

**UNIVERSITY FOR DEVELOPMENT STUDIES**

**EMERGING TRENDS IN LAND MARKET AND THEIR IMPLICATIONS FOR  
PHYSICAL PLANNING IN THE WA MUNICIPALITY**

**BY**

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OF PHILOSOPHY DEGREE IN DEVELOPMENT MANAGEMENT**



**2019**

**DECLARATION**

I hereby declare that, with the exception of references cited from other peoples' work, which have been duly acknowledged, this work is the product of my own research towards the Master of Philosophy Degree in Development Management. I also declare that this piece of work has not been presented in part or whole elsewhere for the award of any degree.

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**Supervisor's Declaration**

I hereby declare that the preparation and presentation of this thesis were supervised in accordance with the guidelines of supervision of thesis work laid down by the University for Development Studies.

Supervisor's Signature ..... Date.....

Dr. Bernard A. A. Akanbang



## ABSTRACT

The role of physical planning in the socio-economic development of humans is now more crucial due to the continuous increase in population and urbanization. The successful implementation of most government policies require the use of land, which is fixed in supply. There is therefore the need to employ judicious strategies, in order to reconcile competing claims through physical planning. This study therefore ascertains the emerging trends in land market and their impact on physical planning in the Wa Municipality. The targeted groups for the study included, Trustees, Beneficiaries, Wa Municipal Physical Planning Officer, and heads of Lands Commission and Customary Lands Secretariat. The study used interviews and observation to gather both quantitative and qualitative data and analysed the quantitative data using SPSS and used the thematic approach for the qualitative data. The findings of the study showed that land market has evolved from being a free gift with only customary token of kola, schnapps and fowls to a keenly contested commodity. The management of land has moved from being under the control of Tindaamba to a family ownership which implies multitudes of people with allodial rights to land in the Municipality. The study revealed multiple land sales, conflicting ownership claims, boundary disputes, and poor institutional collaboration as some of the inherent challenges in land market in the Municipality. These identified challenges of land market hinder the efforts of physical planning. It makes it difficult to plan lands under litigation and control development. The study recommends enforcement of land laws on documentation; sensitization of Trustees and Beneficiaries on land transactions; and strengthening institutional collaboration as ways to improve land market in the Municipality.



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## **DEDICATION**

I dedicate this piece of work to my family for their understanding, encouragement, support and endurance during my studies.



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**LIST OF ACRONYMS**

ADR –	Alternative Dispute Resolution
CBD –	Central Business District
CLS –	Customary Lands Secretariat
ETLR -	Evolutionary Theory of Land Rights
GIS –	Geographic Information System
LAP -	Land Administration Project
LC –	Lands Commission
LIS –	Land Information System
LTR –	Land Title Registry
LUSPA –	Land Use and Spatial Planning Authority
MMDA –	Metropolitan Municipal District Assemblies
MTDP -	Medium Term Development Plans
PHC –	Population and Housing Census
PNDC -	Provisional National Defense Council
PPD-	Physical Planning Department
PPPs –	Policies, Plans and Programmes
PVLMMD -	Public and Vested Lands Management Division



SDF –	Spatial Development Framework
SMD –	Survey and Mapping Division
SPSS -	Statistical Package for Social Sciences
SSNIT –	Social Security and National Insurance Trust
TND –	Traditional Neighborhood District
UDS –	University for Development Studies
UWR –	Upper West Region



## CHAPTER ONE

### INTRODUCTION

#### 1.1 Role of Land Market in Physical Planning

Land market enables the transfer of land rights from one party to another. Permanent transfer of rights take place through outright sale or inheritance while non-permanent transfer involves the leasing of land to a beneficiary for specified duration of time. The nature of land market varies from one country to another (Headey & Jayne, 2014). In Nigeria, more than 70 percent of transactions of land take place in the informal sector with its attendant problems as unreliable land titles and transactions and widespread fraud; and unplanned subdivisions of land and change of uses, which undermines physical planning (Otsuka & Place, 2001).

Ghana is a rapidly urbanizing country with 55.4% of Ghanaians living in urban areas. Consequently, government and sundry have grappled with issues of land market, tenure and security. Land ownership in Ghana is non-homogeneous and split between customary authorities and the state, with the former owning about 80%, and the latter, 20% of all lands (Antwi & Adams, 2003; Kasanga & Kotey, 2003; Arko-Adjei, 2011). The land market in Ghana is characterized by limited information on the volume of transactions; the amount of land changing hands, the pattern of the distribution of land transactions, and land prices (Mahama & Antwi, 2006).

There is also observed preference of landlords to lease land to foreigners and Ghanaians living abroad especially in peri-urban Accra, a situation that is pushing land prices up, making it more difficult for average Ghanaians to gain or maintain access to land. In



many areas, lands that have been designated by the planning authorities for sanitary areas, open spaces and educational purposes are being converted to residential use due to price hikes (Antwi, 2002). Sometimes, a family member sells land without having the right to do so; in these cases, the buyer quickly erects a building in order to consolidate his claim to the land and as a result, land disputes are mushrooming which also causes difficulty in enforcing development control by the Physical Planning Department (Cotula, 2007). These inefficiencies in the land market indicated above affects the activities of physical planning. Areas that have land conflicts as a result of inefficiencies of land market become security threat areas therefore planning and implementation of plans in such areas are difficult. Also the unauthorized change of use causes distortion in the efforts of physical planning.

The country's urban land market could therefore largely be described as indiscipline and insecure because it is clouded by disputed ownership, unclear title to land and litigations. The disorderliness and insecurity in the Ghanaian land market is not only limited to the Cities of Accra, Kumasi or Takoradi but a phenomenon that is catching up with emerging towns. Since the establishment of University for Development Studies and Wa Polytechnic in Wa, the town has witnessed phenomenal growth in size and in population (Boamah, 2013). The disorderliness in the land market increases as more people seek to cash in or control land due to the increasing demand for land in response to rising economic prosperity in the Wa Municipality. There are Planning Schemes that could not be completed due to litigations as a result of land conflicts in the locations of those proposed planning schemes (Wa Physical Planning Department, 2015)



Demand for land is derived from population pressures but the supply of land is however restricted, therefore, there is the need to employ judicious strategies, in order to reconcile competing claims for the use of limited land. It is in this light that physical planning, which is concerned with providing the right site at the right time, in the right place for the right people becomes pertinent as a tool for ordering the use of land in an effective and efficient manner (Keeble, 1966). Physical planning is effectively a spatial activity, which ultimately seeks to minimize negative externalities of rapid population growth and urbanization. Land market and tenure, which includes the set of rules and regulations, which guide how land is owned, managed and alienated, have far-reaching implications for physical planning and development. This study therefore seeks to explore into how the trends in the land market in the Wa Municipality affect physical planning activities in order to make appropriate recommendations that can help to improve upon physical planning and development in the Municipality.

### **1.2 Problem Statement**

Land is a major means through which individuals and society at large accumulate wealth. Efficient management of land will provide security to individuals and facilitate the growth of urban centers. Therefore, the procedures for accessing land may either serve as an incentive or a disincentive to investment in land (Abdulai & Ndekugri, 2007). The country's urban land market is largely unregulated and insecure. It is clouded by disputed ownership, unclear title to land and litigations (Boamah, 2013). The devouring interest in land with sheer greed due to price hikes; protracted litigation and adjudication failures, documentation bottlenecks and uncertainty are widespread problems with informal land market in Ghana (Kasanga & Kotey 2001). Land market in Ghana is besieged with





numerous challenges because of inefficient administration and management and if stringent measures are not put in place quickly to handle it well; it could lead to devastating consequences.

Physical Planning Department has come under intense public criticism for failure to effectively control development in the major cities (Adarkwa, 2012). The recent perennial flooding in the cities of Accra and Kumasi is a testament of this argument. In fact, a study of these cities confirms that they are sprawling (Cobbinah & Amoako, 2012). Planning has been unable to exercise effective influence on the growth of human settlements in Ghana. For this reason, the growth of cities has been haphazard (Yeboah & Obeng-Odoom, 2010). Urbanization has outpaced planning in Ghana; making planning in the country to be reactive, and planners take short-term measures to address problems associated with the demographic and spatial change in the population due to human and logistical constraints (Yeboah & Obeng-Odoom, 2010).

Adarkwa & Post (2000) note that this has led to physical development problems, including the following:

- Developments occurring in unapproved locations causing inconveniences;
- New subdivisions are created without provision for facilities; and
- Incompatible land uses.

As a result of the dynamics in population growth and rapid urbanization in the Wa Municipality and the persistent commercialisation of land, there has suddenly been an appreciation in the value of land. In this regard, competition for land has increased significantly with easier access to land by those who have the requisite financial muscle



and this has given rise to conflicts (Boamah, 2013). This will only compound the challenges in physical planning in the Municipality if not carefully dealt with.

Boamah (2013) examined the Ghanaian urban land market using the Wa Municipality as a case study. He tried to identify the problems inherent in the system in order to determine whether the land market in the Municipality was able to undertake efficient alienation of land to land seekers. He stated that in the Wa Municipality, there are several land disputes amongst adjoining communities, amongst families and within families. Examples of such disputes are between the Kambali and Mangu, Tanina and Sing, Kpaguri and Kpongu, the Nakore and Kambali communities as well as the Kabanye and Danaayiri/Pumyiri clans all emanating from land market problems.

Despite the existence of multiple studies that have been conducted by a number of researchers in the field on the subject of the Ghanaian land market in urban areas such as Abdulai & Ndekugri, (2007); Antwi, (2002); Arko-Adjei, (2011); Boamah, (2013), fewer studies have actually been conducted to explore how the Ghanaian land market impact on physical planning in peri-urban Ghana. The activities of land market have implications on the output of the Physical Planning Department whose primary objective is to promote sustainable human settlements development based on the principles of efficiency, orderliness, safety and healthy growth of communities in the Wa Municipality. *Consequently, the valid question which is worth asking and which the conduct of this research intends to find answer(s) to is: what are the emerging trends in the land market and how are these trends impacting on physical planning in the Wa Municipality?*

By critically identifying and examining the emerging trends in the land market and how it impacts on physical planning in the Wa Municipality, we can establish the facts thereof.



Equipped with these facts, policy makers and most importantly practitioners of physical planning in the Wa Municipality in particular and the country at large can better appreciate and develop interventions that can appropriately improve upon land market so as to promote sound planning and orderly physical development in the Municipality and the country as a whole.

### **1.3 Research Questions**

The problem statement stated above, gives rise to the main question of this research which is; what are the emerging trends in land market and their implications for physical planning in the Wa Municipality? Specifically, this research seeks to find answers to the following questions;

1. How has the land market evolved in the Wa Municipality?
2. How do the emerging trends in the land market relate to land conflicts in the Wa Municipality?
3. How do the emerging trends in the land market affect physical planning in the Wa Municipality?

### **1.4 Research Objectives**

The main objective of the research is to identify the emerging trends in the land market and their implications for physical planning in the Wa Municipality. The specific objectives of the research are;

1. To identify how land market has evolved in the Wa Municipality.



2. To examine the relationship between land market and land conflicts in the Wa Municipality.
3. To assess the emerging trends in the land market in order to establish whether it affects physical planning in the Wa Municipality.

### **1.5 Significance of the Study**

Land is a primary source of wealth, social status and power. It is the foundation for food production, shelter provision and economic activities and as such virtually every individual depends directly or indirectly on land for their livelihood (Kuusaana et al., 2013). This assertion therefore means that land if properly managed has no limits to how beneficial it can be to humankind. On the other hand, the mismanagement of land equally has some serious consequences on people. This is therefore one of the reasons why this research seeks to understand the emerging trends in land market in the Wa Municipality to ensure that the land within the Municipality is properly managed to maximize its benefits.

The trend of events generally brings to the fore the need for effective physical planning to cater for the competing urban demands in order to ensure sustainability of the urban resources as well as ensure the achievement of land use principles (Maxwell, 2011). This can be achieved through sound and effective physical planning and development control system. From the above, it is clear that there is the need for proper land market to avoid disputes and other related development problems associated with the use of land. This research will therefore unearth the emerging trends in land market and also identify its



relation with land disputes in the Municipality as well as identify the implications for physical planning in the Wa Municipality.

This study is vital because earlier researchers like Boamah (2013) only looked at the urban land market in the Municipality but there was no link with how this land market affects physical planning activities in the Municipality. This study therefore looked at how land market affects physical planning in the Wa Municipality. The study also proposed ways of improving land market to enhance physical planning to ensure harmonious spatial development and environmental sanity in the Wa Municipality. Thus achieving these, the study is therefore envisaged to generate information to lay the foundation for future references for academic and intellectual discourse in the land market and physical planning in the Municipality.

### **1.6 Scope of the Study**

The study focused on the emerging trends in land market and its implications on Physical Planning. The research was conducted in the Wa Municipality, which is the regional capital and also the first to attain Municipality status among the eleven Local Authorities that make up the Upper West Region (UWR) of Ghana. The Municipal Assembly has collaborated with the land sector agencies to guide the structure of the urban morphology, growth-direction and rate of growth, orderly development as well as ensure the promotion of effective and efficient environmental sanitation and waste management in the Wa Municipality. In spite of the efforts made by the land sector agencies to control development in the Municipality, land market issues have affected the orderly development and growth of the town. This study is therefore directed at identifying the



emerging trends in land market in the Wa Municipality and how that impacts on physical planning.

### **1.7 Organization of Report**

The report is categorized into five main chapters. Chapter one entails the background to the study, statement of the problem, research questions, objectives of the study, research scope, significance of the study, research challenges, and operationalization of key concepts. Chapter two examined and reviewed relevant literature and theoretical framework on the topic, as well as the formulation of conceptual framework. Chapter three presents the methodology adopted for the study. The chapter includes a brief profile of the study community, the research design, strategies of enquiry, unit of analysis, sampling techniques and procedure, sample size, data collection techniques and tools and the sources of data. Chapter four presents results and discussions while the Chapter five presents the summary of major findings, conclusion and recommendations.



## CHAPTER TWO

### LAND MARKET AND PHYSICAL PLANNING

#### 2.0 Introduction

There's nothing as practical as good theory just as there is nothing theoretically interesting as good practice (Gaffney & Anderson, 1991 as cited in Akanbang 2012). This is because theory and practice have a sophisticated relationship. An attempt is therefore made in this chapter to look at Land Market and Physical Planning in their theoretical contexts. The theories that guide Physical Planning and Land market are discussed to make an informed opinion about the study. Other key terms that are vital to the conduct of the study are also defined to set the basis for the development of a conceptual framework to guide the research.

#### 2.1 Theoretical Framework for Land Market

This section discusses the theories of land relevant to the study. The economic theories of land rent as well as the evolutionary theory of land rights have been discussed

##### 2.1.1 Economic Theories on Land Rent

Land has special characteristics compared to other economic goods: the supply of land is fixed with the exception of land reclamation, every parcel of land has a fixed location, which is a unique feature, and the use of a parcel of land affects the use and value of surrounding parcels. This is called an externality of land use and in order to ensure coherence there is the need for government's intervention. The special characteristics, the



externalities and government's intervention therefore make an analysis of the land market complicated.

The attention to land in economic theories has changed overtime. The early and well known theories of Ricardo and in a more spatial context, Von Thunen have laid the foundation of land rent and land use theories and are to a certain extent still valid and used in current researches. The Ricardian Land Models explains that, land rents depends on the differences in fertility or more general differences in land quality. Land that has higher quality generates surpluses over land with a lower quality. These surpluses are paid as rent to the landlord due to competition for land for physical development due to urbanization. The mainstay of the people of Wa Municipal is Agriculture and most of the new neighbourhoods such as Konpieni Residential, Hill top Residential Airport Extension were previously areas under cultivation for food. But due to urbanization these farmlands have now been alienated to developers to build. The prices of land in areas with high fertility for crop yields and fairly flat and also areas that are not fertile and not cultivable have been compared to see the differences in the rents. Von Thunen's model is concerned with location and transportation costs, as well as fertility characteristics of a parcel of land. Though Von Thunen merely analysed land use patterns, an important result of his model was the explanation of land rent. Ricardo's and Von Thunen's theories can be extended and improved in many ways (Randall & Castle, 1985)

The bid rent theory is based on microeconomic theory and was mainly developed in the context of urban land uses and urban land values (Mills & Hamilton, 1994). The bid rent function in the theory explains the relation between urban land uses and urban land values. What this means is that, households and companies make a trade-off between the





land rent, transportation costs and the amount of land they use for their activities. This results in the convex land price curve with the highest land prices near the city centre due to the proximity of key economic infrastructure in the Central Business District (CBD). The derivation of agricultural or rural land values in the bid rent theory owes more to the Von Thunen's theory than the work of Alonso. He believes that crops which produce the highest revenue at a particular location will be able to make the highest bid and thus will be cultivated on that parcel. The land is sold to households or firms if their offer of rent is higher than what they get from agriculture; the situation which defines the limits of the city in urbanization.

The bid rent theory does not directly lead to an operational model for land use and land prices, this theory relies heavily on market analysis, market prices and bids actors. In reality, however, the land market is not transparent and information on land is often hard to ascertain. Moreover, other values than the market price of land can exist, like the social land value or non-revealed values as a result of zoning regulations by the planning authorities. Other methods like the hedonic pricing method which values the different amenities of a parcel of land for an actor can also be used to determine the value of land.

The study used the various sector schemes in the Municipality to identify the land rents from the Central Business District (CBD) to areas that are far from the city centre to see the variation in land rent based on the distance from the city centre. Also the study identified whether Land owners and people involved in land administration undertakes the servicing of lands before alienating which could also influence the value of rent paid for the usage of these lands.



### **2.1.2 The Evolutionary Theory of Land Rights**

The genesis of the Evolutionary Theory of Land Rights (ETLR) is the recognition of the inner limitations of communal land ownership as indicated by theorists of the property rights school (Alchian & Demsetz, 1973; Demsetz, 1967; Johnson, 1972; Posner, 1977).

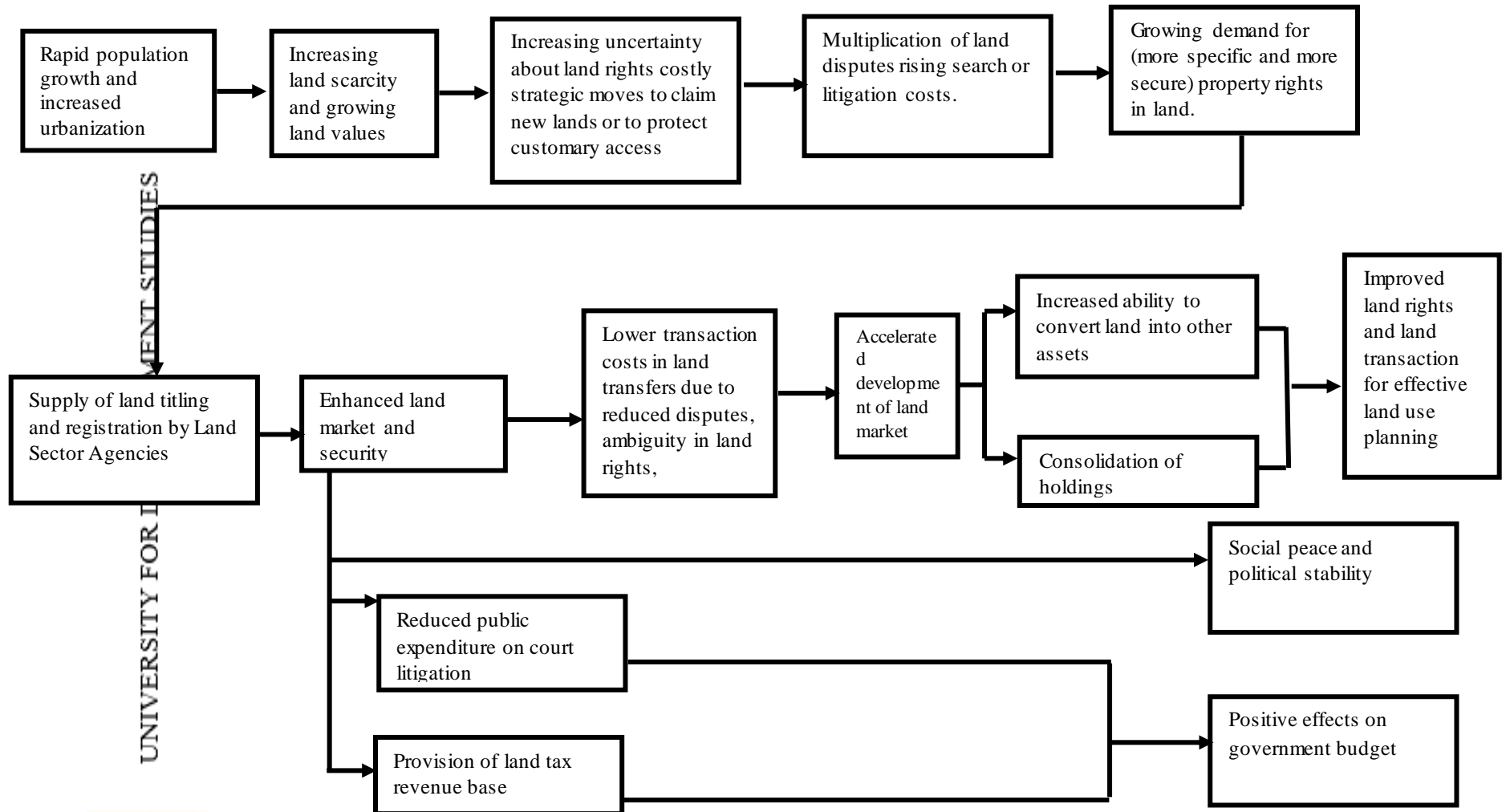
However, when there is increasing competition for the use of land as a result of population growth and urbanisation, communal ownership becomes unstable and more often than not produces harmful effects in the form of mismanagement of the now valuable resource. The proponents of the ETLR assume that, the combined pressure of population growth and increasing urbanization somehow works out its own institutional solution. Thus, in the words of Demsetz (1967 p 350), the emergence of new property rights takes place in response to the desires of interacting persons for adjustment to new benefit-cost possibilities. With regards to land management in Sub-Saharan Africa, the evolutionary theory is grounded in the well-ascertained fact of considerable flexibility of indigenous land tenure arrangements in the region. The growing population pressure leading to increased urbanization, has given rise to gradual but meaningful changes in land tenure practices in the direction of enhanced individualization of ownership and increased use of money in connection with land acquisitions in the region (Demsetz, 1967).

During colonial days, that is the period before increased urbanization occurred due to increased population, increasing emphasis has been put on individual (or family) appropriation of land for exclusive use. The rules of inheritance have gradually evolved towards a more direct transfer of land between father and sons. This change has therefore resulted in the increasing individualization of land tenure, the younger members of the



communities have started to emancipate themselves from the elders' authority. At first, sales were sanctioned only among members of the group (of common descent or residence), later to outsiders with approval of the group or its head, still later without such consent (Bruce, 1986, p 38-40). As time went on and there has been greater integration of rural areas into the land market as a result of increasing population pressure, such modifications in African customary land ownership arrangements have tended to accelerate during the post-independence period (Matlon, 1994). The core of the ETLR can be depicted in the form of a simple diagram (Figure 2.1). The diagram describes how rapid population growth and increased urbanization ignite a sequence of effects that eventually result not only in efficient land allocation and improved physical planning but also in budgetary savings, social peace and political stability within the area.





Source: Adopted and adapted from Platteau (1992)

**Figure 2.1: The Evolutionary Theory of Land Rights**

When land becomes scarce due to increased urbanization, landholders begin to feel uncertain about their customary rights and disputes over ownership of land, inheritance and land boundaries begin to multiply. Landholders assert increasingly individualized use rights to given plots as population continues to rise: the right to assign the plot to an heir or to a tenant; the right to prevent holders of group from exercising their traditional prerogatives; and the right to dispose freely of the land. This chain of events therefore gives rise to conflicts, which become more and more difficult to resolve and gives rise to litigation costs. However, with the appreciation of land prices, the expected gain from obtaining specific land rights increasingly justifies the transaction cost of disputation. At the same time, litigation costs as a result of monies spent at the courts tend to affect economy and social unrest tends to spread dangerously (Platteau, 1992, p 163-175; Roth, 1993, p 316-317).

The expected response from the central government is to enact and implement administrative reforms to put an end to these volatile issues and the social tensions arising from land related disputes. Such reforms will consequently include a formal registration procedure of private land rights or land titling (which will require the completion of a full cadastral survey). As a consequence of formal adjudication, most of the conflicts will be solved, which will lead to peace and political stability (Platteau, 1992).

The establishment of land titles that transfer the land from group or secondary claims and provide the owner with complete transferability rights gives rise to two kinds of socially beneficial effects, one is static and the other dynamic. The static effect follows from the fact that, once freehold titles are granted, this will lower transaction costs in land transfers due to reduced disputes and ambiguity in land rights, which will lead to accelerated



development of land market. This will consolidate holdings and also increase the ability to convert land into other assets since there is security in such lands once they are free from litigations. This in the end will lead to improved land rights and land transaction for effective physical planning. Dynamic effects result from increased willingness and ability to invest on the part of the owners. As long as land can be easily converted to liquid assets through sale, investment in land by potential entrepreneurs is encouraged. This is because, when private land rights are well established and legally protected and when they can be freely exchanged, land acquires collateral value and the supply of credit tends to increase dramatically (Hicks, 1969). After the review of the various theories in land market and administration, the evolutionary theory of land rights by Plateau has been adopted for the conduct of this research.

## **2.2 Land Market and Institutions**

Lindblom (2001) conceives a market as a system of society wide coordination of human activities not by central command but by mutual interactions in the form of transactions. He characterises the market as not a place but a web, not a location but a set of coordinating performances.

Once land is traded as a commodity a land market is considered to exist. The land market affects the urban environment and the quality of life in cities because it serves either as an incentive or a disincentive (UN-ESCAP (1998). According to Antwi (2002), land market refers to any transaction between two persons on land or landed property which involves transfer of ownership of land rights from one person to the other for cash or kind through



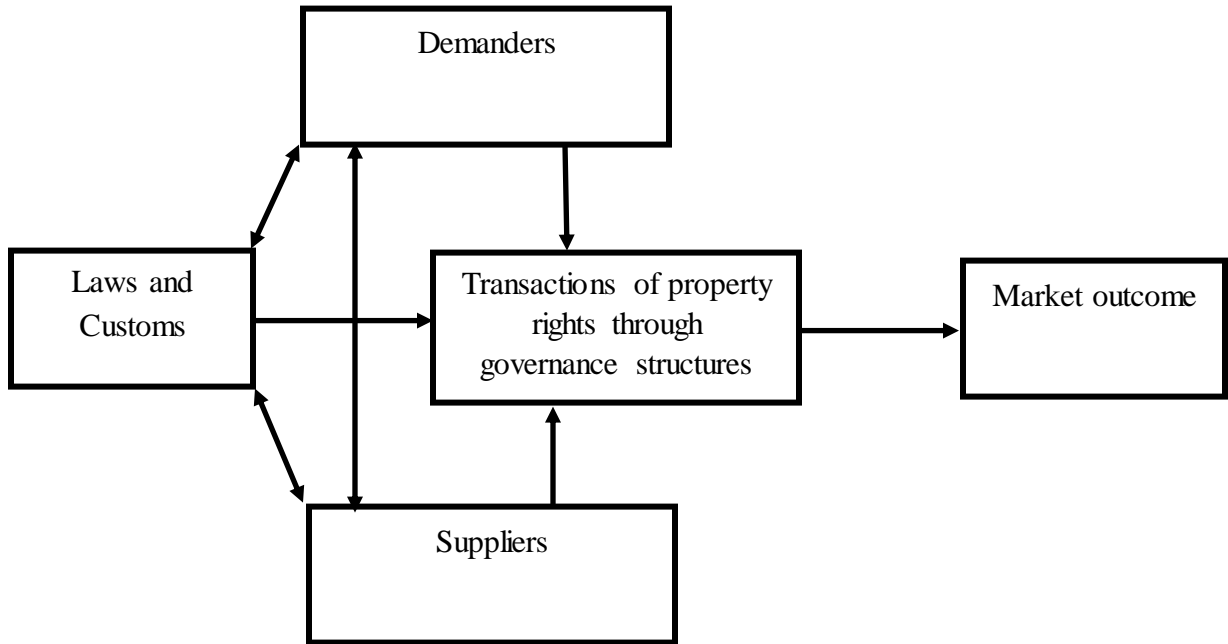
data gathering, processing, land registration, storage, and dissemination of relevant information as a final product to the public as and when needed.

For the purpose of this study, the conceptual definition of land market refers to the conditions and circumstances under which the allodial owners of land transfer ownership of land rights to a person either for financial, social or other benefits through a legitimate means under the customary law, which has been duly registered and recognised. Institutions demarcate, and register the land that is transacted. When we talk of a market in land, it is not so much the land that is exchanged, but the right to use land in a specific way such as freehold or leasehold and for a specific period of time (Alchian & Demsetz, 1973). This study explores this by looking at the institutions that regulate the use of land and the people who own land in the Wa Municipality.

Planning precedes development and the type of usage of land is determined by the planning authorities and the Beneficiaries and Trustees must abide by these plans prepared to guide the usage of land. Unfortunately some Trustees fail to understand the fact that the ownership of land is different from the prescribed use of that land by the planning authorities. This usually leads to the distortion of plans when Trustees and Beneficiaries fail to abide by the planning that is carried out by the Institutions to guide the growth of settlements. When Trustees and Beneficiaries fail to abide by the institutional arrangements in planning, it creates a problem in the land market and thus consequently leads to a negative influence on physical planning. Efforts were made in this study to find out whether Trustees had their lands planned before alienating and also whether Beneficiaries ensured that they followed the land uses as planned by the institutions. Hodgson (2008), argues that, exchanges themselves take place in a



framework of law and contract enforceability. The institutional interactions in the process of acquiring and registering land are shown in Figure 2.2.



Source: Adopted from Barrie et al (2010)

**Figure 2.2: Theoretical framework for research into land markets.**

The framework in Figure 2.2 gives rise to certain important questions that needs to be answered to understand the land market players such as;

- Who are the demanders and what are their motives?
- Who are the suppliers and what are their motives?
- How do demanders and suppliers affect each other?
- In what way does the behaviour of one actor affect the preferences of another?

It is also very important to understand these pertinent land transaction questions to give a holistic view to understand the roles institutions play. These are;





- What rights in land (for example, leasehold or freehold) are exchanged?
- What are the transaction costs of the way the interaction is organised and who pays them?
- In what ways do demanders and suppliers interact, through which governance structures are the property rights over land exchanged?

To get a better understanding of the preferences and behaviour of actors, attention has to be paid to the ‘institutional context’ that, is; the laws and the customs that govern land transactions. The framework also shows that institutions are constructed and reinforced by actors, the key question is, which rules influence the preferences of suppliers and demanders and their interaction? The combination of laws, customs, actors, property rights, transactions costs and governance structures all guide land transactions.

### **2.3 Overview of Physical Planning**

Hermunen (2004) defined Physical Planning as a process of analyzing different land use options, choosing between them and the preparation of a physical plan to make the chosen priorities come to reality. Physical planning involves any intentional efforts to change the nature of using land for the purpose of achieving aesthetics, convenience, harmony, health and safety of the inhabitants of a settlement (Tasantab, 2015). It is very vital for physical planning because every community comprises of people with diverse needs, interests and lifestyles. Some of the common needs that are associated with urban areas and communities include; sanitation, clean water, and open space for recreation. Therefore how a city or town is developed can impact either negatively or positively on these needs and consequently, the quality of life of the citizens (Ngetich et. al., 2014).



The UN Habitat (2011) believes that physical planning is not a modern occurrence. They argue that the planning of urban land uses has been going on since human settlements started. They state that archaeological evidences have indicated that planning took place in the Latin America, Middle East, Asia, North Africa, and Sub-Saharan Africa in ancient times. To support this assertion Haub (2009), says that wherever people use land and its resources means that physical planning has taken place. This means that, physical planning takes place in every society even though the term might not be used. People have needs that must be satisfied, for example, inhabitants of urban areas need housing, jobs, education, recreational opportunities, transport, and basic services like water, electricity, and health care; that land-use planning tries to accommodate within a technical and spatial framework (Thomas, 2001).

But the question is, if land use planning has been taking place, particularly in Sub-Saharan Africa since the ancient times (UNHabitat, 2011), why then do Ghanaian cities and towns still remain haphazard? Why has physical planning failed to exercise control on human settlements growth in the country? (see Yeboah & Obeng-Odoom, 2010)

Physical planning refers to the description of public policy which encompasses various disciplines which seek to regulate and order land use in a sustainable, efficient and ethical way to prevent land use conflicts (Walters & David, 2007). Despite the numerous views and definitions from different scholars, the important function of physical planning remains the same despite the term that might be used. The Canadian Institute of Planners (2011) believes physical planning to be the scientific, aesthetic, and orderly use of land, resources, facilities and services with the intention to securing the physical, economic and social efficiency, health and well-being of urban and rural communities. Physical



planning is conceptualized as any deliberate effort made at ensuring a harmonious spatial development of settlements based on the principles of efficiency, orderliness, safety and healthy growth of communities.

The land use planner and managers of urban growth have several perspectives for land in their bid to ensure sustainable development. Land in its natural and urban state is both an input to, and a product of, the physical planning process. Land is wanted by people who intend to change it through development of structures and those who would keep it in the current state through maintaining existing and traditional uses. Land represents potential opportunity for social and economic mobility or a potential disaster as an area for poverty and crime caused by litigations and disputes. In order to make plans to guide and direct the positive uses of land and to avoid its negative uses, the physical planner has to build a knowledge base that involves the technical, social, economic, and institutional aspect of land use (Amponsah, 2011).

There is the need to undertake careful planning by governments all over the world to manage the urban future because; urban settlements are being influenced by new and powerful forces (Tipple, 2011). He further believes that what takes place in the built environment is being changed by demographic, economic and environmental factors. These factors are believed to be reshaping the configuration and fabric of almost all urban centres in the world these days (McIlwaine & Willis, 2014). The human being has, however, over the years intervened in a way that improves the effects of the demographic, economic and environmental factors, and made deliberate decisions that have propelled urban growth in economically viable, socially acceptable and environmentally sustainable form and nature (Ngetich et.al., 2014).



The nature of development of a city or town can impact negatively or positively on these needs and therefore the quality of life of the citizens. Physical planning became needed especially in the UK, because of the need to solve the problems of squalor brought about by rapid urbanisation in the 19th century and partly to cope with rebuilding war-thorn cities following the Second World War

## **2.4 Evolution and Theoretical Framework for Physical Planning**

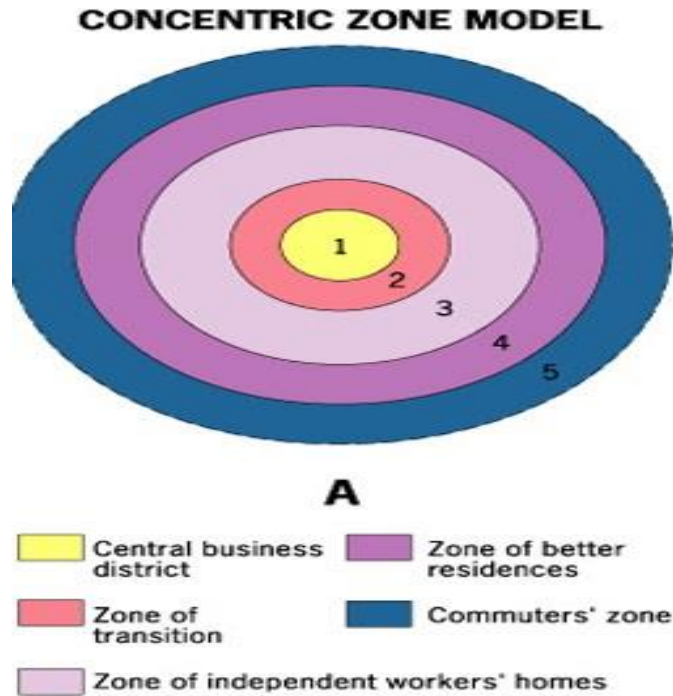
The theories of Physical planning have been vast and numerous, various individuals have delved into them to understand how these theories have evolved over time. Here are few of the most notable ones that have been postulated starting from the very earlier ones to the latest and currently adopted models of physical planning.

### ***2.4.1 Concentric ring model***

Sociologist Ernest Burgess propounded the concentric ring model also known, as the Burgess model in 1925 as one of the earliest theoretical models to explain urban social structures. This theory was the first to give the explanation of distribution of social groups within urban areas, this theory was first applied in Chicago. This concentric ring model depicts urban land use in concentric rings: the Central Business District (or CBD) is in the middle of this model, and the city expanded in rings with each ring indicating a different land use. This theory contrasts with Homer Hoyt's sector model and the multiple nuclei model. The zones identified are: The centre is the CBD, which is then followed by the transition zone of mixed residential and commercial uses, low-class residential homes referred to as the inner suburbs which was later referred to as inner city, Better quality middle-class homes also known as the Outer Suburbs and Commuters zone. From this



theory, the values of land rent increases as the city develops towards the outer periphery since these areas have well planned and decent neighbourhoods compared to the inner zone which is the Central Business District. This is illustrated in the Figure 2.3



Source: Burgess, 1925

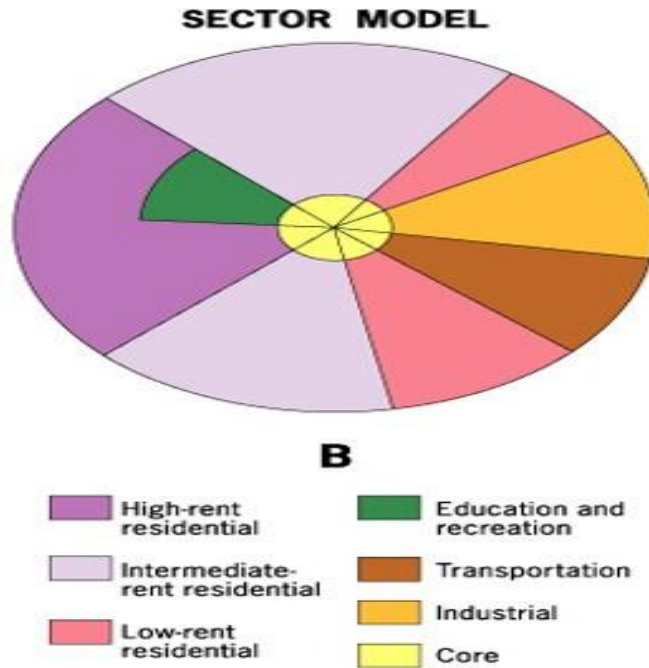
**Figure 2.3: Concentric Ring Model**

### **2.4.2 Sector Theory**

This theory holds the view that housing areas in a city develop in sectors along the lines of communication, which starts from the CBD and moves towards the outer periphery. High quality areas run along roads and these usually attract higher ground rents. Industrial sectors also develop along canals and railways, away from high quality housing areas. Thus a high class residential area will spread out along the lines of the sector by the addition of new belts of housing beyond the outer arc of the city. This theory was



advanced by Hoyt (1939) as an alternative to Burgess' concentric model, and was based on residential rent patterns in the USA which he believes did not follow the Concentric Ring Model. This theory is graphically illustrated in Figure 2.4



Source: Hoyt (1939)

**Figure 2.4: Sector Model**

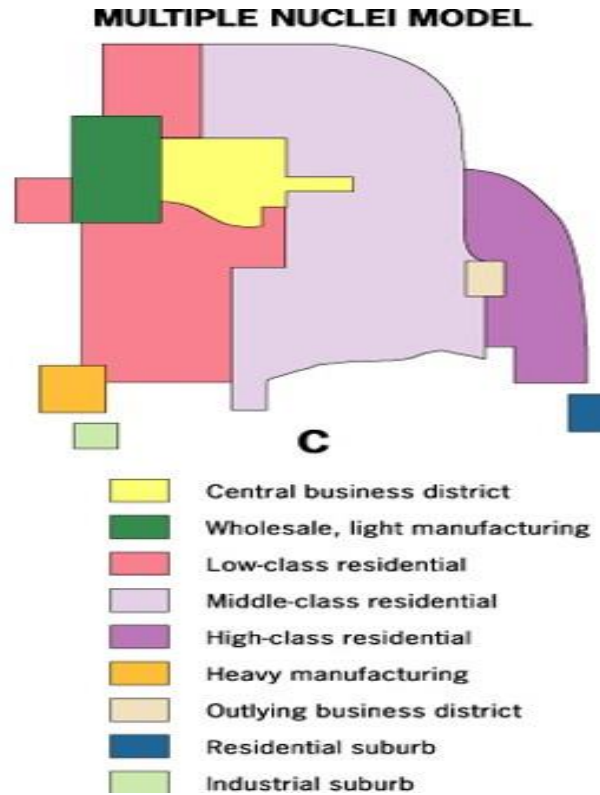
### ***2.4.3 Multiple Nuclei Theory***

Harris and Ullman constructed this model in 1945 to demonstrate that some cities neither fit into the Concentric Ring Model nor the Sector Model. They claimed that although these patterns may exist, the reality on ground sometimes is far more complex than those two theories simply say. They argued that land use patterns do not grow from just one central point in the city but from several points called nuclei. This is based on the fact that many big cities and most large towns grow about many nuclei rather than around just



a simple CBD. They assumed more than one desired location as a growth pole. Some of these growth poles which serve as nuclei maybe pre-existing communities; others come about as a result of increasing urbanization and external economies taking place. Taking the Wa Municipality as an example, it fits perfectly into this theory since it is not only the CBD that is the determining factor of the growth patterns. Key nuclei points that serve as growth poles in the Municipality includes; UDS old Campus at Sombo, Wa Polytechnic, Industrial Area, Main UDS Campus at Bamahu, Airport and New regional hospital. Therefore this study adopted this theory by considering lands around all of these possible growth poles and established their influence in land rents and the level of development in and around these areas with such key institutions and facilities which serve as growth poles to trigger development in the Municipality. As shown in Figure 2.5, the number and functions of the nuclei differ (Harris & Ullman, 1945).





Source: Harris & Ullman (1945)

**Figure 2.5: Multiple Nuclei Model**

#### ***2.4.4 The Traditional Neighbourhood District (TND)***

The Traditional Neighbourhood District (TND) has been widely adopted in most countries across the globe to augment the Multiple Nuclei theory by controlling the kind of structures that needs to be developed in these poles. Local plans indicate low, medium, and high-density residential areas and then propose densities for the various categories. It indicates common open space provisions such as squares, plazas, golf courses, parks, community recreation or leisure time facilities; and areas for such public or quasi-public institutional uses.





Thoroughfares and utilities in TND connect to existing thoroughfares and utilities, or dead-ends as stubs that are supposed to connect future thoroughfares, unless otherwise prohibited by environmental constraints or other considerations.

Each area within a TND usually identifies permitted land uses within the TND with reference to other zoning districts available with a Unified Development Code. In areas devoted to mixed residential uses: the number of single-family attached and detached units permitted usually ranges between 5 to 8 dwelling units per acre. The number of multi-family units also comprises of between 8 to 40 dwelling units per net acre. In mixed-use areas, that is areas that combine residential and commercial or educational uses: The number of single-family attached and detached units shall allow 5-8 dwelling units per net acre plus an additional number of units not to exceed ten percent (Brian W. 2001). This is what guides and informs physical planners in the preparation of planning schemes to guide physical development. The preparation of most planning schemes takes into great consideration the Traditional Neighbourhood District. The most reason why this theory was also adopted together with Multiple Nuclei theory for this study is the fact that the institutions that do the planning do not own the land for which they plan. It is therefore imperative to examine how the Trustees who are the landowners understand the need to plan in the first place and then implement these plans to ensure coherent physical development in the Municipality. Therefore this study sought information from both institutions of planning and land management as well as the Land owners and developers on their involvement in planning and adherence to plans prepared in the Municipality in their land dealings.



## 2.5 Land and conflicts

### 2.5.1 Land as a Commodity

Land has a number of characteristics that distinguish it from other goods and services that may be traded in the market. The economist who may view land as a commodity that is immovable and strictly limited in supply, the landowner may not view it from an economic perspective but from a cultural point of view which he considers it a heritage. There is an emotional element that goes into the ownership of land that constrains the land market and hence cannot be ignored. In many countries in Africa, there appears to be an informal market that is being operated with transactions agreed locally, for example over who should use the land and who should benefit from it. In all Western communities there has been fragmentation in land management between the control of ownership and use rights, the former often being controlled at a central government level and the latter at the Municipal or Local Authority level (Dale & Baldwin, 2008).

Within the land market, tenure, value and use are inter-dependent and inseparable, yet at the administrative level they are treated quite separately making a formal understanding of land market more difficult. It is of course essential within market driven economies that land markets are supported by a clear legal basis that is administered by regulatory authorities that oversee the safekeeping and update of the legal title to property. Land and its associated buildings are traded according to their market value; they can be bought and sold, transferred from one owner to another or leased. The manner in which land or buildings may be used is, however, controlled by physical planning laws. Planning regulations affect the price that a purchaser will be willing to pay for any property since the permitted land use directly affects its market value. In looking at land markets,



therefore, it is necessary to look at the factors that determine land values. These factors include matters particular to the individual land parcel such as the security of tenure and the nature of the use rights (Dale & Baldwin, 2008).

### **2.5.2 Land conflicts**

Conflicts as used in this study refer to fights, disputes, struggles, quarrels, disagreements and wars between individuals, groups or communities over land (Angaye, 2003). It may be short or long in duration, but may have either direct or indirect impact on residents or their environment. Conflicts may have a positive or negative impact on the people involved in it. However, from experiences in African nations, it shows that the negative effects of conflicts far outweigh their merits (Colletta, Kostner & Wiederhofer, 1996; Biswanger, Klaus & Gershon, 1996; Sha, 2003; Salim, 2004).

Land is increasingly becoming a source of conflicts in Sub-Saharan Africa, where access to land had traditionally been characterized as relatively egalitarian. It has been shown that land conflicts that are small in magnitude can burst out into large-scale civil strife and chaos (Andre & Platteau, 1998; Daudelin, 2002). Factors, such as population pressure and urbanization, have contributed to the increasing number of land conflicts, and the current land tenure systems in Africa most often than not lack what it takes to resolve these conflicts (Cotula, Toulmin & Hesse, 2004).

In many African countries, formal institutions for land administration were often simply superimposed on traditional structures without a clear delineation of responsibilities and competencies, and most of them often lack both social legitimacy and outreach (Deininger, 2003).



Land is central to continuity of life, indispensable in physical development and complex in social relations of production in the economic world. This implies that, to every land, there is the socio-cultural dimension to it, and as a result of this, conflict over land combines strong economic, spatial, cultural and emotional values. There are indications that man's complex socio-economic, cultural and physical attachments to land have placed land in a sensitive and unique position. The use of conflicts by communities in an attempt to secure territories, conserve socio-economic resources and carry out physical development activities and practice traditions on land have given birth to untold crises over the ages (Abegunde, 2010).

Land conflicts have affected millions of people and in most cases resulted in lost opportunities in terms of social disorder, economic depression and destruction of housing and basic infrastructure in the physical development of communities (Gizewski & Homer-Dixon, 1995; Justino, 2004). In another dimension, all types of conflicts on land involve significant private and social costs in human environment. During conflicts on land, several losses can occur such as; inability to conserve landed properties with cultural or historical values, inaccessibility to urban land for meaningful socio-economic or physical development programmes (Schock 1996; Addison, 2001; Abegunde, 2010).

Physical planning has evolved in the shadow of urban chaos and disrupted physical development caused by conflict. The lack of adherence to development control, urban slum and environmental disequilibrium are also some effects of land conflicts. Hettne (2002) indicated that, land conflicts create states of turbulence in the environments as well as in the minds of people who have gone through its unfortunate consequences. This usually leads to a destruction of physical planning and implementation of local plans of



the conflict zones since planners can neither plan nor implement plans in such areas. According to Gakunzi (2005), the increasing occurrences of land conflicts has resulted in the extensive loss of lives, destruction of property and the distortion of the general environment in terms of its physical outlook. These often retard the efforts of development and have been a major impediment to planned growth in many African Cities. Their effects on residents are reflected on destruction of community's infrastructure, trade, social interaction and physical development. Conscious efforts at ensuring harmonious spatial development and environmental sanity in Ghanaian settlements date back to the colonial era. However, this effort is sometimes thwarted by land disputes which mars the development structure as well as the rate of development of the particular area of contention.

Land disputes are widespread in Africa; land disputes are the most significant form of conflicts in most parts of the country, with many escalating into violence. Most land disputes in Ghana fall into two broad categories: disputes between individuals and families, and disputes related to private sector investment (Awedoba, 2009). According to Boamah (2013), most of the land disputes in the Upper West Region are related to the delineation of boundaries or competing claims for land use and ownership. Majority of land disputes are between relatives, neighbours, and families/clans. The common types of land disputes in the Municipality include:

- ❖ Land grabbing by neighbouring families or villages;
- ❖ Selling family land without permission;
- ❖ Disputes related to gifting and other unrecorded transfers of ownership



- ❖ Disputes between junior and senior family members;

## **2.6 Description of Concepts**

### ***2.6.1 Conflict***

Galtung (1958) sees conflict as a struggle between individuals or collectives over values or claims to status, power and scarce resources in which the aims of the conflicting parties are to assert their values or those of others. From the perspective of Awedoba (2009), it is a relationship between two or more parties that centres on differences, disagreement on some issue of common interest or concern, divergence, incompatibilities, clash of will. Conflict, as defined by sociologists, is a social fact in which at least two parties are involved and whose origins are differences either in interests or in the social position of the parties (Imbusch, 1999). Consequently, a land conflict is defined as a social fact in which at least two parties are involved, the roots of which are different interests over the property rights to land: the right to use the land, to manage the land, to generate an income from the land, to exclude others from the land, to transfer it and the right to compensation for it (Wehrmann, 2005). For the purpose of undertaking this research Wehrmann (2005) definition of conflict is adopted because her definition has most of the elements that triggers land conflicts.

### ***2.6.2 Development Regulations***

These refer to a set of laws, governing the activities of physical planning and development, which needs to be carried out or followed to achieve sustainable human settlement development. There are various regulations that control how Beneficiaries should embark on physical development activities. These include; planning standards,



structure plans, spatial development frameworks, local plans and building codes. These regulations are important because they provide the platform and direction for physical planning. Decisions concerning uses that can be permitted or prohibited are based on the provisions of development regulations. It is therefore important to briefly explain what these terms imply in physical planning.

#### *2.6.2.1 Spatial Development Framework*

Spatial Development Framework (SDF) is the spatial strategy for achieving defined social, economic and environmental policies. SDF tackles the spatial development implications of issues such as economic development, employment, housing, infrastructure services, education, health care, tourism and leisure, transportation, communications, culture and the environment. The SDF should be in conformity with the National Development and Medium Term Development Plans (MTDP) and other relevant national and regional-level policies, plans and programmes (PPPs). The economic and social development goals, objectives and strategies of the MTDPs, as complemented where necessary with these other PPPs on national and regional scales, are to be given spatial manifestation in the SDF. The SDF provides the parameters for Structure and Local Plans, which each must be in compliance with the higher level plan. The Spatial Development Framework is an indicative plan, showing the expected development over a period of fifteen to twenty-year, which will include the location of key components of the strategy aimed at achieving the desired development. Once approved, it is imperative to keep revising the SDF ideally every four years, in line with the National Development Plan and Medium Term Development Plans (MTDP), taking into account shifts in national objectives and the performance of the plan on the ground.



The SDF provides a desired future for the spatial development of the Nation, Region or District over a plan period. It provides perspective and proposals for what kinds of development should take place, how much of it should occur, where this should happen, and how this should happen in order to take advantage of presented opportunities (Land Use and Spatial Planning Authority, 2011).

#### 2.6.2.2 *Structure plan*

A structure plan is a statutory long-term framework used to guide the future development of a district, town or city or the development or redevelopment of a part of these areas. The structure plan defines broad land uses, including industrial, commercial, residential, mixed use areas, major open spaces, agricultural areas and areas that require to be preserved, such as areas of outstanding natural beauty, conservation areas and areas of historic or cultural importance. A structure plan also shows the connectivity of corridors including trunk and major transportation routes, major water, sewerage and power networks and other key features for managing the effects of development in a district. It further defines areas where no particular use is designated and which is expected not to change during the period for which the plan is valid (Land Use and Spatial Planning Authority, 2011).

They provide a framework within which all Local Plans for the city or town should be in compliance. The basic land uses identified in the Structure Plans are: open space, residential, agricultural, commercial, industrial, and areas of public facilities. However, some of these land uses may be further broken down according to the size of the area for which the plan is prepared. Generally speaking, at the MMDA level, the basic classifications will be used, whereas a structure plan for a sector of a town or for smaller





urban areas may provide an additional layer of zoning ordinances that provide further information on permissible types of development and densities, the height and form of the building, site lines and set-backs and even use of construction materials. The structure plan is a very important instrument for regions or urban areas where land ownership is fragmented as in the case of Ghana where multiple families, stools and individuals own land. Structure plans are the basis upon which local plans are prepared (Land Use and Spatial Planning Authority, 2011).

#### 2.6.2.3 Local Plan

Local Plan is a plan, which suggests the usage of land by function and purpose, or to be preserved in its present state, in order to meet both the present and future identified community needs within the time frame that the plan is supposed to last. LUSPA further indicates that Local Plans are guided by the output of structure plans. While the structure plan gives a broad usage of the land, local plan gives a detail use by breaking the usage into sub-divisions of plots for development. Local plan is therefore prepared when the need arises and the uses of the land indicated in it must conform to the permitted uses of the land in the designated zoning classification in the approved Structure Plan.

Local plan also identifies open areas that need to be preserved for aesthetics, including land where the topography exceeds that which is permissible for construction and water bodies, including flood plains. However, some of these flood plains may be designated for recreational development in a controlled manner, and areas where existing trees are to be preserved or new trees planted for the purposes of afforestation (Land Use and Spatial Planning Authority, 2011).



#### 2.6.2.4 Planning Standards

Planning standards provide the guides used in dimensioning when preparing development plans. Planning standards are a set of criteria for determining the scale, location and site requirements of various land uses and facilities (LUSPA, 2011). According to Aluko, (2011), planning standards are used in physical planning activities as identified models for controlling physical development. The most crucial aspect of planning standards are the mandatory standards which provide the minimum space requirements or basic considerations that must be satisfied in every single physical development that takes place in space (Rangwala et al., 2009).

### 2.7 Conceptual framework for Land Market and Physical Planning

This section defines the area of jurisdiction of the research and seeks to indicate the various issues, intervention areas and major outcomes of land market. According to Smits & Champagne (2008) conceptual framework depicts the major issues of interest in a study and the interrelationships that exist among them. According to McGaghie, Bordage & Shea (2001), a conceptual framework is significant in a research in many ways including:

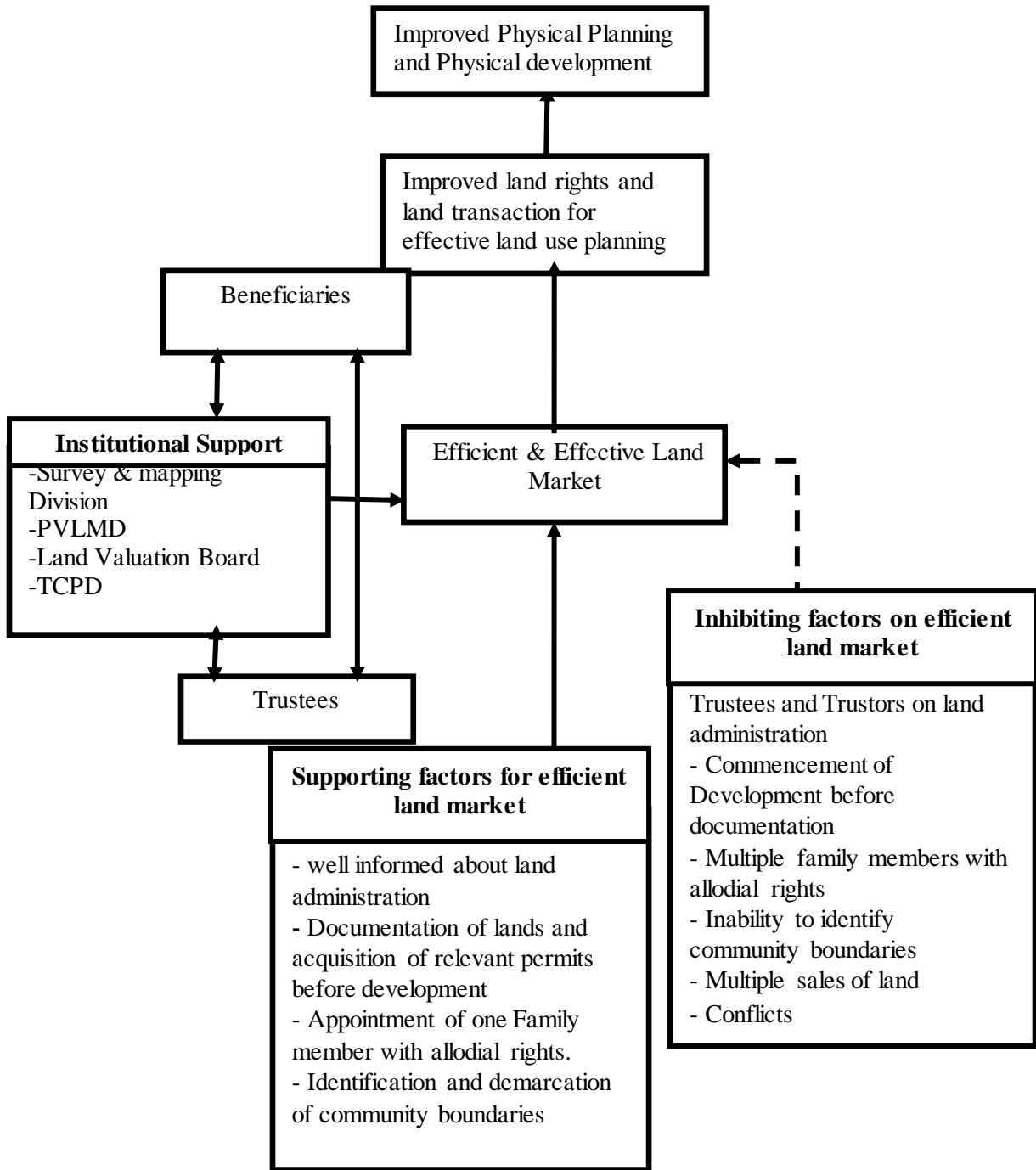
- Aiding in the identification of the research variables.
- Clarification of the relationship among the research variables.
- It also sets the stage for the identification of research questions.



As earlier on stated, physical planning as a process of examining different land use options, choosing between them and the designing of a physical plan to make the chosen priorities to come true (Hermunen, 2004). Physical planning involves any deliberate attempts to alter the nature of using land for the purpose of securing aesthetics, convenience, economy, harmony, health and safety of the dwellers of a settlement (Tasantab, 2015). The Planning of land uses is necessary because a community comprises pool of individuals with diverse needs, interests and lifestyles. This shows that land is a key resource when it comes to physical planning because without land there would not be the need for physical planning. Therefore the nature of land market greatly has an implication on physical planning. In this regard all the actors of land market which include the Beneficiaries, the Trustees/Landlords, the land sector agencies as well as some of the factors that hinder or promote effective land transactions are looked at in the framework. How these actors interact with each other to either promote or hinder effective land market and administration is also indicated in the framework.

When all the actors, processes, institutions, and individuals work effectively; land market would be effectively carried out to bring about orderly and healthy transactions, which will lead to improved physical planning. Figure 2.6 shows the conceptual framework of land market and their implications on physical planning.





Source: Author's Construct, 2017

**Figure 2.6: Conceptual framework of land market and physical planning**

In Figure 2.6, it can be observed that there are some factors that enhance efficient land market. Some of these factors are; Beneficiaries and Trustees who are well informed

about land administration, documentation of lands and acquisition of relevant permits before development, appointment of one family member with allodial rights, identification and demarcation of community boundaries. All of these factors will lead to efficient land market.

However, there are some factors that hinder efficient land market and these include; information asymmetry on Beneficiaries and Trustees on land administration, commencement of development before documentation, multiple family members with allodial rights, inability to identify community boundaries, multiple sales of land among others. These factors hinder efficient land market in the Municipality.

Land title registration, appointment of one Family member with allodial rights, documentation of family lands, identification and demarcation of community boundaries would lead to efficient land market, which would also result in improved land rights and land transactions for effective land use planning thereby attaining improvement in physical planning and physical development. There is also an intricate interrelationship between the Beneficiaries and the Trustees. The actions or inactions of the landlords in one way or the other affect the activities of the Trustee and the other way round.

Activities such as multiple sale of land by landlords affect Beneficiaries. Also the activities of both the Beneficiaries and the landlords both affect the land sector agencies as well as the actions or inactions of the land sector agencies also affect both the Beneficiaries and the landlords. Also when the land sector agencies perform their duties well through land demarcation, land registration and valuation as well as the issuance of the appropriate permits; this will lead to efficient land market. This would also result in



improved land rights and land transactions for effective land use planning thereby attaining improvement in physical planning and physical development.

Also when both Beneficiaries and Trustees of land clearly understand land market and follows the right processes and procedures in acquiring and documenting land, this would also lead to efficient land market which would also lead to improved land rights and land transactions for effective land use planning thereby attaining improvement in physical planning and physical development.

## **2.8 Land Tenure in Ghana**

Rights to land in Ghana may be customary and private or public, temporary or perpetual, big or small, it can also be secure or otherwise (Kasanga, 1988). Over the years, there has been a transformation/transition of the types of land ownership in Ghana ranging from state/public lands, vested lands, Stool/Skin lands, family/clan lands and individual or private lands (Kuusaana & Eledi 2015). The ownership of land in Ghana can be grouped into two broad categories, namely, customary lands and statutory lands, of which the customary sector accounts for majority comprising about 80% of all undeveloped lands in the country (Kasanga and Kotey, 2001). Customary land is considered as a communal property, and individuals belonging to a particular community have inherent rights to access and use communal land for housing and agricultural production. Hence citizenship and social identity helps to define a person's access, use and ownership of a share of communal land.

Customary lands in principle are either Stool/Skin lands or family lands. It must be stated however, that, lands in the Upper East and Upper West regions are considered to be owned by the Tindaamba (first settlers) (Kasanga, 1988). Stool/Skin lands refer to lands



that are owned and managed by the Stool or Skin in trust for the community. This implies that whoever that occupies the Stool/Skin, namely the Chief, holds the land in trust and manages it in the interest of the people but does not own the land. Family lands on the other hand, have their absolute interests vested in the whole family who owns it and has the sole right to either use the land or alienate it to others for development. As a result of this, the entire family or clan has the right to enjoy the benefits accruing from the alienation of such land, but the management rests with the family head and elders. However, Ubink & Quan (2008) believe that some traditional authorities, especially chiefs are usurping community land as the principal beneficiaries, as though they were private properties. State lands on the other hand refer to lands that have been acquired compulsorily by the state using its eminent domain for public purpose or interest. When such lands are not used for the purpose for which they are intended, the original owners have the first right of re-acquisition (right of pre-emption). State lands may also include vested lands, which are managed by the state (i.e., government) on behalf of customary entities (Kuusaana & Eledi 2015).

Da Rocha & Lodoh (1999) grouped interests in land into allodial, usufructuary, leaseholds, tenancies and licences. The allodial interest constitutes the highest title over land (Kasanga, 2002). This interest is entrusted in stools/skins and family heads. The usufructuary interest (freehold interest) is one vested in sub-groups or individuals from a community (Ollenu, 1962). The holders of this type of interest are members of the particular community or family in which the allodial rights are vested (Asante, 1965).



The leasehold is a modern day addition to the land tenure system in Ghana. It allows one to acquire land for a particular purpose for a specified timeframe. A lease must have a date of commencement and a date of expiration in order to make it valid.

## **2.9 Land Management in Ghana**

There have been many land reforms in the history of land ownership and management in Ghana beginning from the colonial days to the present day. Governments over the years have introduced various controls measures over the powers of the chiefs over land, which has led to the split in administrative machinery of stool land between the government and the traditional custodians (Ako-Adjei, 2006 cited in Kasanga, 2008). During the pre-colonial times, land was managed by traditional authorities through various taboos, laws and believes. Every river, timber, hill and big rocks were considered to be a god. The people believe that such gods helped them in their dealings with land and could also bring them misfortune to the community, family, clan or the individuals if they disrespect or abused them.

The arrival of the Europeans brought lot of complications in the land tenure system in Ghana, which has resulted in the current land tenure disputes we are facing today. The first state intervention in land management was the introduction of the ordinances and Bills that sought to transfer authority over land from the native citizens to the colonial states (Antwi, 1995). The Public Land Ordinances were propagated in 1876, which empowered the colonial government to take over land for public use without having to pay any dues or compensation. This attempt was met with great opposition from the native communities, families and clans, who saw this as a way for the colonial masters to







take away their right over the use of land and its resources. In 1962 and in an attempt to register land at the national scale and to improve the plight of landowners and Beneficiaries, the Government promulgated the Land Registry Act 1962 [Act 122]. This Act was intended to provide sufficient assurance of title by way of administration and judicial control by the state of transaction in Stool Lands. In 1986, the then Provisional National Defense Council (PNDC) military government of Ghana passed a Land Title Registration Law, 1986 (PNDC 152) that requires all titles to land to be registered through the Lands Commission Secretariat.

In June 1999 the Ghana government launched a land policy campaign that sought to address all land administration problems. The key issues identified in the policy document included inadequate policy and regulatory framework, weak land administrative regime both public and customary, indeterminate boundaries of customary lands, multiplicity of land dispute which has clogged the court system, and general indiscipline in land use development and disposition. The mechanism for addressing these issues is the Land Administration Program, the first five years of which is the Land Administration Project. In January 2001, there was a change of government. The new government made further proposals to prepare and implement a Land Administration Program (LAP) to provide good grounds for land administration that would translate the National land policy into action. The main aim of the LAP is to provide the Land Sector Agencies with relevant information that could be accessed at any time.

### **2.9.1 Organizations charged with Land Management in Ghana**

Under the current Land Administration Project (LAP) in the country all land delivery agencies have been put under the Ministry of Lands, Forestry and Mines with the exception of Land Use and Spatial Planning Authority which is under the Ministry of Environment Science, Technology and Innovation. The state agencies responsible for land management include the Survey and Mapping Division, Land Valuation Division, the Lands Registry Division and Public and Vested Lands Management Division (PVLMD), and Land Use and Spatial Planning Authority.

#### *2.9.1.1 The Survey and Mapping Division:*

The survey department is the state agency that is mandated by the government of Ghana to carry out responsibilities that include provision of geodetic control points for which all survey work in the country must be referenced, the provision of large-scale maps of cities and towns for land titling and physical planning and topographical maps at medium and small scales. Other responsibilities include the provision of GIS and Remote sensing services, demarcation of stool land boundaries and international boundaries, training of middle level surveyors for the department, other land sector agencies and other public institutions and Precise Levelling and Mean Sea Level Observations throughout the country. The department is also charged with the licensing, supervision and monitoring the work of licensed surveyors in the country. This division is one of the key vital entities that has first-hand contact with developers, therefore in order to achieve effective and efficient physical development, this division has a very important role to play (World Bank, 2003).



### *2.9.1.2 Public and Vested Land Management Division*

Unlike the Survey Department, the PVLMD oversees the allocation of public lands for use by individuals, private and state institutions, the monitoring of all developments on public lands to ensure conformity with approved schemes and the prevention of encroachments. Other functions include the assessment and collection of ground rent on state and vested lands, the provision of land search reports to the public and the Land Title Registry (LTR) for the purposes of land title registration, maintenance of state and public land records and assisting in the execution of a comprehensive program for the registration of title to land throughout the ten regions in Ghana.

The Lands commission serves as the Secretariat to the Permanent Site Advisory Committee for public land acquisitions. It also conducts public educational programs to ensure awareness and understanding of the correct sequence of land development processes in Ghana and manages Deeds Registry records of all lands in the country. Other functions of the organization includes the management of public land redevelopment projects, the provision of land administration advisory services to public institutions and traditional authorities and the resolution of land disputes through Alternative Dispute Resolution (ADR) mechanisms. It is also responsible for executing concurrence on all stool land transactions and providing legal services to state institutions on matters relating to landed property (World Bank, 2003).

### *2.9.1.3 Land Valuation Division*

The Lands Valuation Division determines all matters of compensations for land that have been compulsorily acquired by Government, any organ of Government or a public corporation and prepares, updates and maintain the valuation list for property rating



purposes for the Metropolitan/Municipal/District Assemblies. The organization undertakes valuation of immovable property for the administration of Capital gain tax and stamp duty as well as carries out any other duties that the state shall levy.

Other functions of the Land Valuation Division include; undertaking valuation of all immovable properties including land, building, furniture, Fittings and fixtures, trade stock, plant and machinery and other effects for any purpose for government agency or organ of the government. It determines the rental values of all properties of which government is the owner, tenant or prospective tenant and advises all organs of government on all matters of valuation of interest in immovable properties. Furthermore, the board monitors private valuation activities with a view to protecting the national interest and advises government on compensation issues as affected by mining activities (World Bank, 2003).



## CHAPTER THREE

### RESEARCH METHODOLOGY AND PROFILE OF STUDY AREA

#### 3.1 Introduction

This chapter presents the systematic process adopted for investigating into the research problem. According to Oteng-Abayie (2011), research methodology refers to the theory of how research should be undertaken. Zikmund (1994) as cited in Dugle (2014) suggests that though there is no consensus concerning exact procedure for scientific methods, most scientific methods include references to “empirical testability”. Empirical means that something is verifiable by observation, experimentation or experience. This underscores the fact that an appropriate methodology is essential for the success of every research. The methodology for this study was built on providing a description of the research design, the sample size and the sampling techniques, data collection and analysis tools as well as strategies to ensure adherence to ethical standards. The profile of the study area is also described in this chapter of the research.

#### 3.2 Research Approach and Design

Hair, Bush & Ortinau (2003), postulates that research design serves as a master plan of the methods and procedures that should be used to collect and analyse the data needed by the researcher. The research approach or strategy on the other hand relates to the general orientation to the conduct of the research. This study adopted the case study design. According to Yin (2002), a case study research method is an empirical inquiry that investigates a contemporary phenomenon within its real-life context; when the



boundaries between phenomenon and context are not clearly evident; and in which multiple sources of evidence are used. Case study gives the opportunity to investigate and understand the dynamics of a particular system and with the attributes of investigating a contemporary phenomenon within its real life context. In a case study framework, both qualitative and quantitative data are collected to build a comprehensive understanding of a case and the focus of the study (Yin 1984; Stake 1995). Case study involves intensive and detailed qualitative and quantitative data collection about the case (Luck et al., 2006)

The study combined both quantitative and qualitative approaches in coming out with the results. Quantitative research according to Burns & Grove (2001) is a formal, objective, systematic process to describe and test relationships and examine cause and effect interactions among variables. Shank (2002) sees qualitative research as a form of systematic empirical inquiry into meaning. By systematic he means planned, ordered and public, following rules agreed upon by members of the qualitative research community. By empirical, he refers to the type of inquiry that is grounded in the world of experience. Inquiry into meaning means researchers try to understand how others make sense of their experience. Case study research focuses on collecting, analysing, and mixing both quantitative and qualitative data in a single study or series of studies with the aim of providing a better understanding of the research problem than either a qualitative or quantitative approach alone (Creswell & Plano Clark, 2007; Tashakkori & Teddlie, 2011; Alatinga & Williams, 2016). The use of qualitative and quantitative viewpoints in data collection, and analysis allows for the broad purposes of breadth and depth of understanding and corroboration (Johnson, Onwuegbuzie, & Turner, 2007). According to





The rationale for this research design is the fact that most of the land market issues in the Municipality are events that have been narrated and stories of evolution of land market in the Municipality. It is therefore imperative to validate these stories and narrations into facts and that was where the quantitative data collected came into play. It was clear that neither qualitative nor quantitative designs were sufficient enough by themselves to elucidate details of the phenomenon to be investigated. The combined use of both designs therefore complements each other and allow for more complete analysis of the findings (Tashakkori & Teddlie, 2003). This is because a historical record, which is qualitative method, was used to investigate land market and administration, land conflicts and related issues and the relationship between land market and physical planning in the Municipality. Also narration of how the acquisition of land has evolved from being a free gift with only kola, schnapps and fowls to the commodification of land and the evolution of Land Tenure were all gathered using Qualitative data. The processes in registering land in the Municipality were also gathered through qualitative data. At the same time quantitative approach was used to study the trend in the land market through the analysis of the prices of land to make an informed decision on the trend of land market in the Municipality. Also the issue of land management and conformity to zoning was dealt with using quantitative data as well as the Beneficiaries and their conformity to development control in the Municipality was also done using quantitative data. The quantitative data was used to validate the qualitative data to either confirm or refute the results. This justifies the reason for my adoption of the Case study design because both qualitative and quantitative approaches were adopted to enable me cover all the areas of interest to gather the right data for the execution of the research.

### **3.3 Unit of Analysis/Units of Enquiry**

The unit of analysis refers to the actual empirical units, objects and occurrences that must be observed in order to study a particular phenomenon (Bacho, 2015). Having defined the problem to be investigated, it is important to identify how the problem will be measured. This will point out the key factors for decision making about the appropriate unit of analysis the researcher wants to discuss and draw inferences and conclusions at the end of the research. Following the above, the research was based on two main units of analysis, the first unit of analysis is an examination of the land market the Wa Municipality and the second unit of analysis is an assessment of the land conflicts in the Wa Municipality. The unit of enquiry is very vital in the conduct of research because it guides the researcher to identify where and from whom the appropriate data and information is collected and analysed to make inferences and appropriate conclusions drawn. In the conduct of this research, my units of enquiry were;

- i. Land purchasers “Beneficiaries”
- ii. Allodial Heads within the Municipality “Trustees”
- iii. Physical Planning Department
- iv. Customary Lands Secretariat
- v. Lands Commission

### **3.4 Sampling Techniques and Procedures**

The study is interested in understanding the trend of land transactions in the Municipality for the last decade that is from 2008 to 2017. Land in the periphery of the Municipality including newly developing areas and the older suburbs in the Central Business District





(CBD) met this criterion. The study adopted multi stage sampling technique where different sampling techniques were used in arriving at choosing the appropriate respondents for the conduct of the research. This is because there are several steps and stages involved in selecting the sample for the study.

To get the quantitative sample for the study, cluster sampling was used to group the forty-five (45) statutorily approved sector schemes into the eight sectors in the Structure plan of the Municipality. Simple random sampling was then employed to select two (2) schemes from each of the eight sectors using the lottery system. Thus a total of sixteen (16) schemes out of the 45 schemes representing 35.56% of the Municipality were selected for the study. This ensured that the selected zones were representative enough to make generalizations and conclusions for the entire Municipality. In determining the sample size for the Beneficiaries, the Yamane (1867) method was used. Below is the procedure;

$$n = N / [1 + N (a)^2]$$

Where “n” is the sample size, “N” is the sampling frame and “a” is the margin of error, which was considered at 90 percent confidence interval at 10 percent margin of error “a” is (0.1). The total number of Beneficiaries for the sixteen selected schemes is 6904, which is also the sample frame. The sample size determination for the Beneficiaries is calculated below based on sample frame of 6904:

Sample size is given by:  $n = N / [1 + N (a)^2]$ . Where N is 6904 and “a” is 0.1. Substituting into the formulae:

$$a = 6904/[1+6904(0.1)^2], n=6904/[1+6904(0.01)], n=6904/1+69.04, n=6904/70.04, n=99$$



After arriving at the sample size for the Beneficiaries, proportionate sampling was used to allocate the 99 respondents to the sixteen selected sectors to ensure fair distribution of respondents. Systematic sampling was then used to select the Beneficiaries from each of the sixteen sectors to collect data.

The qualitative data sample size was arrived at using the Land Sector Agencies (LSAs).

The Customary Lands Secretariat (CLS) has 36 Allodial Heads (Trustees) within the 16 selected sector schemes area out of which a census was done on all of them for the study.

The 5 heads of the Land Sector Agencies in the Municipality were all purposively selected for the study. These include; Municipal Director of Physical Planning Department, the head of Customary Lands Secretariat, Head of Survey and Mapping Division, Land Valuation Division and Public and Vested Lands Management Division of the Lands Commission. Table 2.1 shows the selected sectors in the zones for the study with the appropriate quota from each.



**Table 2.1 Sectors and respondents for the study**

<b>SCHEME</b>	<b>SECTOR</b>	<b>NUMBER OF PARCELS</b>	<b>PROPORTIONATE ALLOCATION</b>
Central Residential Area	One	402	6
Zongo Kabanye Residential	One	434	6
Industrial Area	Two	370	5
Kunbiahe Residential Area	Two	428	6
Bamahu Residential Area	Three	494	7
Kunfabiala Residential Area	Three	454	7
Napogbakole Extension I&II	Four	470	7
Mugluu Residential	Four	490	7
Sokpeyiri/Kambalepaani Res. Area	Five	411	6
Kpaguri Residential Area	Five	483	7
Hill Top Residential Area	Six	493	7
Nakoripaani Residential Area	Six	302	4
Sombo Residential Area	Seven	436	6
Mangu Residential Area	Seven	504	7
Airport Residential Area	Eight	312	5
Dobile Extension Residential Area	Eight	421	6
<b>TOTAL</b>		<b>6904</b>	<b>99</b>

Source: Author's Construct, 2017.



A total of 140 respondents were sampled which included 99 Beneficiaries/Beneficiaries constituting the Quantitative data sample and 36 Allodial Heads/Trustees, 5 Officers from the land sector Agencies making it 41 for the qualitative data sample.

Information including the economic activities engaged in, whether they are indigenes or migrants, what brought them into the town, how they acquired the land, whether they have registered the land and acquired permit before construction were some of the data collected from the Beneficiaries. Questionnaires were used to gather data from the respondents. In addition, data was also collected from all the 36 Allodial heads (Trustees) from the sixteen sectors. Data collected included; how they alienate land to Beneficiaries, how they came by the land, who allocate lands within the family aside them as well as how land acquisition has evolved over time in the Municipality were also gathered.

Officers from the Physical Planning Department, Lands Commission and Customary Lands Secretariat were selected using purposive sampling. Purposive sampling techniques involve selecting certain units or cases based on a specific purpose rather than randomly (Teddlie & Tashakkori, 2007). Purposive sampling is also defined as judgmental sampling that involves the conscious selection by the researcher of a certain subjects or elements to include in the study (Cooks, 1998). That is when the researcher is interested in individuals who have particular expertise that will help the researcher to accomplish the goals. From the above explanations, it can be seen that the choice of purposive sampling was the right decision since data including the registration procedures of land acquired by Beneficiaries, the inter-sectorial collaboration and coordination between Lands Commission and Customary Lands Secretariat and Physical Planning Department, how the current land market impacts on physical planning and



enforcement of building regulations among others can only be provided by experts in the field which was judgmentally selected from these departments for the study.

### **3.5 Data Collection Techniques**

Data collection is that stage of a research where the subjects are approached and the information required for the study is gathered. Data collection in a research is accomplished by means of methods defined in the research protocol. Indeed, the general rule is that data collection is just an execution of plans developed during the stage of research design. This design specifies exactly what is to be done, where, how and from whom to collect the data.

In the process of collecting data for this research, the primary data collection instruments used were; key informant interview guides, to collect data from the officers of the various land Sector Agencies to ascertain the dynamics and trends in land and their perception on how it affects physical planning in the Municipality. This technique was adopted because it helped to interact and observe the emotions of the units of enquiry and also gave me the opportunity to interact with the respondents to make them open up and give the right information to help understand the phenomenon. To ensure a systematic interview process, semi-structured interviewing was used in the collection of data for the study. An interview guide contains initial set of questions that are to be discussed during the interview (Padgett, 1998). The questions on a semi-structured interview guide are pre-formulated, but the answers to those questions are open ended, they can be fully expanded at the discretion of the interviewer or interviewee and can be enhanced by probes (Schensul & Le Compte, 1999).



Also structured questionnaires made up of open and close-ended questions were designed and used to gather data from Beneficiaries who have their properties on lands within the selected sectors as well as the Allodial Heads (Trustees) in the Municipality to find out the trend in land market and how it relates to conflicts in the Municipality. According to Burns & Groove (2001), a questionnaire is a printed self-report form designed to elicit information that can be obtained through the written response of the respondents. The information obtained through a questionnaire is similar to that obtained by an interview but the questions tend to have less depth. Observation guide was also used as one of the primary data collection instrument. Secondary information on land prices over the period, list of conflicts and related causes within the study area from quarterly and annual reports, articles, internet search among others were also reviewed in the conduct of this research. Questionnaires were used because they can easily generate large amounts of information in short period of time and can easily be quantified through the use of software package.

### **3.6 Data Analysis Techniques**

Finally, the data from the various sources notably Land Sector Agencies, Trustees and Beneficiaries were collated, analysed and synthesized. Demographic characteristics, educational attainment were analysed and presented using pie charts and frequency tables using Statistical Package for Social Sciences (SPSS). Also, land documentation and inherent issues as well as sources of land in the Municipality were also analysed and presented using bar charts and frequency tables. The land values for the 16 sectors over the 10 year period was also computed and line graphs were used to show the trend in increase in land values in the Municipality over the study period. The qualitative data was



summarized and analysed through description and narration. Narrative inquiry can be characterized as an amalgam of interdisciplinary approaches, and both traditional and innovative methods all revolving around and interest in biographical particulars as narrated by the ones who lived them (Chase, 2005; Butler-Kisber, 2010). Narrative tells a short or extended story about something significant or relates a life story from its inception (Chase, 2005). This was used to get the historical perspective of land market and the evolution of land market in the Municipality. These were then grouped into themes and presented.

### **3.7 Reliability and Validity**

Reliability refers to the degree of consistency with which an instrument measures the attribute it is designed to measure (Polit & Hungler, 1993). Data collector bias is one way to ensure reliability and validity. The researcher minimized this by undertaking all the interviews himself without delegating any part of it to other person to execute. Conditions such as similar personal attributes to all respondents were inculcated in the execution of data collection and friendliness. Content validity refers to the extent to which a research instrument represents the factors under study (Polit & Hungler, 1993). Including questions on the land market ensured content validity as well as linking land market to conflicts in the Municipality as well as the implications for physical planning. Questions were also formulated in simple language to ensure clarity and understanding with ease. To ensure validity, my supervisor went through and made comments and suggestions which aided and guided in the adjustment and rephrasing of some questions to ensure representation.



According to Burns & Grove (2001), external validity refers to the extent to which findings of a research can be generalized beyond the study sample used. Therefore if the number of respondents is low and insignificant, then it will be misleading to generalize such results because it will be difficult to justify. So the field survey was structured in a way that motivated people to participate thereby making the research findings valid and reliable.

### **3.8 Ethical Considerations**

Singh (2006) postulates that, any researcher who involves human sample subjects in their research has certain responsibilities towards them, since the participation of the sample subjects are often closely associated with data collection, it is appropriate to consider ethical considerations. The Trustees and Beneficiaries that participated in the research were volunteers after the purpose of the research was duly explained to them. The Land Sector Agencies officers that participated were given invitation to participate letters. Ethical considerations such as:

1. Guarding against violation of respondents' privacy;
2. Respecting the dignity and welfare of respondents;
3. The freedom of respondents to decline from participation was accepted and respected.

The research was designed in such a way that participants did not suffer any intentional discomfort, mental torture, and loss of privacy, embarrassment, physical harm or any other malice.

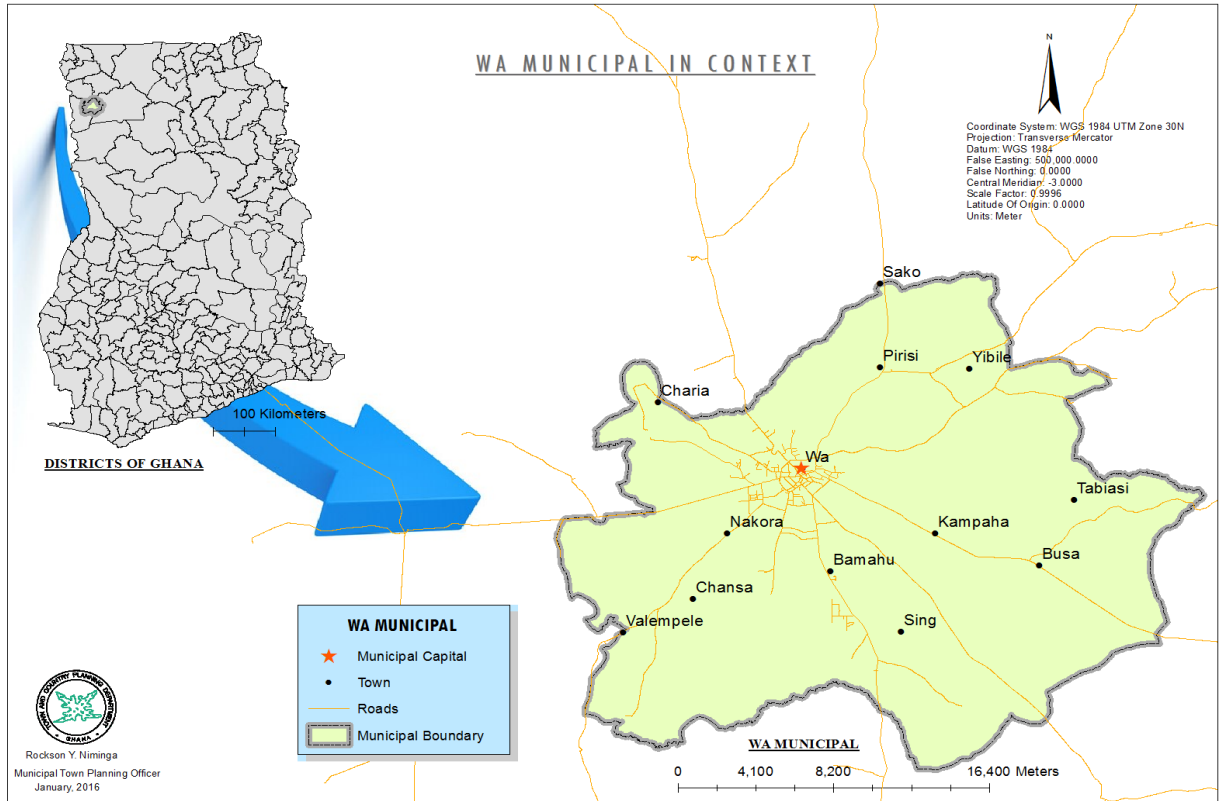




### 3.9 Profile of Study Area

The Wa Municipality is one of the eleven Local Authorities that make up the Upper West Region of Ghana. The Municipal Capital is Wa, which also doubles as the Regional Capital. Wa Municipality has a population of 107,214 people, representing 15.3 percent of the region's total population. The male population constitutes 49.7 percent to the population while the female population represents 50.6 percent (Ghana Statistical Service (2014). The Wa Municipality shares administrative boundaries with; the Nadowli/Kaleo District to the North, the Wa East District to the East and the Wa West District to the West and South depicted in Figure 3.1. It lies within latitudes 1°40'N to 2°45'N and longitudes 9°32' to 10°20'W. Wa has a land area of approximately 579.86 square kilometres, which is about 6.4% of the region (Municipal Medium Term Development Plan 2014-2017).





Source: PPD, 2017.

**Figure 3.1: Locational Context of Wa Municipal**

Wa is experiencing a radial and concentric growth pattern although this is under check by the Administrative boundary and the Billi Dam to the North and the Forest reserve to the East (stretching from Wa Secondary School to Tampaalpaani.) Housing development, mostly bungalow-type is increasing at a fast rate particularly along the Wa-Kumasi road (where the UDS is also located), the Wa-Kpong road and the SSNIT Flats- Bamahu belt. The trend is likely to continue. The Development beyond the Billi Dam is fast growing and tending to merge the Nadowli District (Loho Junction) to Wa Dam area. This explains why most of the land market problems are along these fast growing areas of the town.



### ***3.9.1 Trend of Urbanisation in Wa Municipal***

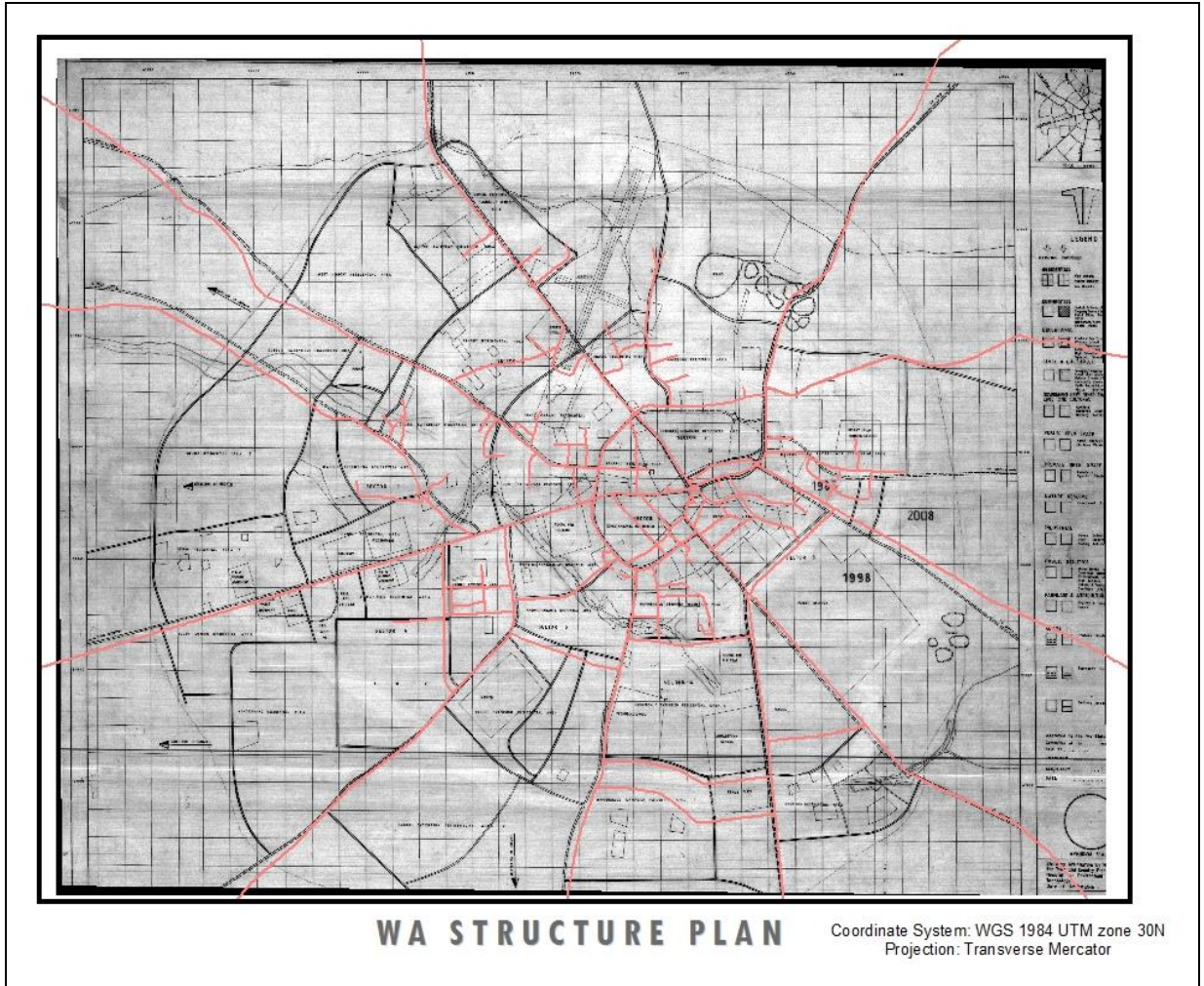
Ghana has a wide definition of ‘urban’ localities or human settlements with a population of more than 5,000 people. This means that Wa attained urban status for more than half a century now since 1960. The 2010 Population and Housing Census put the urban population percentage of the Municipality at 66.3 percent with the remaining 33.7 percent being rural. The growth of Wa Municipal has been consistently at a high rate since the 1960. Between 1960 and 1970, the rate of growth was 4 percent per annum and between 1970 and 1980, it grew at 3.74 percent. From a population of 14,342, in 1960, Wa Municipal now has a population of 107,214 (PHC, 2010).

Up to the early parts of 1980 when Wa was only a district capital, its size was limited to about two kilometres radius from the town centre (the police station roundabout), and most development contained within the inner ring road. However, with the creation of the Upper West Region in April 1983 and the designation of Wa as the regional capital, its growth became spontaneous and spiral in form. The spatial expansion has been more to the North, South and West than East. No concrete reasons have been adduced so far for this. But rather than science and logical conclusions, there is a notion of traditional or cultural explanations to it (PPD, 2017).

### ***3.9.2 Spatial Planning in the Municipality***

Wa Municipal is covered by a structure plan that provides the framework for its physical growth. The plan was first prepared in 1983 and has been revised in 1990, again in 1998 and 2008. The plan sets the Municipality into five land-use zones (Figure 3.2). They are; residential areas, commercial areas, industrial zone, civic and cultural area and institutional zones.



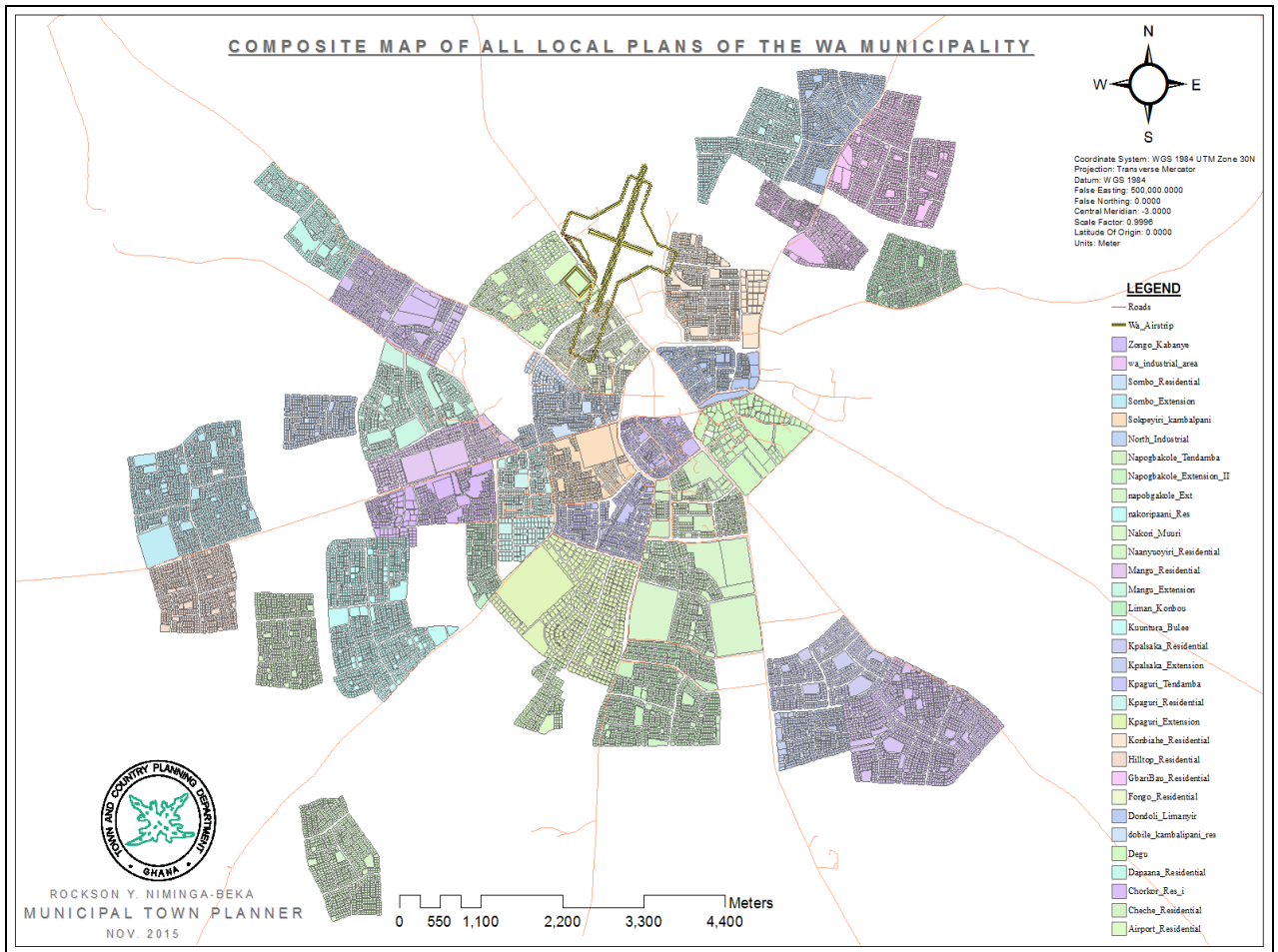


Source: PPD, 2017

**Figure 3.2: Structure Plan of Wa Municipal**



Within these broad land use zones, are forty-five approved local plans shown in Figure 3.3 below subdividing the land into smaller land uses to guide coherent and orderly physical development in the Municipality.



Source: PPD, 2017.

**Figure 3.3: Sector Layouts/Local Plans of Wa Municipal**

The commercial area is situated on the main commercial street in the inner core and made of the market and central lorry park. There are two planned ring roads, inner and outer rings. While the inner ring road is in place, the alignment of the outer one is yet to be fully developed. There is at present a proposed by-pass to remove through traffic from the Saharan countries from the urban core to the periphery. It is proposed to commence from Piisi village to the south and move west through Kpongu and south of Nakori and continue to Siriyiri on the Dorimon road, then proceed north-east to the Charia road



around Dapaane valley and north between Charia and Loho villages to link the Kaleo road beyond the Loho junction (2km north). The introduction of the proposed by-pass is in line with road proposals in the National Spatial Development Framework plan, which has designated the Hamile – Wa – Bamboi road as the Western corridor route planned for upgrading.

Residential developments in Wa have evolved into different classification zones with three neighbourhoods emerging as first class ones. In the indigenous neighbourhoods however, most of the new developments are fused with the old ones and deal more with upgrading the old structures. The first class areas are the government officials' residential area (Degu Residential), Kpaguri/Tendamba, Airport Residential area. Dobile and Dobile Extension residential areas once first class neighbourhoods require massive redevelopments to retain its true status. Zongo/Kabanye residential area can easily be classified as second-class residential area. The outskirts are also witnessing massive transformation in terms of housing and in no time will have almost a perfect physical outlay (PPD, 2017).



## CHAPTER FOUR

### RESULTS AND DISCUSSIONS

#### 4.0 Introduction

In this chapter data obtained in the study are presented and analysed. Presentation is in line with key study issues of the research such as land market in the Municipality, the relationship between land market and conflicts as well as its implications for physical planning in the Wa Municipality.

#### 4.1 Socio-Economic Characteristics of Respondents

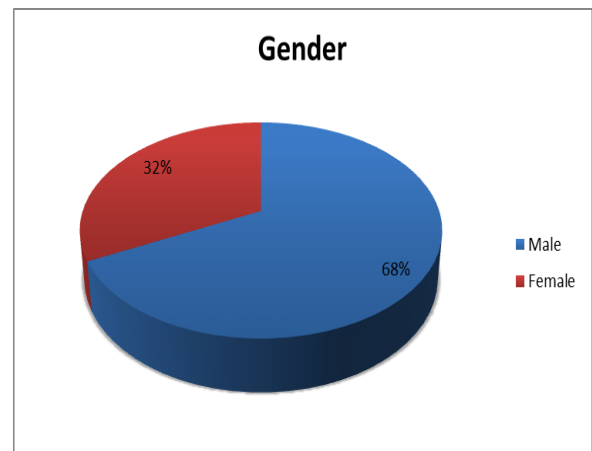
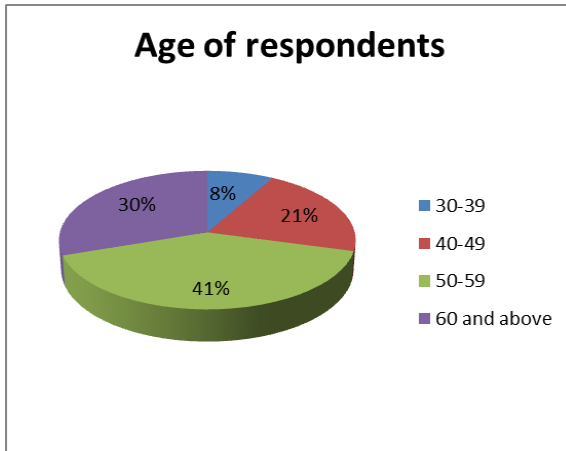
This part of the research presents analysis of data on age, gender, place of origin, highest level of educational attainment of respondents. In land market and physical development of the Wa Municipality, socio-economic characteristics is important because these characteristics can influence a person's decision making on whether to build or not and the kind of structure as well as the documentation process of the land transaction.

##### 4.1.1 Age and Sex of Respondents

The research found out that the age category from which Beneficiaries start to build falls between 30-39 years (8.1%) while the majority (40.4%) of Beneficiaries was within the age category of between 50-59 years and above 60 years comprised of 30.3%. This is because people prefer to build at an older age when they are almost at retirement while the younger age groups usually prefer to rent and save towards building their own houses. Additionally, the study revealed that, out of the 99 respondents, 68 representing 68.7 percent were males while the remaining 31 constituting 31.3 percent were females. This



data indicates there is a high percent of males in the Municipality who build their own houses than females. This might be attributed to the cultural believes pertaining to the fact that a man is the head of a household and therefore is responsible for putting a roof over the heads of members of the family. These are shown in figures 4.1 and 4.2 below



Source: Field Survey, 2017

Source: Field Survey, 2017

**Figure 4.1: Age of respondents**

**Figure 4.2: Gender of respondents**

#### ***4.1.2 Place of Origin of Respondents***

For the purpose of this study, immigrants refer to people who moved from other places to establish and build in Wa Municipality while natives are the indigenes of the Municipality. Data gathered from respondents in the research revealed that majority of Beneficiaries (63.6%) were natives while immigrants constituted 36.4 percent. Majority of the respondents are natives because some of them inherited the land and therefore did not need to spend money in buying land to start building.





### 4.1.3 Educational Attainment

The educational attainment of an individual cannot be ignored when it comes to following processes and appreciating the essence of land market and proper documentation. It is often assumed that the educational background of people to an extent has an influence on their level of understanding and appreciation of contemporary issues (Pogbekuu, 2007). It is based on this regard that this research took interest in identifying the level of educational attainment of Beneficiaries in the Municipality. It was revealed that 27.3 percent of the respondents did not receive any formal education, those with tertiary education constituted 21.2 percent and 33.3 percent attained secondary school education. The remaining 18.2 percent constituting the least attained basic education, this is indicated in the Table 4.1. This implies that majority of home builders (72.7%) in the Municipality are literates in English and therefore will appreciate the need for acquiring land using the right channels and also registering this land with the right Land Sector Agencies.

**Table 4.1: Educational Attainment of Respondents**

Level	Male	Female	Total	Percent
Uneducated	18	9	27	27.3
Basic	11	7	18	18.2
Secondary	22	11	33	33.3
Tertiary	17	4	21	21.2
Total	68	31	99	100.0

*Source: Field Survey, 2017*



## 4.2 Land Market in the Wa Municipality

### 4.2.1 Land Acquisition and Documentation by Beneficiaries

The land acquisition process is the beginning of haphazard physical development in the Municipality. The two Land Sector Agencies responsible for registration of alienated lands to individuals in the Municipality for development seems to have divergent ways of registering lands without any form of collaboration between them. These institutions are the Customary Lands Secretariat and the Lands Commission. They have different processes outlined in acquiring land in the Wa Municipality. This brings to mind the question of the efforts The Land Administration Project made in trying to streamline these numerous processes involved in the registration of acquired lands for development and other purposes.

This study revealed that these two institutions have completely different processes and ways of registering lands in the Municipality. There is no coordination among these land sector agencies in the Municipality because they have different views in relation to the right process involved in acquiring land. Customary Lands Secretariat, which is made up of some Trustees in the Municipality feel they are the first point of contact when it comes to land acquisition in the Municipality. According to them, the first place of contact in an attempt to acquire land is the secretariat. If a Beneficiary needs to acquire land, an advice is first sought from the Secretariat on issues related to areas where lands are litigation free and areas with land litigations. The team also finds out from the buyer if there is a specific area of interest to buy land of which the secretariat would direct the prospective buyer to the rightful person in charge of lands in that area since they have some records of some Trustees in the Municipality. Afterwards if interest is shown on a particular land,



the prospective buyer together with the landowner returns to the secretariat to register the land transaction. To authenticate the transaction, the Tendaana signs, two elders of that family sign and the buyer and his witness also sign. Finally, after the CLS prepares the land document, it must then be sent to the Lands Commission to be registered in their records after which the buyer can go ahead to acquire permit to develop. This according to the Secretariat has been the process that they employ to register lands in the secretariat.

The study revealed that Lands Commission has a completely different process in view of acquiring land in the Municipality. According to the Commission, the first place of contact when a person is interested in buying land is the Trustee of the family or private individual whose land he is interested in acquiring. After which the Beneficiary contacts Lands Commission to conduct a search to ensure that the particular land in question has not been already registered for someone else. Once it is declared free by the Commission, then the Beneficiary now proceeds to contact the Survey and Mapping Division of the Commission for the demarcation and survey of the land in question. But before that is done the site plan for the parcel is extracted from the Planning Scheme in case of lands with schemes to guide them. In areas without planning schemes the Survey and Mapping Division proceeds to prepare a cadastral plan. After the site plan, the preparation of a lease, which is proof that ownership is now vested in, the buyer for some period of time is done. The head of the family, two principal elders do the certification of the lease from the family, the buyer and his witness also sign to affirm the transaction. Usually the Regional Surveyor signs and seals to authenticate the site plan. So without the seal of the Republic of Ghana, the cadastral plan is not valid. After obtaining the lease a buyer is

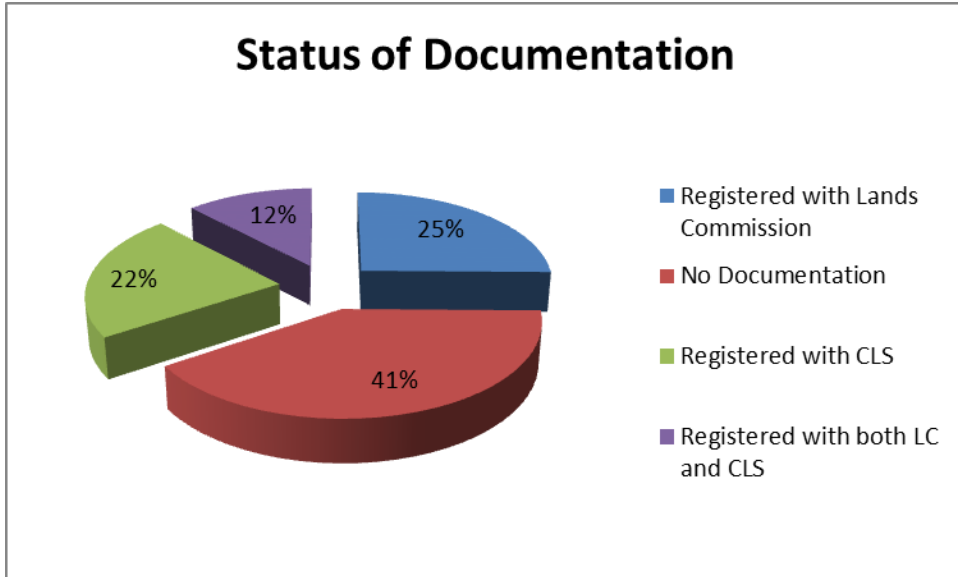


free to develop on that piece of land after acquiring building permit from the Municipal Assembly.

The study also revealed a third process from one of the Trustees. According to him “*A prospective Beneficiary first contacts the Trustee to show interest in land within his area of control. Then the buyer verifies from Physical Planning Department and the Survey and Mapping Division to ensure that the land in question has a site plan and is not zoned for a different purpose from what the Beneficiary wants to use the land for and it has not been sold to anybody*”. After this is done then the Beneficiary then continues to negotiate with the Trustee for the land and then proceeds to acquire it”

The above different procedures do not help in any way to ensure that Beneficiaries register their lands to ensure proper implementation of planning schemes in the Municipality. Some Beneficiaries therefore not knowing which of the institutions to contact and the procedures to follow avoid the entire process and negotiate with the Trustee; without recourse to the legalities involved. The documentation of land transactions in the Wa Municipality is very limited. The Customary Lands Secretariat or Lands Commission does not document a significant proportion of land transactions.





Source: Field Survey, 2017

**Figure 4.2: Documentation of Customary Land Allocations**

It can be seen from the above figure that as much as 41% of respondents have not registered their land either with Lands Commission or Customary Lands Secretariat, 25% have registered with the Land Commission and 22% have registered with the Customary Lands Secretariat (CLS). The lack of documentation on a significant proportion of land transactions is responsible for the various land related conflicts in the Municipality. The Customary Lands Secretariat that was established under the Land Administration Project, initiated in 2003, is making effort in recording customary land transactions in the Wa Municipality though with significant discrepancies. It must be noted that not all the Trustees (customary land-owners) have registered with the CLS; therefore the institution does not record their land transactions. From Table 4.2, it can be seen that the respondents who have not registered their land with the Land Commission indicated reasons such as; financial constraints which constituted 37.1%, perceived delays and frustrations which also constituted 27.4%. Also 16.1% of the respondents felt that



registering the land was not important and post-acquisition litigation issues prevented 19.4% of the respondents from either registering their lands with Customary Lands Secretariat or Lands Commission.

**Table 4.2: Reasons for not Registering Land in the Municipality**

Reasons	Respondents			
	Lands Commission		Customary Lands Secretariat	
	Frequency	Percentage	Frequency	Percentage
Financial Constraints	23	37.1	-	-
Delays and Frustrations	17	27.4	-	-
Post-acquisition litigations	12	19.4	12	18.5
Inconsequential	10	16.1	10	15.4
Grantor not a member of CLS			43	66.1
<b>Total</b>	<b>62</b>	<b>100</b>	<b>65</b>	<b>100</b>

*Source: Field survey, 2017*

From Table 4.2, it can be seen that 66.1% of respondents who did not register their lands with a Customary Lands Secretariat indicated that their Trustees were not registered members of the Customary Lands Secretariat and 15.4% indicated that they got their lands from their family hence, did not see the need to register the lands with either of the two Land Sector Institutions. These finding goes to support the assertion of Boamah (2013) who said that the problems in the customary land sector are partly caused by the inefficiencies of the bureaucracy in the state land sector and the apparent lack of public confidence in the state land sector institutions. The failure of state institutions to perform



in this area has created an unreliable and uncertain land market in the Wa Municipality, which discourages developers from registering their land transactions.

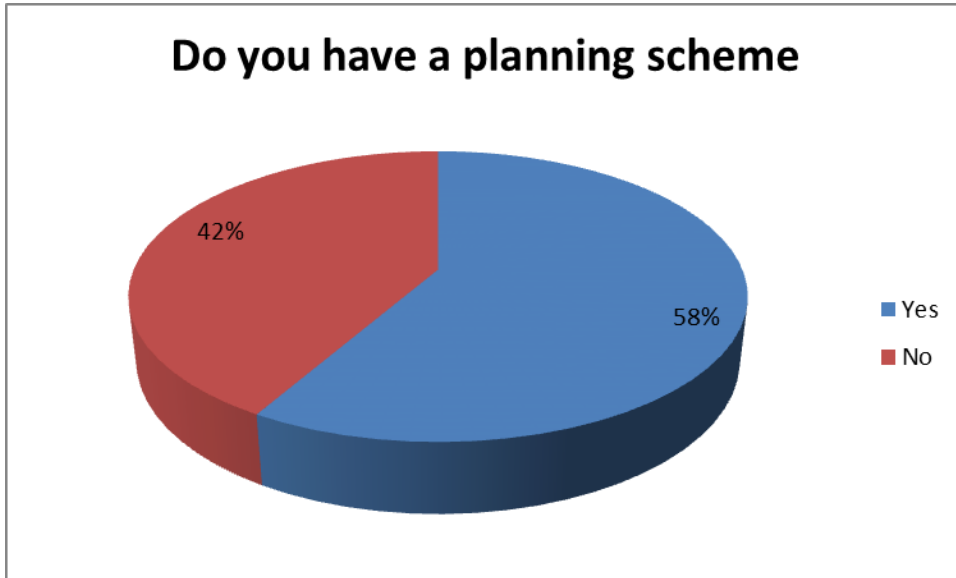
According to North (1996), transaction costs under both formal and informal processes affect agents' decisions and performance on the land market. Krabben (1995) observed that both formal (land policies and regulations) and informal (culture, values, traditions and perception) constraints might restrict the alienation of land for development purposes. Also Hardoy & Satterthwaite (1989) said that the relevance of policies depends on the benefits that the citizens will obtain from their application. Viable options for improving buildable land supply are those that are commensurate with the conditions that exist in the local socio-economic environment (Kombe 2000).

#### ***4.2.2 Land management by Trustees in the Municipality***

Under the decentralization concept, the Metropolitan/Municipal/District Assemblies (MMDAs) are charged with the planning of their various settlements with the technical support from the Land Sector Agencies to guide physical development in their various Assemblies. The challenge, however, is the insufficient resources to plan the entirety of the Municipality; therefore the Trustees now have the responsibility of planning their family lands before allocating these lands to prospective Beneficiaries. The problem this poses is the fact that not all these Trustees understand the need to have their lands planned before alienating them, therefore you find Trustees allocating lands which are not planned and once these lands are not planned before being alienated, definitely once developed it will not follow any pattern and therefore leads to the development of shanty neighbourhoods in the Municipality. The study revealed that as much as 42% of the



Trustees had no planning Schemes for their family lands and yet they continue to allocate land.



Source: Field Survey 2017.

**Figure 4.3: Trustees with Planning Schemes for Family Land**

The research revealed that the land market in the Wa Municipality is very informal and very under-developed. According to Boamah (2013), prior to 2001, there was minimal activity in the Municipality's land market. Land was virtually free in most of the studied neighbourhoods (e.g. Bamahu). The establishment of the Wa Campus of the UDS in 2001, the growth of the Wa Polytechnic, an improved transport system and the growing economy redefined the land market in the Municipality. The demand for land and land values in neighbourhoods that are close to these tertiary institutions surged in response to increasing demand by providers of student accommodation and other essential student services. Similarly, demand for land near the CBD surged as business entities (e.g. banks and retail units) either located or expanded their operations in the Municipality to take advantage of the growing economy. This finding therefore contradicts the Burgess





concentric ring model theory, which states that the inner city also known as the CBD is unplanned and therefore has less land value compared to the better quality middle class zones and commuter suburbs, which are well planned. This is happening in the Municipality as a result of increased population and urbanization, which leads to, increased economic activities and other commercial ventures striving for space at the CBD, which leads to high demand for limited land, and hence the price hikes.

Site and servicing is something that most of the Beneficiaries have never even heard of. The land market in the Municipality is predominantly characterized by the sale of undeveloped and un-serviced plots for building. This goes to confirm Cotula (2007) conclusion that the Ghanaian land market is largely informal and involves the sale of undeveloped and un-serviced lands to developers who now struggle to provide all the utility services in a piece meal bases thereby distorting the aesthetic import of physical planning.

In the Wa Municipality, the delivery of basic infrastructure such as access roads, water and electricity only comes after development has taken place. This happens as a result of development outpacing the provision of infrastructure in the Municipality. The demand for housing has increased due to increased population and socio economic development in the Municipality. This is due to the increased demand for building lots, which has outpaced the supply of infrastructure. The research revealed that majority of Beneficiaries representing 95.9% of the respondents' acquired undeveloped parcels of land in the Municipality while only 4 Beneficiaries (4.1%) acquired developed lands. Also 86.8 % of respondents acquired lands that are not accessible by road and 74.7% of Beneficiaries



acquired lands that did not have potable water while 73.7% of Beneficiaries acquired parcels of land without electricity. This is indicated in Table 4.3.

**Table 4.3: Availability of Service Infrastructure**

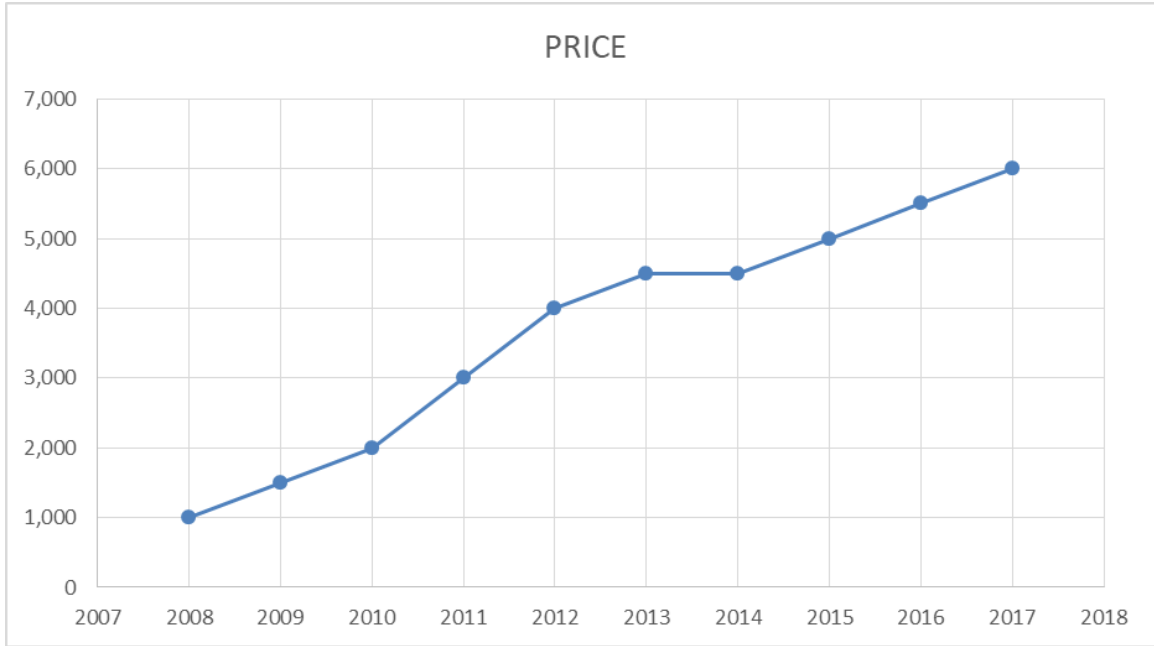
	Access Road		Potable Water		Electricity	
	Frequency	Percentage	Frequency	Percentage	Frequency	Percentage
Yes	13	13.2	25	25.3	26	26.3
No	86	86.8	74	74.7	73	73.7
<b>Total</b>	<b>99</b>	<b>100</b>	<b>99</b>	<b>100</b>	<b>99</b>	<b>100</b>

*Source: Field Survey, 2017*

#### **4.2.3 Land Values in the Wa Municipality**

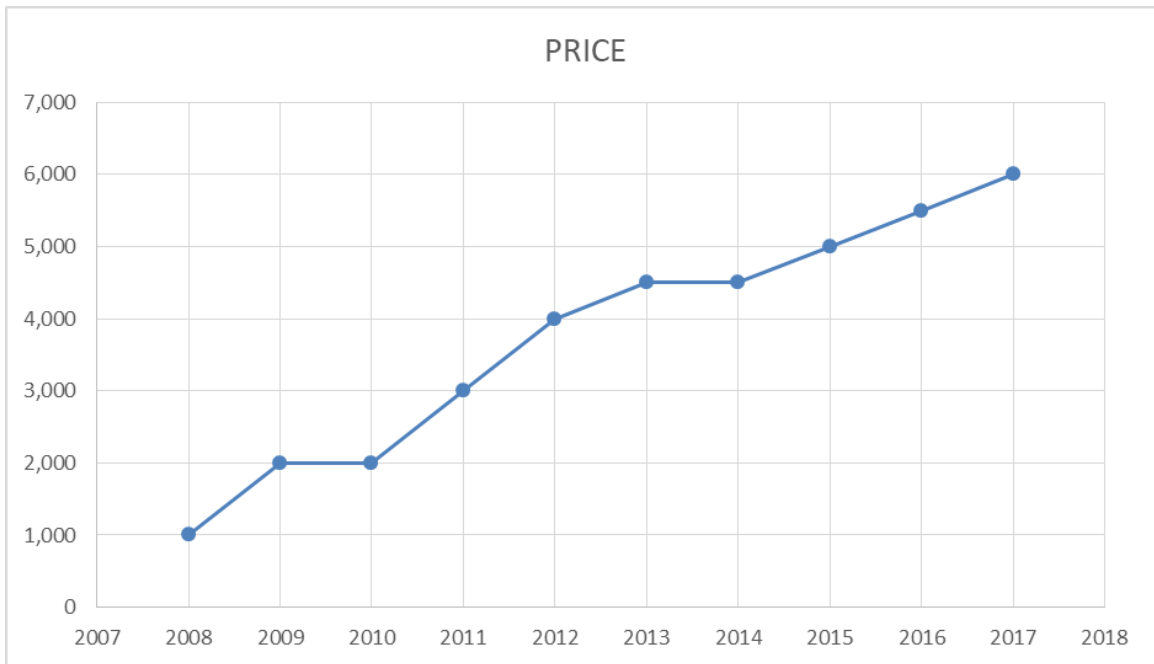
It was revealed that land prices in the Municipality have escalated within the last decade. The cost of land in the Wa Municipality varied depending on the date of purchase and the residential neighbourhood. The key factors that accounted for the increase in land values in the Municipality include; the establishment of the Industrial Area which shares boundary with Kunbiehi Residential Area. This has led to increase in demand for land around these neighbourhoods hence the massive increase in land prices in these areas. Lands in Kunbiehi Residential Area, Industrial Area and Nakoripaani Residential Area were leading in terms of price increase between 2008 and 2017. Plots of land at Kunbiehi Residential area and Industrial Area increased from GH¢ 1,000 (US\$ 966.560 to GH¢ 6,000 (US\$ 1,463.95) between 2008 and 2017, that is 500% increment in Ghana Cedis and 51.46% in US\$ within the study period. This is shown in the line graphs in Figures 4.4 and 4.5.





Source: Source: Field Survey, 2017

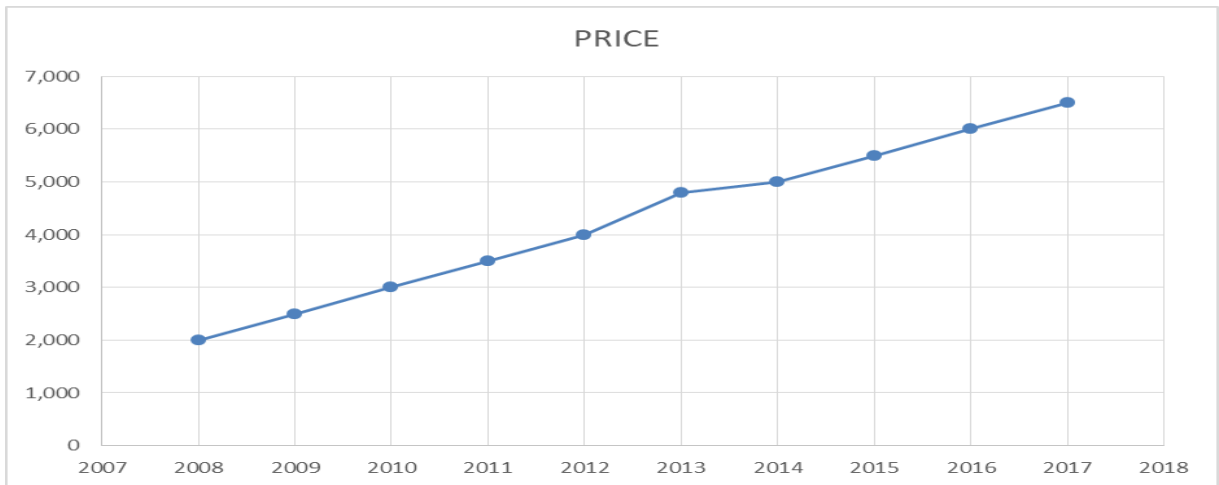
**Figure 4.4: Trend of land prices in Industrial Area Residential**



Source: Source: Field Survey, 2017

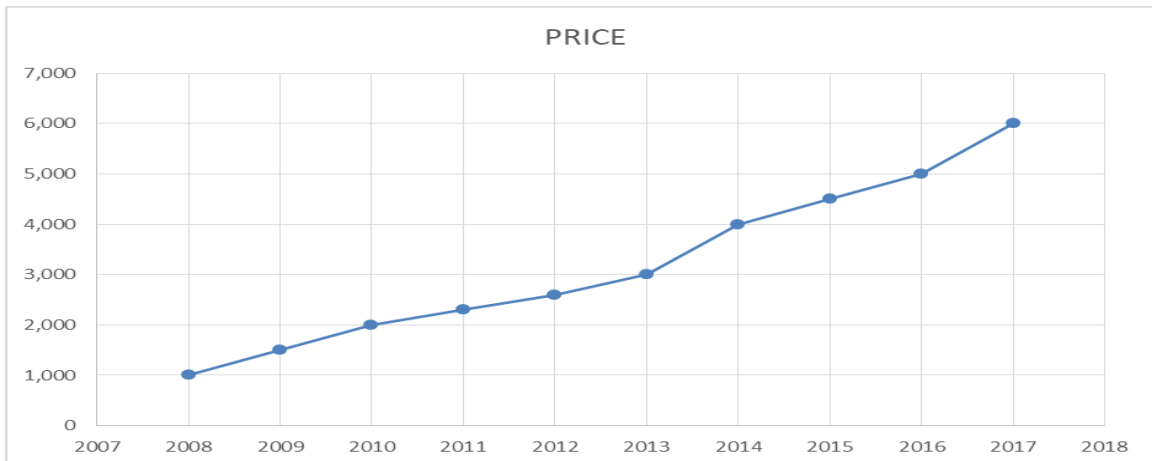
**Figure 4.5: Trend of land prices in Kunbiahe Area Residential**

Nakoripaani Residential Area located around the Wa Polytechnic witnessed high demand for plots for the development of residential facilities to meet the demands of student population in and around the area. Also Napogbakole Residential Area witnessed a tremendous increment in land values over the study period, the land values increased from GH¢ 2000 (US\$ 1,933.11) to GH¢ 6,500 (US\$ 1585.95) as shown in Figures 4.6 and 4.7



Source: Source: Field Survey, 2017

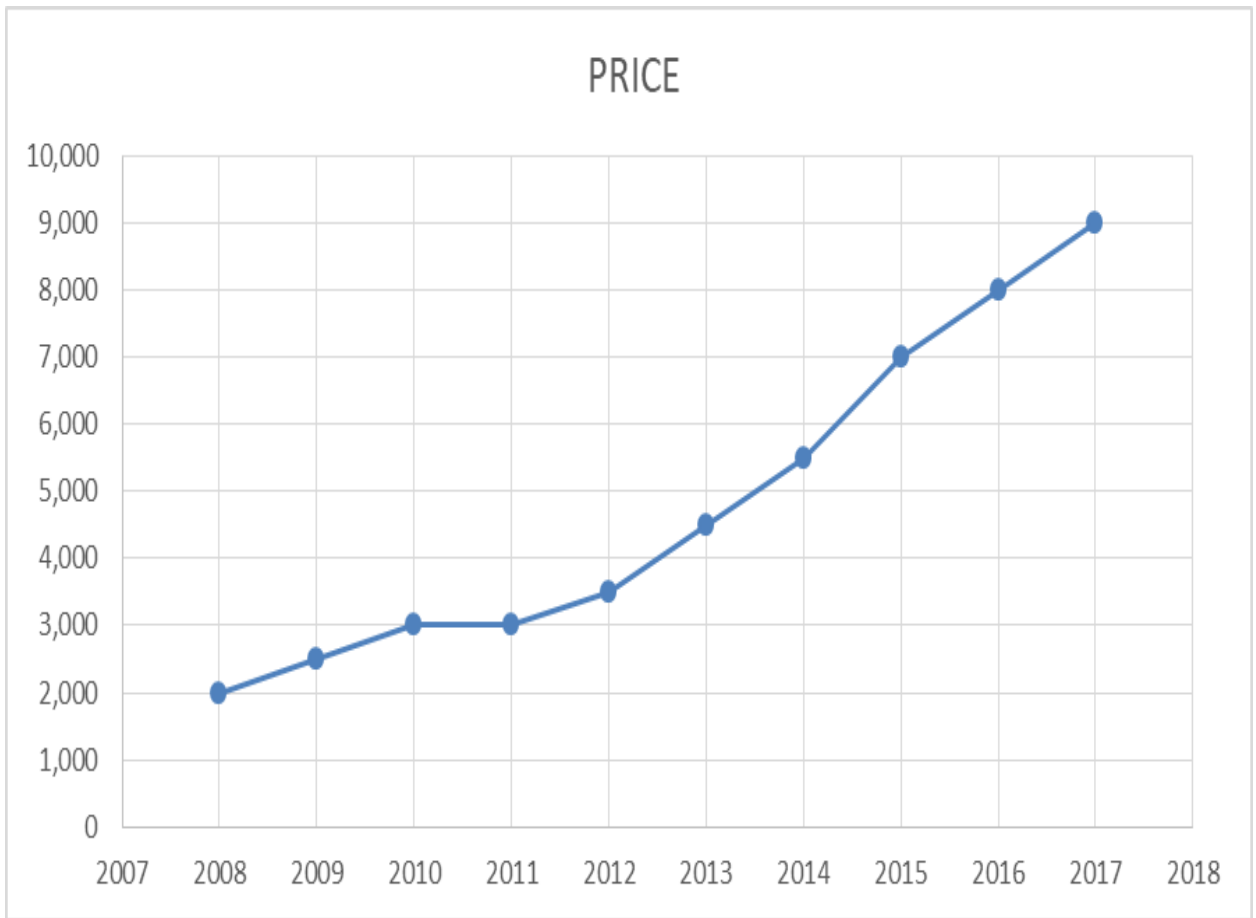
**Figure 4.6: Trend of Land prices in Napogbakole Residential Area**



Source: Source: Field Survey, 2017

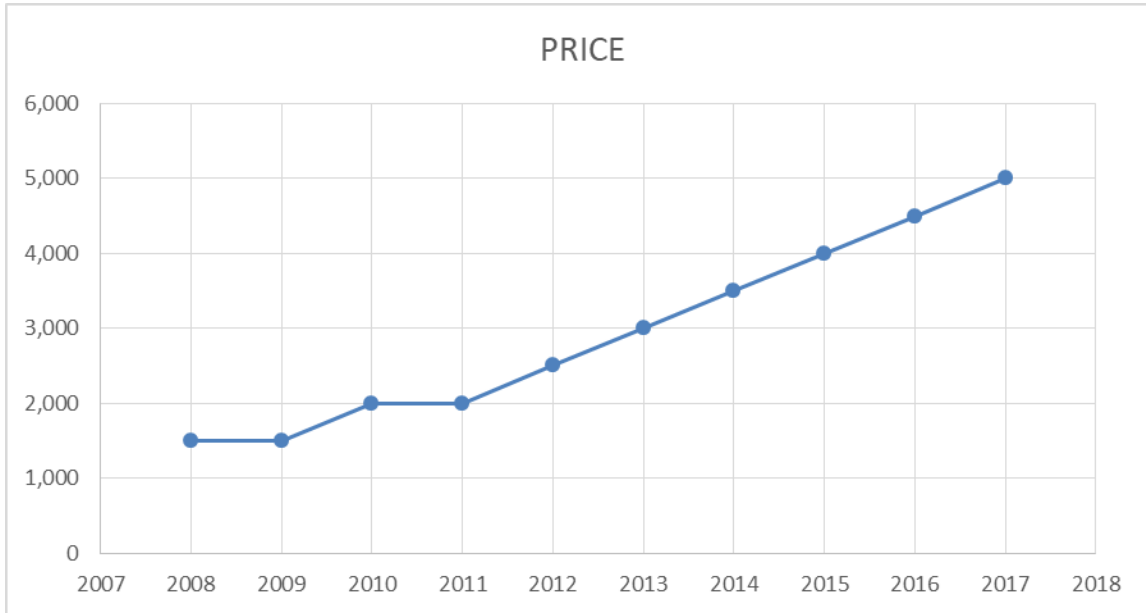
**Figure 4.7: Trend of Land prices in Nakoripaani Residential Area**

Bamahu and Kunfabiala Residential Areas also saw a tremendous increase in land prices. Land values in Bamahu increased from GH¢ 2000 (US\$ 1,933.11) to GH¢9,000 (US\$ 2,195.93) from 2008 to 2017. This implies an increase of 350% in Ghana Cedis and 13.6% increase in US Dollars in land value within this period. Kunfabiala Residential Area on the other hand saw an increase from GH¢ 1,000 (US\$ 966.56) to GH¢ 5,000 (US\$ 1,219.96) which constitutes about 233.33% increase in land values in Ghana Cedis and 26.22% in US Dollars. This is shown in Figures 4.8 and 4.9.



Source: Source: Field Survey, 2017

**Figure 4.8: Trend of Land prices in Bamahu Residential Area**



Source: Source: Field Survey, 2017

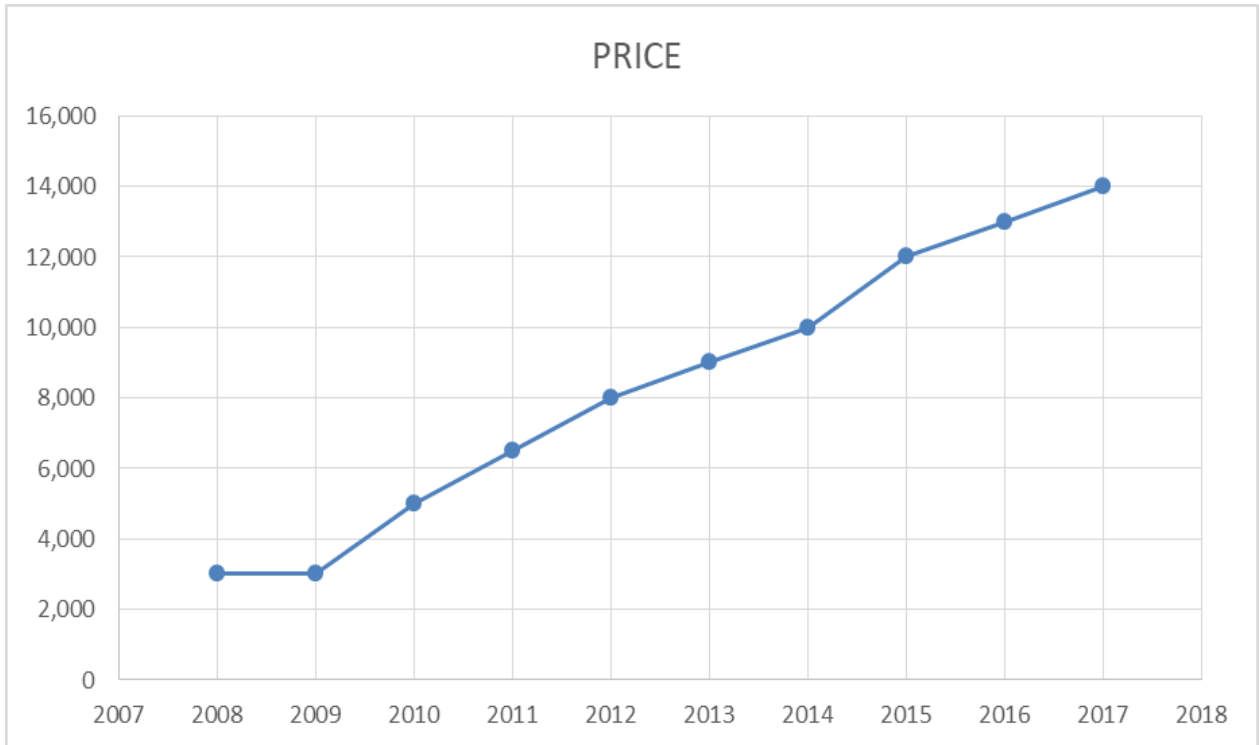
**Figure 4.9: Trend of Land prices in Kunfabiala Residential Area**

This can be attributed to the establishment of the University for Development Studies (UDS) Wa Campus at Bamahu. This has led to influx of students to the Municipality. To cut the cost of transportation, most students prefer to stay in and round Bamahu which has led to scramble for land within these residential areas hence the increase in price of land in the area.

Sombo and Kpaguri Residential Areas also witnessed great appreciation of land values within the period. Lands in Sombo Residential Area increased from GH¢3,000 (US\$ 2,899.67) to GH¢14,000 (US\$ 3,415.88), that is about 366.7% increment in Ghana Cedis and 17.8% increment in US Dollars within the period of 2008 and 2017. Also lands within Kpaguri Residential Area also increased from GH¢5,000 (US\$ 4,832.76) to GH¢20,000 (US\$ 4,879.83) from 2008 to 2017 which constitutes 300% increase in land values in Ghana Cedis and 0.97% increase in US Dollars within the study period. This



can also be attributed to the existence of the University for Development Studies (UDS) old campus at Sombo. This has led to the demand for land within these areas for residential purposes and consequently the price of land within these neighbourhoods has greatly appreciated. This is shown in Figure 4.10.



Source: Source: Field Survey, 2017

**Figure 4.10: Trend of Land prices in Sombo Residential Area**



Zongo/Kabanye and Central Residential Areas have also seen an increase in land prices from GH¢6,000 (US\$ 5,799.34) to GH¢24,000 (US\$ 5,855.79) This represents 300% increase in land values in Ghana Cedis and 0.97% increase in land values in US Dollars. The increment in Zongo/Kabanye residential area is due to the location of the CBD making that area the focus of business and commercial properties for Beneficiaries.

This finding in land values in the Wa Municipality goes to affirm both Hommer Hoyt and Harris & Ullman's models of planning. It can be seen from the results of the study that the prices of land has been influenced by several growth poles in the Municipality such as the UDS old campus at Sombo which has impact on the prices of land around Sombo Residential Area and Kpaguri Residential Area, the UDS new main campus at Bamahu which serves as a growth pole in the Southern sector of the Municipality thereby influencing land values in Bamahu Residential Area and Kunfabiala Residential Areas. The Central Business District's influence on land values in the Central Residential, Sokpeyiri/Kambalepaani Area as well as the Zongo/Kabanye Residential Areas also saw tremendous increase in land values in these areas. Also the location of the Wa Airport as well as the establishment of the new Regional Hospital in the Northern corridor has also influenced the values of land in the Airport Residential and Dobile Extension Residential Areas. The absolute values of land for the sixteen selected sectors over the study period in the Wa Municipality in both Ghana Cedis and US Dollars is shown in the Table 4.11.





**Table 4.4: Land Values in the Wa Municipality**

Area	Year	2008 GH¢	2008 US\$	2010 GH¢	2011 GH¢	2013 GH¢	2014 GH¢	2016 GH¢	2017 GH¢	2017 US\$
Central Residential Area		8,000	7,732	10,000	10,000	11,000	12,000	18,000	25,000	6099.79
Zongo Kabanye Residential		6,000	5,799	8,000	10,000	15,000	20,000	22,000	24,000	5855.80
Industrial Area		1,000	967	2,000	3,000	4,500	4,500	5,500	6,000	1463.95
Kunbiahe Residential Area		1,000	967	2,000	3,000	4,500	4,500	5,500	6,000	1463.95
Bamahu Residential Area		2,000	1,933	3,000	3,000	4,500	5,500	8,000	9,000	2195.93
Kunfabila Residential Area		1,000	967	2,000	2,000	3,000	3,500	4,500	5,000	1219.96
Napogbakole Extension		2,000	2,900	3,500	4,000	5,000	5,000	6,000	6,500	1585.95
Muguhu Residential		1,500	1,450	1,500	1,800	2,500	2,500	4,000	4,500	1097.96
Sokpeviri/Kambalepaani		5,000	4,833	6,000	7,000	9,500	10,000	10,500	11,000	2683.91
Kpagbiri Residential Area		5,000	4,833	6,500	6,500	8,000	10,000	15,000	20,000	4879.83
Hill Top Residential Area		1,500	1,450	2,000	2,500	3,000	4,000	5,000	6,000	1463.95
Nakoppaani Residential		1,000	967	2,000	2,000	3,000	4,000	5,000	6,000	1463.95
Sombo Residential Area		3,000	2,900	5,000	6,500	9,000	10,000	13,000	14,000	3415.88
Manghu Residential Area		2,000	1,933	2,500	3,000	4,000	5,000	5,500	6,000	1463.95
Airport Residential Area		2,500	1,933	4,000	4,000	8,000	8,000	8,000	8,000	1951.93
Dobile Extension Res.		2,500	2,416	3,000	3,500	4,500	5,500	6,000	6,000	1463.95

Source: Land Valuation Division, (2017)



#### **4.2.4 Sources of Land in the Wa Municipality**

The research revealed that from the beginning, Tendaana who is the overall lord of lands was the one responsible for the alienation of land in the Municipality. The entire Wa Township had one Tendaana who was the first settler in Wa. As time went on this grew into the clan called the Balun Clan, which comprises of Daanaayiri, Puohuyiri, Sokpayiri and Kpaguri. However, as time went on and then there was growth and expansion, it was practically impossible for one person to manage all the lands in Wa hence the Tendaana divided the entire Wa into sections out of which leaders of these sections were assigned to control and manage land issues in their jurisdictions but the overall Tendaana was still consulted before decisions on land were made in the various sections. The increase in population which led to expansion of the Municipality led to further divisions and subdivisions among family members by the Tendaana to be developed or used for farming and other productive activities which gradually became theirs in perpetuity. They could also give out lands to whoever they pleased hence the fragmentation of lands with several land owners within an extended family (Customary Lands Secretariat, 2017).

In recent times, lands in Wa Municipality are owned by families and controlled by the family heads that are now referred to as the Tendaana regardless of the size of plots available to such families. This finding is in line with what was indicated in a study by Yaro and Zackaria (2008) who stated that land ownership in the Region have gone through several changes from the Tendaana through to family owned and now to individuals because lands who were controlled by the Tendaana has been distributed to families. Though Tendaana (Trustees) owned land in the Municipality, the family heads have allodial rights to their families' customary lands. However, there has been



speculative buying of land in the Municipality due to the increasing urbanization of the Municipality. This is one of the reasons why the land market in the Municipality is very porous, because there are several people who own land in the Municipality in anticipation of resale when prices go up. This therefore makes it very difficult to control and manage these lands since the Trustee has no influence on the land once he alienates it to a private individual.

The traditional landowners basically supply suitable building land to interested buyers once they reach an agreement on the price. These private individuals can choose to develop the land or keep it and resell to another interested party at a higher price. As shown in Table 4.5, 42.4% of respondents acquired their lands from Tendaamba (Trustees), following closely is lands acquired from private individuals who initially got lands from Trustees with 30.3% of the respondents. Also 17.2% of the respondents exercised their inherent customary right as family members who had lands that their fathers left behind during their demise, whereas the remaining 10.1% of the respondents acquired their lands through access to a portion of their families' customary freehold land. This is shown in Table 4.5.



**Table 4.5 Land Grantors in Wa Municipality**

Grantor	Grantee	
	Frequency	Percentage
Trustee	42	42.4
Private Individuals	30	30.3
Inheritance	17	17.2
Family Land	10	10.1
<b>Total</b>	<b>99</b>	<b>100</b>

*Source: Field Survey, 2017*

#### ***4.2.5 Evolution of Land Acquisition in the Municipality***

In an attempt to understand the process of land acquisition in the Municipality and how it has evolved over time, it was revealed that in the past lands were acquired directly from the Tendaamba, and lands were not sold because it is assumed that they belong to the dead, the living and the yet unborn hence it was always given for free with a token of appreciation. According to one of the Elders, who also happen to be a Trustee for his family:

*“...formally an individual whether a native or an immigrant required to provide only kola-nut and one bottle of schnapps and two fowls to acquire land for settlement. No financial commitment was required to settle people and there were no documentation done but the people respected the customs and traditions of their settlers and paid homage to them annually through the provision of new foodstuffs such as tubers of yam and first millet harvested just to let their settlers know that they recognize them as people who gave them the land to settle. As time went on and these localities grew and became*





*communities, they needed to get leaders to take charge of their wellbeing and this honour befell on their settlers to always appoint their leader in the form of king to rule over them. It is interesting to know that the kings were from the immigrants clans rather than the first settlers who are the Tendaamba. This was to ensure that there were no conflicts in terms of kingship and land ownership, the first settlers were regarded as the Tendaamba (the overlord of land or Land Owners) These settler clans were regarded as the gates who take the position of kingship in turns to rule the main gate who usually are the Early settler Township/Community. This was the trend and the people of Wa and the neighbouring villages lived in peace and harmony without any problems with regards to land ownership and disputes up until the immigrant settlers who are the kings began to claim ownership of lands and then communal land boundary disputes began in the Municipality. Notable among these conflicts include, Busa and Biihe communal land conflict, Kperisi and Guli Communal land boundary dispute. These all started when the people resorted to treating land as a commodity which is for sale and then the first settlers began having problems with their settler clans over boundary delineations. This is because there was no known boundary or size of land allocated for the settler clans, they were just given a place to settle and since their population keeps increasing the settlements also began expanding and then the issue of where each communal boundary ended was an issue”.*

He said this method of allocating land applied to all Ghanaians regardless the region of origin because it was assumed that every Ghanaian is regarded as one people and therefore could settle anywhere in the country and there were no discrimination regarding where the immigrants were from or why they were moving to a new location. In fact he

said people were happy anytime new settlers came around because it meant that their status as Tendaana increased since their settler clans were expanding and it also meant their community was gradually becoming more powerful and more accommodating to strangers.

However, the requirement for acquiring land by non-Ghanaians was a bit different. Non-Ghanaians were required to provide kola, schnapps and money for a portion of land to be used for duration of time after which terms are negotiated again. This culture and tradition faded over time with increasing urbanization and high demand of land for development, Family heads and members decided to cash in on their family lands which has led to all these current land transaction challenges. Currently, negotiations on land are monetary which is based on the market value before a land can be acquired.

### **4.3 Land Market and Land Conflicts in Wa Municipality**

#### ***4.3.1 Problems in Land acquisition in the Municipality***

Ever since land has been given monetary value and needed to be paid for by persons who wish to use land for development purposes in the Municipality, the acquisition of land from the customary land sector has been associated with multiple management and administrative problems in the Municipality. Some of these problems identified in this research include; multiple land sales, conflicting ownership claims, boundary disputes and many others indicated in Table 4.6. Indeterminate boundaries of adjoining communities coupled with indiscipline customary landowners are responsible for the conflicts and multiple land sales in the Municipality. The commercialisation of customary



land in the Municipality has led to increased competition for the control of land between communities that previously co-existed peacefully. Previously, landmarks were used to identify community boundaries and no efforts were made to delineate these boundaries out clearly through demarcation. This is probably due to the fact that land had no real value and peaceful coexistence was more important to people than money that could be realized from land transactions. This suddenly became a thing of distant memory landmarks that constituted communal boundaries have disappeared leading to boundary disputes and the subsequent sale of the same parcel of land by competing customary landowners. This finding goes to affirm what Boamah (2013) found out about the Ghanaian land market in urban areas. He stated that, the country's urban land market is largely indisciplined and insecure. It is clouded by disputed ownership, unclear title to land and litigations. The disorderliness and insecurity in the Ghanaian land market is not only limited to the Cities of Accra, Kumasi or Takoradi but rather a growing phenomenon which is more evident in areas with increasing demand for land due to urbanization as the case is in Wa Municipality since the establishment of University for Development Studies and Wa Polytechnic. The problems encountered by Beneficiaries in their land acquisition process are shown in Table 4.6.



**Table 4.6 Problems encountered in Land Acquisition**

<b>Encountered Problem</b>	<b>Respondents</b>	
	<b>Frequency</b>	<b>Percentage</b>
Yes	35	35.4
No	64	64.6
<b>Total</b>	<b>99</b>	<b>100</b>

**Problems encountered**

Multiple Sales	10	28.6
Boundary dispute	8	22.8
Conflicting Ownership Claims	17	48.6
<b>Total</b>	<b>35</b>	<b>100</b>

*Source: Field Survey, 2017*

The absence of proper documentation coupled with the existence of unlicensed surveyors creates a lot of challenges in acquiring land in the Municipality. This leads to encroachments and other land litigations since the demarcations can lead to encroachment if not properly done which can lead to the distortion of the implementation of planning schemes. From the research, it was revealed that wrong demarcation is the major cause of land encroachment in the Municipality since 39.4% of the respondents had encountered encroachment of their lands by other Beneficiaries and 56.4% of the encroachments were caused by wrong demarcations. This is shown in Table 4.7.





**Table 4.7 Encroachments on land by Beneficiaries in the Municipality**

<b>Encountered Encroachment</b>	<b>Respondents</b>	
	<b>Frequency</b>	<b>Percentage</b>
Yes	39	39.4
No	60	60.6
<b>Total</b>	<b>99</b>	<b>100</b>
<b>Problems encountered</b>		
Wrong Demarcation	18	46.2
Wrong location	8	20.5
Unclear Boundary	13	33.3
<b>Total</b>	<b>39</b>	<b>100</b>

*Source: Field Survey, 2017*

It can be seen from the above table that the issue of unlicensed surveyors is rampant in the Municipality since 46.2% of the Beneficiaries that encountered encroachments on their land is due to wrong demarcations. This is closely followed by unclear boundary, which is also a symptom of the use of unlicensed surveyors for demarcation. This usually leads to multiple boundary issues, which lead to confusion as to which particular demarcation to go by. In some instances a single plot can have two to three different demarcations from different surveyors and this leads to boundary disputes and eventually distortion of the sector layout. This finding also supports the finding from Boamah who said that Landowners and developers have negative perceptions about the public land sector agencies. This may account for why many developers do not want to get involved with these institutions since they do not solve their problems but rather compound them.



#### **4.3.2 Problems in Land alienation in the Municipality**

Conflicting ownership and multiple sale of land is becoming a major issue in land ownership and alienation in the Municipality. This is because families who own lands do not have a united front when it comes to alienating them. Additionally, due to the extended nature of families with many family members having inherent rights on land after the passing of their father, a man with several children who is the head of family and control lands simply means all the children automatically have the right to the lands once he passes on. In most of these cases when the family fails to control who allocates land within their family lands, all the children begin allocating which causes multiple allocation of same parcel of land to various Beneficiaries. This causes litigation, which leads to land conflicts in the Municipality.

The study found out that only 36.1% of Trustees interviewed have family head allocating lands, the remaining 63.9% indicated that besides them there were other family members who equally allocated lands from their family lands to Beneficiaries. Now the question is how do they synergize their operations in allocating lands to Beneficiaries to avoid multiple allocation of same land to different people? It can be seen that all the 36 Trustees interviewed indicated that they have encountered Intra, Inter Family or both Intra/Inter family land conflict during their process of allocating land to Beneficiaries. Out of the 36 respondents who encountered conflicts, 41.7% encountered Inter family conflicts, 33.3% encountered Intra family conflicts while 25% encountered both inter and intra family conflicts. What is damming is the fact that only 27.7% of these conflicts have been resolved fully with the remaining 72.3% either unresolved or partially resolved. This definitely has a negative implication on development and Physical



Planning activities in the Municipality. Asked whether allocations were still ongoing in areas that have been litigated over by families, the answer was “yes, we all allocate since the mater cannot be resolved but Beneficiaries need lands to build we still allocate and will continue to allocate”. This is shown in Table 4.8.

**Table 4.8 Land Allocation Challenges in the Municipality**

Who allocates land in the family	Respondents	
	Frequency	Percentage
Family Head	13	36.1
Any Family Member	8	22.2
Family Elders	15	41.7
<b>Total</b>	<b>36</b>	<b>100</b>
<b>Intra/Inter Family Land Conflict</b>		
Encountered Inter family conflict	15	41.7
Encountered Intra Family Conflict	12	33.3
Both Inert/Intra Family conflicts	9	25
<b>Total</b>	<b>36</b>	<b>100</b>
<b>Has the conflict been Resolved</b>		
Fully resolved	10	27.7
Partially resolved	11	30.6
Unresolved	15	41.7
<b>Total</b>	<b>36</b>	<b>100</b>

Source: Field Survey, 2017



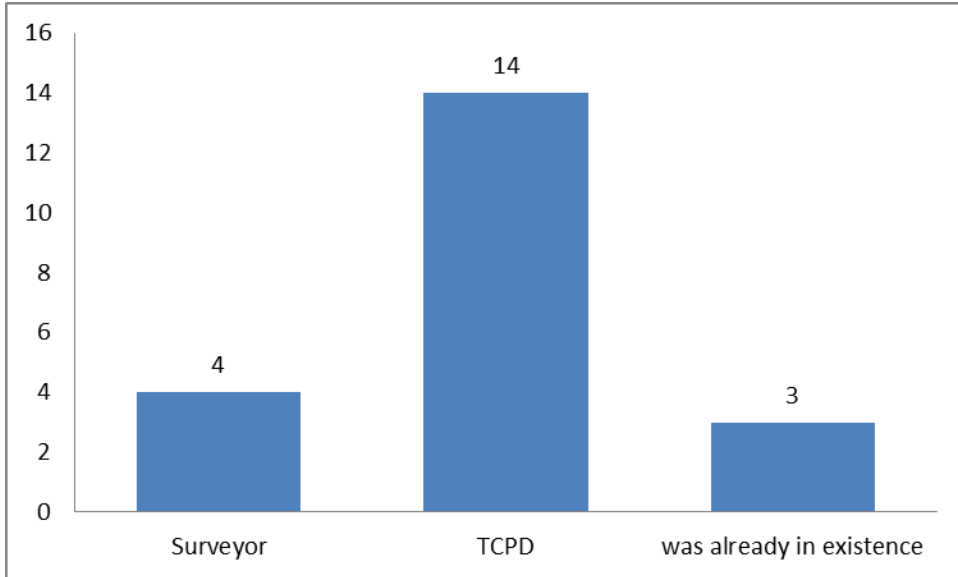
#### 4.4 Land Market and Physical Planning in Wa Municipality

When I asked an officer from the Physical Planning Department about how they control development in areas within the Municipality that do not have planning schemes, this was his response “ *several instances, it is almost non-existent to control development in such areas largely because developers wouldn't seek authorization to develop. But for the those who do, a note and plotting is made of the land and its use at the office for the purposes of planning later on*”

It is also worth noting that the Physical Planning Department mentioned that there are some planning schemes that could not be completed and therefore pending because of land conflicts. This is because once the place is under litigation, it becomes very dangerous to go into such lands to take any data for further planning for the Trustee that asked for it to be planned because the other family sees you the officer as someone trying to help the other party claim their land and can therefore harm you. Primarily, the character of the built environment becomes distorted in such neighbourhoods since lands are still forcefully allocated to developers who proceed to develop without either registration with any Land Sector Agency or acquiring building permit from the Municipal Assembly.

Another interesting revelation by this research is the source of the planning schemes for the 58% of the Trustees who had planning schemes for their family lands. It is interesting to note that as shown in Figure 4.5, as many as 4 of 21 Trustees got their family lands planned by surveyors. Also 3 Trustees inherited planning Schemes that were handed over to them by their predecessors for allocation of land.





Source: Field Survey 2017.

#### Figure 4.5 Sources of Planning Schemes for Trustees

It is clear from Figure 4.5, that the way land is being managed in the Municipality by Trustees has negative impact on physical planning and physical development. Surveyors are not supposed to be preparing Planning Schemes but because of the ignorance of some Trustees who cannot differentiate between Physical Planning Officers and Surveyors, contact Survey officers who just prepare anything in the name of planning scheme for these Trustees and the implications of this are dire. Planning goes beyond subdivisions of parcels into residential plots for allocation. Once again this finding confirms Boamah (2013) assertion that the Land Sector Agencies rather compound the problems in land market in the Municipality instead of helping to solve them. It is very clear that the Survey and Mapping Division is not responsible for the preparation of planning schemes but rather the implementation of already prepared planning schemes by the Physical Planning Department through appropriate demarcation of parcels for developers.



#### ***4.4.1 Land Management and Conformity to Zoning in the Municipality***

Physical planning is a process of ensuring that physical development occurs properly to ensure sanity in the Municipality, there are some key things that need attention; Planning and zoning and then implementation of the plan through development control to ensure that physical development takes place according to plan. Trustees have much to do to achieve this just as much as the Municipal Assembly and the Land Sector Agencies. The research revealed that some Trustees do not follow the planning scheme to alienate their family lands. In land use planning certain percentages are required of each land use such as roads, Residential, Educational, Civic and Cultural, Worship, Open spaces and sanitary areas just to mention but a few. What some Trustees do is to convert some land uses into other land uses that have high demand after exhausting the available land for such uses. This finding of the study goes to consolidate Antwi (2002), he stated in his write up that, in many areas, lands that have been designated by the planning authorities for other purposes are being converted to residential use due to price hikes, this process is pushing land prices up, making it more difficult for average Ghanaian to gain or maintain access to land. This leads to distortion in the planning of the area as shown in Table 4.9.



**Table 4.9: Conformity to zoning by Trustees and Beneficiaries**

Allocated land for change of use	Trustees	
	Frequency	Percentage
Frequently	10	47.7
Once in while	7	33.3
Never	4	19
<b>Total</b>	<b>21</b>	<b>100</b>

Does your building conform to zoning of the area	Beneficiaries	
	Frequency	Percentage
Yes	34	34.3
I don't know	30	30.3
No	35	35.4
<b>Total</b>	<b>99</b>	<b>100</b>

*Source: Field Survey 2017.*

Out of the 21 Trustees in the study who had planning schemes for their family lands, 10 of them representing about 47.7% indicated that they frequently allocate lands for developers to use for a purpose other than the proposed use in the planning scheme. Also as many as 33.3% of Trustees confirmed that they sometimes alienate lands for purpose, which is different from the proposed use in the planning scheme. It is only 19% of the Trustees who said they have never allocated their family land to Beneficiaries for development, which is contrary to the proposed development in the planning scheme. This therefore has a negative impact on physical planning and development of the



Municipality since implementation of the planning scheme is key in achieving decent and well-developed built environment.

This was also confirmed from the Beneficiaries since about 34% of them confirmed that the development they have put up does not conform to the zoning of the area for which they acquired the land. A further 30% of the Beneficiaries had no idea whether their development conformed to the planning scheme or not. This further goes to confirm the fact that most developers in the Municipality do not follow the building regulations when developing their structures. This is further consolidated by this data shown in Table 4.9 from the Physical Planning Department which shows the number of applications they have processed over the study period from Trustees for change of use and rezoning to enable them vary the proposed use on the planning scheme to a different use for which Beneficiaries have shown interest in.





**Table 4.10: Applications for Change of use/Rezoning**

<b>YEAR</b>	<b>NUMBER RECEIVED</b>	<b>NUMBER APPROVED</b>	<b>PENDING</b>
2008	0	0	0
2009	1	0	1
2010	3	3	0
2011	5	1	4
2012	0	0	0
2013	4	4	0
2014	1	1	0
2015	2	0	0
2016	5	2	3
2017	2	1	0
<b>Total</b>	<b>23</b>	<b>15</b>	<b>8</b>

*Source: Physical Planning Department, 2017*

The Physical Planning Officer stated, however, that these figures are far from the actual change of uses that occur in the Municipality. He said a lot of the Trustees do not apply for change of use but rather just go ahead to do it on their own and therefore making them unauthorised and not documented. This phenomenon creates tension and nuisance for adjoining and neighbouring land uses e.g. churches in dense residential area and Hotels and petroleum outlets by residential land uses.



#### ***4.4.2 Beneficiaries and Development Control in the Municipality***

According to the Ghana Building Regulations (LI 1630), it is mandatory that any person who intends to erect any building; or make any structural alteration to any building; or execute any works or install any fittings in connection with any building must apply for a development or building permit from the MMDA. This is to ensure that physical development within the MMDA is according to plan and also to avoid conflicting land uses being developed close to each other. The research, however, showed that, many developers do not apply for permit before building. Out of the Beneficiaries interviewed who developed in the Municipality, only 23.2% of them acquired building permits for the construction of their buildings. Also 26.3 of the Beneficiaries did not even know whether they had building permits or not. The study also revealed that out of the 23.2% of developers who had permit for their buildings, only 35% of them actually acquired permits before commencing building while the remaining 65% of the developers either started building before acquiring permits or completed the construction of their structures before they then applied for building permits. This finding affirms Tasantab (2015) research on development control in Ghana. Where he stated that majority of Ghanaians fail to abide by the processes of development control thereby making it very difficult for the Physical Planning Department to implement their planning schemes. This is illustrated in Table 4.10.



**Table 4.11: Beneficiaries and Development Control**

Do you have a building permit	Trustees	
	Frequency	Percentage
Yes	23	23.2
I don't know	26	26.3
No	50	50.5
<b>Total</b>	<b>99</b>	<b>100</b>

When permit was acquired	Beneficiaries	
	Frequency	Percentage
Before starting the building	8	35
During the construction process	9	39
After construction was complete	6	26
<b>Total</b>	<b>23</b>	<b>100</b>

*Source: Field Survey 2017.*

Another phenomenon that is common in the Municipality is the frequent extensions and alterations done on Buildings without permit. Due to increasing urbanization and socio-economic improvement in the Municipality, alterations, expansion and conversion of use of properties occur without the required approvals from the Municipal Assembly, which also distorts the physical planning of the Municipality thereby affecting the aesthetic nature of the neighbourhoods.



**Table 4.12: Beneficiaries who made changes to their Buildings**

Any changes made in your building in the last 5 years	Beneficiaries	
	Frequency	Percentage
Made changes once	20	20
Made changes more than once	21	21
No changes made	58	59
<b>Total</b>	<b>99</b>	<b>100</b>

Did you acquire permit for the changes made	Beneficiaries	
	Frequency	Percentage
Yes	9	22
Not necessary	12	29
No	20	49
<b>Total</b>	<b>41</b>	<b>100</b>

**Source: Field Survey 2017.**

The study revealed that, 41% of Beneficiaries have made changes to their structures at least once within the last five years in the Municipality and out of this, only 22% applied for permit for the changes they carried out in their properties which means the remaining 78% undertook the alterations and extensions without acquiring the necessary approvals from the Municipal Assembly.



## CHAPTER FIVE

### SUMMARY, CONCLUSION AND RECOMMENDATIONS

#### 5.1 Introduction

This chapter, which is the final chapter of the study, summarizes the entire research findings. Having analysed and discussed the data in the previous chapter; this chapter throws more light on the key issues in land market in the Wa Municipality and its impact on Physical Planning in the study. The various ways by which these issues can be tackled would also be suggested to make the study useful for policy makers as well as the Municipal Assembly and the various Land Sector Agencies in the Municipality and the nation at large.

#### 5.2 Summary of Major Findings

The study revealed some key findings that are worth mentioning if the issue of land market and its effect on physical planning can be dealt with. Below are the key findings from the study.

##### *5.2.1 The Evolution of Land Market in Wa Municipality*

The research has found out that land market has evolved from being a free gift with only customary token of kola, schnapps and fowls to a keenly contested commodity which everyone is now striving for. Also it was revealed that the management of land in the Municipality has moved from being under the control of one Tendaana to a family ownership, which implies multitudes of Tendaamba now having allodial rights to land in the Municipality. Also the land market in the Municipality is under developed with most



of the developers acquiring un-serviced parcels of land for development. Also the cost of land in the Municipality has surged over the years with increasing urbanization and the establishment of key institutions such as University for Development Studies, Wa Polytechnic, Wa Airport/New Regional Hospital and the Wa industrial area. It was also revealed that due to the surge in land prices, it has led to a lot of speculative buying of land in the Municipality with anticipated increase in prices and then resale. As much as 30.3% of the Beneficiaries indicated that they acquired their parcels of land from private individuals who purchased lands and then resold to them. It can therefore be seen that land market in the Wa Municipality has evolved considerably causing a lot of challenges such as double sale of lands by different people from the same family to different Beneficiaries for development.

### ***5.2.2 Land Market and Land Conflicts in Wa Municipality***

The commercialization of customary land in the Municipality has led to increased competition for the control of land between communities that previously co-existed peacefully. The acquisition of land from the customary land sector has been associated with multiple management and administrative problems in the Municipality. Some of these problems identified in land market through this research includes; multiple land sales, conflicting ownership claims, communal and family boundary disputes and many others. Indeterminate boundaries of adjoining communities coupled with indiscipline customary landowners are responsible for the conflicts and multiple land sales in the Municipality. It was found that 35.4% of the respondents encountered problems in their acquisition of land process. It was also revealed that absence of proper documentation coupled with the existence of unlicensed surveyors create a lot of challenges in acquiring



land in the Municipality. The research also found out that even among families, there are still problems when it comes to alienating land in the Municipality because in some cases you have more than one person in the family allocating land without any proper record keeping to track and synergize these transactions, which leads to multiple sales of lands. These numerous challenges in the Municipality when it comes to land management, creates a lot of tension and conflicts between and among Beneficiaries and Trustees.

### ***5.2.3 Land Market and Physical Planning in Wa Municipality***

The research revealed that there is limited institutional collaboration between the two key Land Sector Agencies who are involved in the registration of lands in the Municipality. The Lands Commission and the Customary Lands Secretariat do not work in collaboration with each other but rather undertake their processes independently. This therefore makes it confusing for people to register their lands because the processes are so many and so different. There is tension and competition for recognition between these two agencies, with each one believing that their mode of operation is the best and therefore unwilling to make any efforts at collaborating with the other when it comes to land management in the Municipality. This has a negative impact on the efforts of physical planning in the Municipality. One of the key requirements for the acquisition of a building permit is title to the land. This is because of the tussle between the two Land Sector Agencies responsible for granting land title to Beneficiaries, it makes it difficult for them to register their lands to meet the requirements to apply for building permit and therefore leads to Beneficiaries developing without permits which create distortions to the plans prepared. Also, the Beneficiaries after going through difficulties to register their lands are discouraged to take the next step of following the necessary procedures of





acquiring permits because they feel they will go through similar frustrations before acquiring the permits. This leads to haphazard development of unauthorized structures which makes development control very difficult for the Physical Planning Department. The study also realized that some Trustees are not registered with the Customary Lands Secretariat thereby preventing Beneficiaries from being able to register their lands at the CLS and also delays and frustration by Lands Commission staff is one of the reasons why some people prefer either to register with CLS or just not to register at all.

Some Trustees also do not have planning schemes covering their family lands yet they go ahead to alienate these lands to Beneficiaries for development. Also even those who do have schemes, some of them were prepared by surveyors which are unprofessional. This is because they are supposed to help in the implementation of the schemes through demarcation and not preparation of schemes, which distorts the built environment. Another worrying finding by the study is the unauthorized change of land use by Trustees to increase the value of the land. The planning schemes are designed with a certain sense of professionalism and pattern of development that is to be achieved after implementation. The unauthorized change of use of lands by Trustees consequently affects the outcome of the implementation of planning schemes in the Municipality. This leads to incompatible and prohibited land uses being developed together within the same vicinity which hinders the efforts of physical planning in the Municipality. There are instances you have Fuel Service stations developed near educational facilities with high population being put at risk should there be an explosion. This therefore makes it difficult for Physical Planning to achieve its goal of seeking to promote sustainable human



settlements development based on principles of efficiency, orderliness, safety and healthy growth of communities.

Also, the conflicts that arise from land market in the Municipality caused by double sale of land, conflicting ownership claims, communal and family boundary disputes puts the activities of physical planning at a halt in such areas of the Municipality. These conflict areas usually become no entry zones even for physical planning officers in the Municipality because they do not feel safe to work on such lands for fear of being attacked by the conflicting parties.

### **5.3 Conclusion**

Land is an indispensable commodity for infrastructural development and all physical developments manifest on it and therefore needs to be managed judiciously for the present and future generations. The most dominant force in the land market in Wa Municipality is un-serviced and undeveloped land. The market is dominated by the customary land sector which is not organized. Although the market is capable of allocating land to competing demands, it has some inherent problems such as multiple land sales, boundary disputes and documentation challenges that need to be addressed by state policy interventions to improve upon the land market in the Municipality to ensure sound Physical Planning. This is because, planning has the fundamental goal of creating places that are economically vibrant, environmentally sustainable, and socially inclusive and this cannot be achieved in a land market that is engulfed with disputes and uncoordinated allocations. Exclusive action of the customary landowners or the public sector cannot lead to the creation of efficient land markets in the Municipality.



## 5.4 Recommendations

The main findings brought to fore a number of critical issues in the Land market in the Wa Municipality, which has effects on the physical planning, and development of the Municipality. Policy interventions must address the inherent market problems, but not disturb the land ownership system in the Municipality. Based on the findings of the study, the following recommendations are made to enhance Land market in the Wa Municipality to improve the physical planning efforts of the Municipal Assembly and the Land Sector Agencies.

### *5.4.1 The Evolution of Land Market and Conflicts in Wa Municipality*

#### *5.4.1.1 Enforcement of Land Laws on Documentation*

To assist the traditional land sector to overcome its inherent problems in the Municipality, there is the need for an improved system of documenting land transactions. The CLS and LC must regulate customary land subdivision and transactions by Trustees. This is to help improve the chaotic land development and irresponsible dealings to ensure efficient land market in the Municipality. The Local Government Act 462 of 1993 as well as the Land Use and Spatial Planning Act 2016 Act 936 have given a framework for controlling land uses, similarly, the CLS and the Land Title Registration Law of 1986 (PNDCL 152) provide sufficient framework for controlling land transactions and documentation. The most important aspect at this stage is the full implementation of these two frameworks.

It is therefore imperative that the PNDCL 152, which makes it compulsory for landowners to register their land titles, be fully implemented. This law that permits the registration of customary land under the corporate name (stool, skin, clan, family) allows



Trustees to register their family lands with CLS. Therefore, the Municipal Assembly and LC should ensure that all families who own land in the Municipality appoint one Trustee and register these Trustees with CLS as well as Lands Commission. This will make it possible for landowners' claim of title to be adequately established by prospective buyers and it will effectively also address the problem of conflicting land claims and multiple sale of land which creates disputes in the Municipality.

#### *5.4.1.2 Institution of High Ground Rents for Undeveloped Parcels*

Speculative buying of land is one of the key factors identified in the study, which triggers increase in land prices over the years in the Municipality. Government through LC and CLS should institute high ground rents for lands that have been acquired and development has not started within a period of two years. This will make it very expensive to keep such lands and hence will lead to speculative buyers disposing them off to people who actually need these lands for immediate development. This will further deter people from buying large parcels of land at low prices to then resell later on at higher prices.

#### *5.4.2 Land Market and Physical Planning in Wa Municipality*

##### *5.4.2.1 Sensitization of Trustees and Beneficiaries on Land Transactions*

The research has clearly revealed that both Trustees and Beneficiaries need to be educated on the land transactions and the processes involved. The Municipal Assembly should collaborate with Lands Commission, Physical Planning Department and the Customary Lands Secretariat to educate all Trustees on the processes of planning and registering their family lands before alienating them. This will eliminate the issue of



Trustees involving wrong persons to prepare planning schemes for their family lands, which distorts the physical planning process and also affects the built environment. Also there is the need to educate the Beneficiaries through radio and other public fora on the processes involved in the registration of land as well as the procedures involved in acquiring building permits. The importance of building permits should also be elaborated to Beneficiaries to enable them appreciate why they need to embark on all these processes to get all the necessary approvals from the authorities before developing their lands.

#### *5.4.2.2 Institutional Collaboration*

One key issue that creates a distorted land market, which affects physical planning in the Wa Municipality, is the limited institutional coordination between and among the LSAs in the Municipality. There are five key institutions that must collaborate effectively to improve the land market and administration in the Municipality to ensure sound physical planning; these are Wa Municipal Assembly, Physical Planning Department (PPD), Customary Lands Secretariat (CLS), Survey and Mapping Division (SMD) of Lands Commission and the Public and Vested Land Management Division (PVLMD).

From the planning aspect, there is the need for the Municipal Assembly to work closely with SMD and PPD to plan family lands for the Trustees. Once this happens, SMD officers will not go and illegally prepare planning schemes for ignorant Trustees and this will help improve physical development of the Municipality. Also the PVLMD and CLS need to collaborate and have a sound process of registering land rights for Beneficiaries from Trustees without getting on each other's way. Also SMD personnel in their operations should ensure that lands are demarcated in strict accordance with the propose



use on the plans. This will ensure that the issue of lands being used for other purposes rather than the proposed zoning of the area will be reduced and eventually eradicated.

#### *5.4.2.3 Reduce Turnaround time on land documentation and building permits*

One of the key findings of the study was delay in the processing of land documents. As much as 27.4% of Beneficiaries indicated that delays and frustration in processing of land documents and acquisition of building permits lead to developers undertaking development without acquiring the necessary documentation and permits. The duration of processing building permits by the Municipal Assembly and Physical Planning Department should be reduced to 30 working days as stipulated in the Land Use and Spatial Planning Act 2016, Act 936. This will motivate Beneficiaries to register their land transactions and acquire the necessary permits before development.



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**APPENDICES**

**Appendix A: Interview Guide for Beneficiaries**

**SECTION A: DEMOGRAPHIC DATA OF BENEFICIARIES**

1. Sex a. Male(1) b. Female(2)
2. Age a. 20-29 (1) b. 30-39 (2) c. 40-49 (3) d. 50-59 (4) e. Above 60 (5)
3. Plot no.....
4. Locality.....
5. Sector.....
6. Level of education a. Uneducated (1) b. Basic (2) c. Secondary (3) d. Tertiary (4)
7. Ethnicity.....
8. Are u a. Native (1) b. In-migrant? (2)
9. If In-migrant since when .....
10. What is the purpose of your in-migration.....
11. Monthly Income a. 500-999 (1) b. 1000-1999 (2) c. 2000-2999 (3) d. 3000-3999 (4)  
e. 4000-4999 (5) f. 5000 and Above (6)

**SECTION B: SOCIO-ECONOMIC DATA OF BENEFICIARIES**

1. When did you purchase the land.....
2. How much did you buy the land? .....







3. Where did you buy your plot? a. Trustee (1) b. Private individual (2) c. Inheritance (3) d. Others (4) Specify.....
  
4. Did you have access to the following at the time of purchase of your land?
  - a. Access road                      i) Yes                      ii) No
  
  - b. Access to potable water    i) Yes                      ii) No
  
  - c. Access to electricity        i) Yes                      ii)No
  
5. Have you registered your land? a. Yes (1) b. No (2)
  
6. If No why not? a) Financial constraints (1) b) Delays and frustrations (2) c) Post acquisition litigations (3) d) Inconsequential (4) e) Grantor not member of CLS 5
  
7. Which office did you register the land? a) Lands Commission (1) b) Customary Lands Secretariat (2) c) Both (3)
  
8. What is the use of your plot? a. Residential (1) b. Commercial (2) c. Industrial (3) d. Others (4) .....
  
9. Do you have a building permit? a. Yes (1) b. No (2)
  
10. If yes, did you acquire the permit before starting the building? a. Yes (1) b. No (2)
  
11. Does your building conform to the zoning of the area? a. Yes (1) b. No (2)
  
12. If yes, what challenges did you encounter accessing the building permit? Give options.....  
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13. What do you suggest can be done to ensure that people acquire building permits for their properties

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14. Did you encounter problems in acquiring this land? a. Yes (1) b. No (2)

15. If yes what was the problem? a. Multiple sale (1) b. Boundary dispute (2) c. conflicting ownership (3)

16. Has anybody encroached on your plot before? a. Yes (1) b. No (2)

17. If yes what accounted for the encroachment? a. wrong demarcation (1) b. Unclear boundary (2)

18. Have you carried out any extension in the last five years? a. Yes (1) b. no (2)

19. Did you obtain a permit for the extension? A. Yes (1) B. No (2)

20. If yes did you acquire the permit before starting the extension? A. Yes (1) B. No (2)

21. If no, why?

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**SECTION C: HOUSING TYPE AND TENURE**



1	Type of house? ( <b>please observe</b> )	-----Bungalows (0) ----- Semi-detached houses (1) ----- Detached (2) -----Flats or apartments (3) ----- Room(s) [Compound House] (4) -----Story Building (5)	
2	Why did you choose the type of house in question above?	-----Enjoy the company of others (0) -----privacy (1) -----easy to construct (2) ----- less expensive (3) -----Other (4) (specify).....	
3	What is your primary reason for deciding to build your own accommodation instead of renting?	--Avoid payment of exorbitant rent (0) --Get an accommodation that meets my taste (1) ---In order to be recognized among my colleagues and neighbors (2) -In order to leave a property for my family (3) -----Others (specify).....(4)	
4	What challenges did you face in building?	----Land acquisition (0) ----Land documentation (1) ----Building Permit (2) ----Others (3), specify.....	
5	Did you improve/or make changes to your house during the last 5 years?	----Yes (1) ..... No (0)	
6	If yes, which of the following changes did you make?	----Yes (1)	No (0)
i	Extra room for household purposes		
. ii	Extra room to rent or backyard room		



iii	Extra room or space for business		
iv	Build a kitchen or improve finishes		
v	Build a bathroom or improve finishes		
vi	Improve or put on a roof/ceiling		
vii	Put tiles on the floor		
viii	Hanged louvre windows to glass windows		
ix	Windows		
x	Doors		
xi	Connections to an outside water line		
xii	Internal water/plumbing installations		
xiii	Connections to an outside power line		
xiv	Internal electricity/outlet installations		
xv	Add wall or fence around property		
7	Did u acquire a permit for this work done -----Yes (1) -----No (0)		
8	Do you plan on improving/making changes to your current house in the next 5 years?	-----Yes (1) ----- No (0)	
9	If yes, which improvements/changes do you plan on making?	----Yes (1)	----No (0)
i	Extra room for household purposes		
. ii	Extra room to rent or backyard room		
iii	Extra room or space for business		
iv	Build a kitchen or improve finishes		
v	Build a bathroom or improve finishes		
vi	Improve or put on a roof/ceiling		
vii	Put tiles on the floor		
viii	Hanged louvre windows to glass		

	windows		
ix	Windows		
x	Doors		
xi	Connections to an outside water line		
xii	Internal water/plumbing installations		
xiii	Connections to an outside power line		
xiv	Internal electricity/outlet installations		
v	Add wall or fence around property		
10	Do you rent your rooms to tenants -----Yes (1) -----No(0)		
11	How much do you charge for rent per month?	Gh□.....per month	
12	What influences your rental charges?	--Location of property (0) --Cost of putting up the property (1) --The available facilities (2) --If others (3), specify.....	
13	What category of tenants do you prefer?	--Students (0) ---formal workers (1) --Informal workers (2) ----all (3)	



**Appendix B: Interview Guide for Trustees**

1. Sex a. Male (1) b. Female (2)
2. Age 20-29 (1) b. 30-39 (2) c. 40-49 (3) d. 50-59 (4) e. Above 60 (5)
3. 2. Locality.....
4. Sector.....
5. Level of education a. Uneducated (1) b. Basic (2) c. Secondary (3) d. Tertiary (4)
6. How did you come by the land.....
7. Do you have a planning scheme for the land? a. Yes (1) b. No (2)
8. If Yes, Who prepared that plan? A. Surveyor (1) B. Personnel from the Town and Country Planning (2) C. Was in existence before I became allodial head (3)
9. If No why not?  
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10. Does any other person besides you allocate land in your family? a. Yes (1) b. No (2)
11. If yes, how do you reconcile the allocation to avoid double sale of land?  
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12. Has there ever been either an intra/inter family conflict on the land before? a. Yes (1) b. No (2)

13. If yes has it been resolved a. Yes (1) b. No (2)

14. How did you resolve this conflict? a. Court (1) b. Customary Lands Secretariat (2)  
c. Traditional Authorities (3) d. Others (4).....

15. What do you think is the cause of these conflicts?

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16. What can be done to prevent these conflicts?

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17. How is your relationship with Land Sector Agencies such as Lands Commission and Town and Country Planning Department like?

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18. What are your views on how land and physical planning could be managed properly in the Municipality?

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19. What are some of the challenges you have working with land agencies – lands commission, Town and Country Planning Department among others?

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**Appendix C: Institutional Interview Guide for Customary Lands Secretariat**

1. What is the trend in Land title registration over the past ten years?

<b>YEAR</b>	<b>NUMBER RECEIVED</b>	<b>NUMBER PROCESSED</b>	<b>PENDING</b>
2008			
2009			
2010			
2011			
2012			
2013			
2014			
2015			
2016			
2017			

2. What are the challenges you face with Beneficiaries, Trustees and Chiefs?

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3. How do you deal with these challenges?



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4. Do you collaborate effectively with Lands Commission/Customary Lands Secretariat? A. Yes B. No

5. If No why not?

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6. How has land market evolved over the last decade?

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7. How is land managed in the Municipality?

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8. How many land conflicts have u dealt with in the last decade?

<b>YEAR</b>	<b>NUMBER RECEIVED</b>	<b>NUMBER RESOLVED</b>	<b>PENDING</b>
2008			
2009			
2010			
2011			
2012			
2013			
2014			
2015			
2016			
2017			

9. What are the causes of land conflicts in the Municipality?

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10. What has your outfit done to reduce these land conflicts in the Municipality?

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11. What do you think can be done to reduce land conflicts in the Municipality?

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**Appendix D: Institutional Interview Guide for Lands Commission**

1. What is the trend in Land title registration over the past ten years?

<b>YEAR</b>	<b>NUMBER RECEIVED</b>	<b>NUMBER PROCESSED</b>	<b>PENDING</b>
2008			
2009			
2010			
2011			
2012			
2013			
2014			
2015			
2016			
2017			

2. What are the challenges you face with Beneficiaries, Trustees and Chiefs?

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3. How do you deal with these challenges?

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4. Do you collaborate effectively with Customary Lands Secretariat? A. Yes B. No

5. If No why not?

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6. What are the values of land in the Municipality over the last ten years in these sectors?



Area	Year	2008 GH¢	2009 GH¢	2010 GH¢	2011 GH¢	2012 GH¢	2013 GH¢	2014 GH¢	2015 GH¢	2016 GH¢	2017 GH¢
Central Residential Area											
Zongo Kabanye Residential											
Industrial Area											
Kunbiahe Residential Area											
Bamahu Residential Area											
Kunfabiala Residential Area											
Napogbakote Extension											
Mugluu Residential											
Sokpeyiri/Kambalepaani Res. Area											
Kpaguri Residential Area											
Hill Top Residential Area											
Nakoripaani Residential											
Sombo Residential Area											
Mangu Residential Area											
Airport Residential Area											
Dobile Residential Area	Extension										





9. How many land conflicts have u dealt with in the last decade?

<b>YEAR</b>	<b>NUMBER RECEIVED</b>	<b>NUMBER RESOLVED</b>	<b>PENDING</b>
2008			
2009			
2010			
2011			
2012			
2013			
2014			
2015			
2016			
2017			

10. What are the causes of land conflicts in the Municipality?

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11. What has your outfit done to reduce these land conflicts in the Municipality?

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12. What do you think can be done to reduce land conflicts in the Municipality?

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**Appendix E: Institutional Interview Guide for Town and Country Planning**

**Department**

1. How are Landlords, Chiefs and Tendaanas involved in the preparation of a Planning scheme?

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2. Do you have approved planning schemes for every part of the Municipality? a. Yes b.

No

3. If No why not?

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4. How then do you control development in areas without planning schemes?

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5. Who contacts you for the preparation of planning schemes a. Family Heads b. Municipal Assembly c. Others Specify.....

6. If answer is A for question 6, how do you ensure coherence among schemes for various family lands?

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7. Do you have any schemes pending that cannot be completed due to land conflicts? a. Yes b No

8. If Yes how does that influence physical planning in those areas of the Municipality?

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9. How many building permits have you processed in the last ten years?

YEAR	NUMBER RECEIVED	NUMBER APPROVED	PENDING
2008			
2009			
2010			
2011			
2012			
2013			
2014			
2015			
2016			
2017			

10. What are some of the key reasons for those permits that are pending?

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11. Do people apply for change of use of land in the Municipality? a. Yes b. No

12. How many applications for change of use or rezoning have you processed in the last ten years?



<b>YEAR</b>	<b>NUMBER RECEIVED</b>	<b>NUMBER APPROVED</b>	<b>PENDING</b>
2008			
2009			
2010			
2011			
2012			
2013			
2014			
2015			
2016			
2017			

13. What are the details of the change of use in the Municipality



Area	Use	Residential to Commercial	Commercial to Residential	Educational to Residential	Open space to Residential	Open space to Commercial	Civic & Cultural to Residential	Civic & Cultural to Commercial
Central Residential Area								
Zongo Kabanye Res.								
Industrial Area								
Kunbiahe Residential Area								
Bamahu Residential Area								
Kunfabiala Residential								
Napogbakole Extension								
Mugluu Residential								
Sokpeyiri/Kambalepaani Res. Area								
Kpaguri Residential Area								
Hill Top Residential Area								
Nakoripaani Residential								
Sombo Residential Area								
Mangu Residential Area								
Airport Residential Area								
Dobile Extension Res. Area								

14. What do you think account for these changes in use in the above sectors of the Municipality?

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15. How does this affect physical planning in the Municipality?

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16. What do you think can be done to address this issue to ensure adherence to planning schemes to enhance physical planning in the Municipality?

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