NDP II. Once approved it will guide the development in urban areas | * Disseminate the urban policy once approved
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| Systematic Land Adjudication and demarcation  | Paragraph 146 of the NDP embark on a nationwide systematic land demarcation and survey program | * Create awareness in Communities on the benefits relating to demarcation of land
* Avail laws and regulations on issues relating to Land disputes
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**ISSUES, RECOMMENDATIONS AND RESPONSES**

1. **Cancellation of Titles in the wetlands.**

**Response:**

*Upon the production of wetland Atlas by NEMA and MoWE, the Ministry has embarked on the process of cancellation of the affected titles in accordance with the Law and cabinet directive. LGs/ DBS should exercise vigilance in the process. The Ministry is in the process of integrating the atlas showing protected areas (wetlands, forests etc..) onto the Land Information system in order to avoid issuance of titles in such areas*

1. **Exorbitant Fees charged by Buganda Land Board.**

***Response:***

*Cognizant of the high fees charged by the BLB, the Ministry has held various meetings with the Buganda Land board to arrive at a harmonized position. The various proposals shall be communicated once the harmonized position has been arrive at by GoU and Mengo Government.*

1. **Functionalization of Ministry Zonal offices**

*The operationalization of the MZOs and roll out of the Land information system are sequentially under the “6-7-8” principle.*

*The first Six MZOs are already fully operational and these include Mukono, Jinja, Wakiso, Mbarara, Masaka and Kampala,*

*The upcoming Seven MZOs (Kibale, Masindi, Mbale, Arua, Gulu, Lira, Kabarole) construction works were finalized, awaiting human resource, office retooling and LIS installation. The remaining 8 (Luwero, Soroti, Tororo, Kabale, Rukungiri, Mityana, Moroto, Mpigi) the construction designs/building plans have been finalized, and procurement of the contractor to construct the MZOs is under way*

1. **Differing fees charged by Area land committees-**

***Response:***

*A proposal is in place to review the land regulations suggesting a maximum threshold fee of UGX 300,000 payable for the services offered by the ALCs depending on location and the value of the parcel. The Monies shall be remitted to the sub counties to cater for the facilitation and operations of the ALCs.*

1. **Tenure/status of DLBs affected by new created  Districts-**

*The Proposal in the land regulations is that, the tenure of the substantive DLB that is operational before separation of the Districts shall stay until the expiry of its period of service. This means that the DLB shall continue to provide services to the newly created Districts. When the expiry period is due, then each District shall appoint their respective land boards in accordance to the law.*

1. **District Land Boards reallocating expired leases without notice to /of the lessee.**

*The law requires that once the lease expires, the lessee has an automatic right of extension as long as he is a citizen and is NOT in breach of the provisions of the lease agreement for instance nonpayment of ground rent, failure to develop the land in required timelines. If the lessee is a non-citizen, he has a right to apply for renewal.*

1. **Issuance of Land Titles is expensive and slow. Ministry of Lands, Housing and Urban Development should expedite the roll out and functionality of the remaining Ministry Zonal Offices (MZOs) and should construct more MZOs to reduce on the cost of doing business.**

***Response***

*The process of rollout of the Land Information system is underway in the 7 MZOs. Presently the Ministry is undertaking commitment of files so that transactions will be done on LIS once the 7 additional MZOs are operationalized*

*Additionally Equipment has been procured and finalization of the recruitment process for staff awaits workload analysis by MoPS and confirmation of the wage bill Ceilings.*

1. **District Land Boards illegally allocating Public Land and open spaces:**

***Response***

*In the interim, the Ministry does not honor any titling process initiated by DLB that is short of the consent of the Physical Planning Committee. The Ministry has embarked on Capacity Building of the Physical Planning Committee to enhance their roles in securing public land, open spaces and other protected areas. Subsequently land use Planning and orderly Development shall be enhanced. The Ministry further encourages communities to be more vigilant to protect public property*

1. **Escalation of Boundary Disputes at all levels (District, Sub-County etc)**

***Response:***

*The prevalence of Boundary disputes continue to impede service delivery to the population. However it should be understood that the Ministry of Local Government is responsible for the establishment and description of all LG boundaries while Ministry of Lands, Housing and Urban Development plays a technical role of surveying and establishment of the mark stones. However, Local governments should sensitize the public to understand that boundaries are not aimed at dividing people but rather for Administrative purposes (e.g. crime detection), service delivery and planning (e.g. Census) purposes. Therefore every citizen is free to obtain the needed services in any part of the Country*

1. **Absence of a National Physical Development Plan:**

***Response***

*Government provided resources to the sector to develop the National Physical Development Plan in the current FY 2016/2017. A consortium of consultants were identified from Israel and Uganda to undertake the assignment for a period of 18 Months. Already the consultant has presented the inception report to the Ministry.*

***In Regional Planning:*** *Albertine Grabben Regional Physical Development Plan was completed in December 2014, certified by National Physical Planning Board in January 2015. Presently however, the Ministry is supporting the Development of Physical Development Plans in the 8 key strategic growth centers within the Albertine region in the Districts of Bulisa and Hoima.*

*In FY 2016/2017 the Ministry intends to undertake a similar activity in Northern Uganda especially within the economic corridor before rolling out the same to other regions of the Country*

1. ***Survey of International borders***

*The Ministry started with the border areas that had a lot of tension amongst the border communities for instance UG- Vurra/DRC - Aruu Offoo there was blockage of entry and exit amongst communities; In Moyo , Lamwo area and Lake Albert area , communities disagreed over land boundaries across unclear international border.*

*The following progress has been made:*

***UG/TZ****: The survey was finalized, though there are some issues visibilities of points and large distances between points. This is being rectified..****UG/RW****: 20km surveyed along Katuna border;UG/DRC: 17km surveyed; UG/KY: 11Km surveyed (Busia customs and MT.Elegon Area); UG/SSD: Technical committee meeting on going*

*The sector appeals to the LGs to continue sensitizing the public about the rationale for the border demarcations and to protect boundary pillars which have been constructed. Also LGs should access maps from commissioner survey and mapping whenever contradictions arise.*

1. ***Systematic demarcation and adjudication***

*This program has a target production of 800,000 titles in the span of three years in western, Northern and eastern Uganda. The program commenced with selected areas of Ntungamo, Iganga, Mbale, Kibale. Shema, Jinja, Apac and Moroto. The aim of the program is enhance security of land tenure for socio-economic development by carrying out massive surveying of land and issuance of titles. LGs are requested to carry out sensitizing on the benefits of registering land.*

**OTHER SECTOR ISSUES FOR ATTENTION OF LOCAL GOVERNMENTS**

1. **Land Information System(LIS)**

The establishment of the LIS has streamlined the land transaction processes and minimized on the time taken.

The MZOs serve the following districts:

**MZO Area Served**

1. Wakiso Wakiso District
2. Mukono Mukono, Kayunga, Buikwe and Buvuma district
3. Masaka Masaka, Ssembabule, Lyantonde, Rakai, Kalangala, Lwengo,

 Bukomansimbi and Kalungu district

1. Jinja Districts in Busoga region
2. KCCA Kampala city
3. Mbarara Districts in Ankole region
4. Ministry Headquarters The Remaining parts of the Country
5. **The prototype house plans:**

The prototype plans have been widely disseminated to Local Governments. They are produced by the Ministry and are in the following categories; two bedroom house plans, three bedroom house plan, various roofing options, varied spatial; arrangement, self-contained and shared wash rooms are in their final stages and can be obtained from the office of the District Physical Planner across the Country

1. **National Housing Policy (NHP)**

The National Housing Policy was approved by Cabinet, paving way for dissemination and implementation. LGs are therefore asked to implement the policy as it provides a framework for housing development in the country.

1. **Partnership between MoLHUD and National Housing and Construction Corporation**

National Housing and Construction Corporation is to partner with the Ministry to construct houses for civil servants starting with the Defence, Internal Affairs (Prisons and Police), Education, Health sectors

1. **Development of the National Urban Policy (NUP)**

The Ministry has developed a National Urban Policy to address the challenges of urban and rural development providing a framework for organized urban and rural development in Uganda. The policy has been submitted to Cabinet for consideration.

1. **State of Physical Planning in the Country**

With the support of World Bank, the Ministry of Lands Housing and Urban Development under the CEDP (Competitive Enterprise Development Project) is embarking on four major activities, among other things, in order to strengthen the Physical Planning system of Uganda. These activities are as expounded below;

* Preparation of a National Physical Development Plan (NPDP) to provide an overall spatial framework for development and guide resource utilization in the country is underway and is to be completed by the end of the year 2017/2018.
* Rapid Physical Planning Appraisal (RAPPA) under which Physical Development Plans (PDPs) of different hierarchy are to be prepared to facilitate systematic demarcation and registration of land in selected areas.
* Integration of the Physical Planning component into the Land Information System (LIS), a process that is in advanced stages and is expected to kick off in the Ministry Zonal Offices (MZOs) of Lira and Fortportal as pilot areas and later rolled-out to other zonal offices in the country.
* The Physical Planning Act of 2010 and the National Physical Planning guidelines are to undergo review to incorporate more development-friendly provisions and standards.
1. **I**
2. **Surveys and Mapping**

Owing to the numerous border issues, MoLG should take over the issue of Boundary demarcation between LGs, Counties and Sub Counties while Ministry of Foreign affairs should look into the concerns of international boundaries. MoLHUD would avail the technical expertise needed to effect the demarcations only.

The following International boarder surveys have been undertaken;

* Uganda –Rwanda To be done in August –September 2015
* Uganda –Democratic Republic of Congo in October – December 2015
* Uganda- South Sudan Border- Done in March, 2016
1. **Updates on Projects Implemented through Local Governments**

**Uganda Support to Municipal Infrastructure Development (USMID)**

This is a 5 year project implemented in 14 Municipalities with the aim of strengthening the institutional capacity of MoLHUD and 14 Ugandan Municipalities (Arua, Gulu, Lira, Kabale, Mbarara, Masaka, Entebbe, Fort portal, Jinja, Mbale, Tororo, Soroti, Moroto and Hoima) in infrastructure development and institutional capacity building.

Funds disbursed to MCs is for Discretionary, Career Development and retooling. Allocation of funds to MLGs is based on a government allocation formula that considers:

***(a) Population in the Municipality;***

***(b) Land Area;***

***(c) Poverty Count; and***

***(d) Relative performance score in the annual assessment as per the different thematic areas***

The financing framework is based on a Performance for Results model (PforR). Funds are allocated to both the central government and municipalities upon attainment of defined time-bound disbursement linked indicator targets for implementation of infrastructure investments and institutional strengthening actions. This means the total amount of funds available each year depends on the overall assessed performance of all Municipalities compared to the annual performance target. The annual grant amount for each Municipality then depends on the performance of the Municipality compared to the other Municipalities. The better the performance of a Municipality in a given year, the more funds it receives for the subsequent year.