

Urban Public Space and Land Management

Local Assessment for Equitable Growth in Gulu
and Mbale Municipalities, Uganda

Main Report

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Local Assessment of Urban Public Space and Land Management for Equitable Growth in Gulu and Mbale Municipalities, Uganda

Main Report

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EXECUTIVE SUMMARY

Did anyone know that an estimated 299 and 138.15 hectares of Mbale and Gulu Municipalities respectively are public space? That size of the municipalities' land is for the public, to play, to create, to walk, to relax, to imagine, to paint, to dance, to make music, to perform, to protest, to sing, to come together, to share, among others.

This consultancy to prepare a Local Assessment Report (LAR) on Public Space and Land Management in Gulu and Mbale Municipalities was commissioned by UNCDF in partnership with Cities Alliance, the global partnership for poverty reduction and the promotion of cities in sustainable development with a representative global membership of over 30 full and associate members to implement the Joint Work Programme on Equitable Economic Growth in Cities in Uganda.

The main purpose of the consultancy was to assist two municipal governments, to develop well-researched and evidence-based policy recommendations on how to improve the delivery of municipal public goods and service that contribute to equitable economic growth. This report is geared at facilitating UNCDF and other JWP members to support the promotion of equitable access to public goods and services in the selected Ugandan cities, based on local needs, capacities and priorities.

The study team undertook its assignment in close collaboration with the relevant municipal authorities and Municipal Development Forums, Ministry of Lands, Housing and Urban Development, Ministry of Local Government, Urban Authorities Association of Uganda (UAAU) and other relevant government and non-government stakeholders as well as with the JWP members in Uganda (Cities Alliance, DFID, World Bank and GIZ).

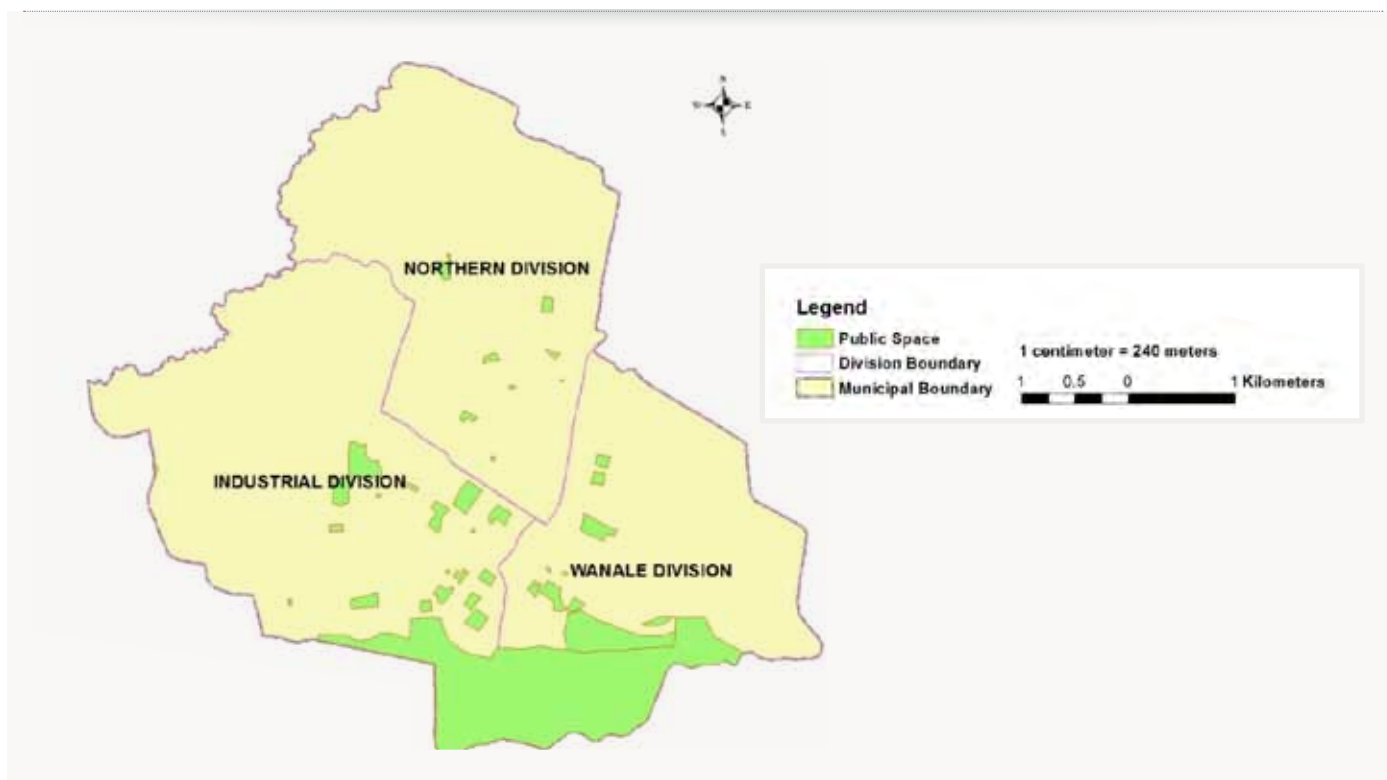
The teams explored how existing processes mediate public space and land management. Through an inventory of the respective public space and land management mechanisms and a critical examination of the challenges, opportunities and capacity issues around access by various stakeholder groups to these assets, the study drew valuable insights into how the relevant authorities could improve provision of public services for equitable economic growth.

The study has established that the early planning of the two municipalities was built on the neighbourhood principle with ample provision of public spaces. The early development of Mbale Municipality was dictated by ample and public space including Uhuru Park, Golf Course, Cricket Grounds, Children's Park, Rugby Grounds, Mbale Central Forest Reserve, Namakwekwe Childrens Park, Mpumudde Playground and several other neighbourhood parks and school playgrounds spread across the municipality. Equally important are the early needs for open spaces in Gulu Municipality with Pece War Memorial Stadium, Golf Course, Boma Grounds, Kaunda Grounds and Gulu Central Forest Reserve as the most dominant public spaces. The amount of public space in Mbale and Gulu Municipality varies widely, with Mbale having twice the amount of public spaces (in fact 2.162 times) that Gulu Municipality has. The distribution of public spaces in Mbale Municipality forms a triangular shape with the largest number of the spaces located from the centre of town southwards. On the other hand, the existing public spaces in Gulu Municipality are distributed along a linear axis; an arc stretching from the east through the centre of the municipality to the western direction.

TABLE 1: Size of Public Spaces by Classification in Mbale and Gulu Municipality

	Mbale Municipality		Gulu Municipality	
	#sites	Hectares	#sites	Hectares
Stadium	1	3.548	1	2.413
Green/ Open Spaces	11	41.074	10	31.035
Playgrounds	12	6.656	1	15.973
Markets	5	3.834	10	30.468
School grounds	8	18.234	11	33.189
Natural areas	1	222.575	1	25.077
Cemetery	2	2.635	1	0
Library	1	0.127	1	n/a
Total	41	298.683	34	138.154

FIGURE 1: Public Spaces in Mbale Municipality



Overall, we observed that residents of the two municipalities are not well served with public spaces. In Mbale and Gulu Municipalities, the current provision level of public space per 1,000 residents was 0.8518 and 0.91915 hectares respectively. This state of provisioning public spaces tells us that Mbale and Gulu Municipalities in general are deficient given the international standard recommended provision. When the provisioning of public spaces is considered by division, it ranges from 0.585ha/1,000 residents in Industrial Division to 3.181ha/1,000 residents in the less populated Wanale Division in Mbale Municipality. On the other hand, the provisioning in Gulu Municipality ranges from 0.10188ha/1,000 residents in Layibi Division to 1.35667ha/1,000 residents in Bardege Division. It is only Bardege and Wanale Divisions in Gulu and Mbale Municipality respectively that have a surplus of public spaces for every 1000 residents. Their level of provisioning stands at 1.357 and 3.181 hectares per 1000 residents. Among the seven divisions, it is also evident that Layibi Division in Gulu Municipality reveals exceptionally low levels of provision of public space. Regardless of which standard is applied, both municipalities fare badly.

FIGURE 2: Public Spaces in Gulu Municipality

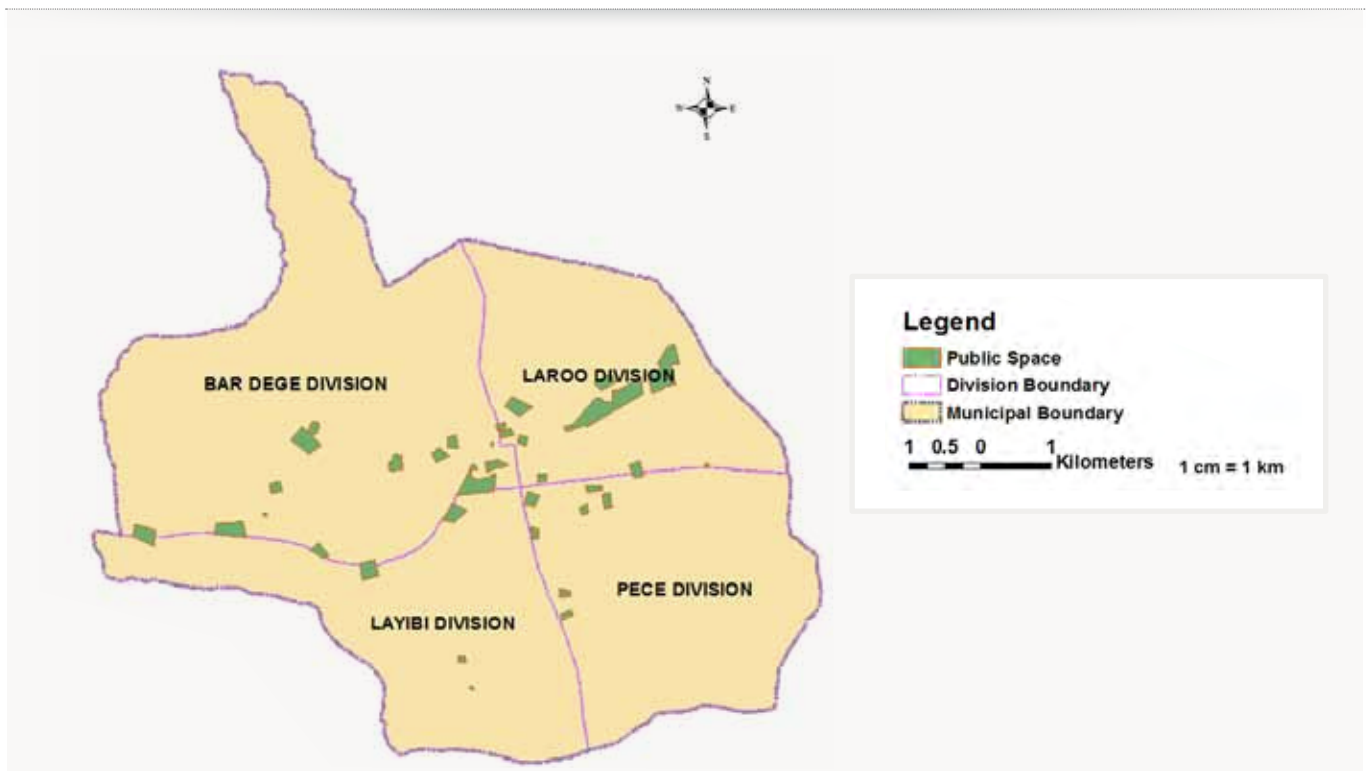


TABLE 2: Current and Future Space Needs in Mbale and Gulu Municipality

		Mbale Municipality	Gulu Municipality
Total population (2014)		89350	150306
Available space	Size (hectares)	76.108	138.15
	Provision (ha/1000 residents)	0.852	0.919
Required public space (2017)	Size (hectares)	107.22	180.37
	Deficit (hectares)	-31.1116	-42.21
Projected futures needs of public space (hectares)	2030	212.96	245.16
	2050	481.82	319.21

To quantify how much is available and that which is required, the gap analysis shows that currently the municipalities require 107.22 ha and 180.367 ha of public space for Mbale and Gulu Municipalities respectively. Based on projected population increases future public space supply is estimated to drop substantially to 0.429ha/1,000 residents and 0.676ha/1,000 residents in Mbale and Gulu Municipality respectively by 2030, if the two respective authorities take no decisive action to reverse current trends. The proportion of public space could drop even further to 0.19ha/1,000 residents and 0.519ha/1,000 residents in both cases respectively under a business-as-usual scenario by 2050. These findings show that the municipalities are anticipated to remain deficient in the future with regards to public space supply.

It should also be noted that once proper planning is done in the two municipalities and given the current population growth rates, the projected futures public space needs by 2030 would amount to 212.96 ha and 245.16 ha for Mbale and Gulu municipalities respectively. This would increase to 482.82 ha and 319.21 ha by 2050 for the two municipalities respectively. This demonstrates the need for municipal authorities to be very proactive in providing more public space but also take decisive action to enforce the protection and maintenance of existing public spaces.

The Local Government Act Cap 243 provides autonomy to local governments to prepare or cause to prepare Physical Development Plans, carry out land surveys, land administration and environmental management. The Act granted urban authorities various responsibilities, notably the delivery of essential social services such as education and healthcare and it also grants the municipalities the authority to acquire, establish, develop, maintenance or manage of public parks, garden and recreation grounds.

Currently, the existing physical development plans for the two municipalities lack detailed and clear protocols or standard guidelines on how they (plan to) manage public spaces, let alone an existing inventory or understanding of the public agencies involved in public space. Within each municipality, public spaces and land matters don't fall in a single department. While open spaces fall under the Natural Resources Office, Public Libraries fall under the Community Development Office, Street Space falls under the Municipal Engineers Office, Cemeteries fall under the public health office and land matters are the responsibility of the Physical Planning Office while School lands are under the Education Office. Although the Physical Planning Committee would be considered as the coordinating arm for the management of public spaces and land across each municipality, there is no elaborate effort to corporately coordinate public space and land management activities in conjunction with all the other Department activities, and the integration of these initiatives within the overall policies, strategies and resourcing undertaken by the municipalities across all its services.

The study found no overall visions and management plans for public spaces across the two municipalities and most importantly, there are serious contradictions between the provisions of the existing municipal development plans and what is actually being implemented on the ground. There is no map that integrates public space corridors, environmental corridors and other open space connections into overall visions for municipal public spaces. The failure to progressively plan urban land development, poor coordination, corruption, mixing of urban management with politics and the laxity in enforcement mechanisms, largely account for the dwindling public space in Gulu and Mbale. Implementation of spatial plans has largely failed due to institutional weaknesses, financial constraints, political interference and lack of appreciation of planning by society, what is under practice is piece-meal planning. For example, the proposed forest reserve in Gulu Municipality has been allocated to Gulu University.

We want to suggest that the current public space and land management environment in the two municipalities is a result of the (ir)rationality, processes, structures and outcomes of a myriad of actors at several and multiple spatio-temporal and governance scales. The existing municipal leadership and other actors largely influences the claims and decision making regarding public spaces and land management in the two municipalities.

Government of Uganda wants the integration of public spaces in all development plans. The Directorate of Physical Planning and Urban Development in the Ministry of Lands, Housing and urban Development, emphasizes that regulators and municipal governments should emphasize the allocation of public spaces in all development plans before they are approved. In our discussions with Municipal technical personnel, there was clear emphasis on the importance of public spaces and land for municipal development. The Gulu Municipal Council Local Government Five Year Development Plan. 2015/16 – 2019/2020 also reveals limited attention paid to public spaces although on page 39, there is a recognition that public open spaces and beautification are in a poor state; limited attention to the public cemetery; poor drainage status especially through Kaunda ground, Pece & Aywee stream channels and from Pece across Police barracks and Holy Rosary (Gulu Municipal Council 2015b). The Mbale physical development plan (2016-2026) makes a strong case for public spaces including play grounds, sports grounds, and public open spaces make up the municipal green spaces, used for leisure, interaction, and recreation for the population. The most significant ones include Mbale stadium, the golf course, Mbale sports club, and the Mutoto circumcision grounds.

The team observed that the inadequate coordination of physical planning activities within the municipalities has resulted in the unpleasant and unattractive quality of open spaces. There are no regulations and byelaws available to the Municipal Council for the use of public or open space and no proposal has been fronted to address this issue, despite the continued growth of informal sector businesses in Gulu Municipality (Cities Alliance, 2017). There is lack of harmony in carrying out their individual and cooperate task in planning, development and protection.

There are other challenges include bureaucratic bottlenecks that characterize these municipalities with respect to approving and issuing development permits. The delays coupled with long and frustrating process force developers and other individuals in municipalities to evade the required planning procedures, and to embark on land projects which are unauthorized. The resultant effect is the massive encroachment into green space environments by commercial and residential activities.

In a related dimension, bureaucratic bottlenecks have encouraged bribery and corruption practices in the plan approval process. Furthermore, the poor involvement of urban residents coupled with limited sensitization and awareness on the benefits of public spaces has been identified as another challenge within the Gulu and Mbale urban landscape. This has caused town residents to consider public spaces' protection as the sole responsibility of municipal authorities. The resultant effect has been the significant destruction and vandalism facilities in the public spaces by the local people and their conversion into dump sites. In Gulu for instance, no sooner had the municipality planted trees and grass in beautification along the newly USMID constructed roads than it witnessed a stray animals eating up the plants. This can largely be attributed to poor attitude towards government projects.

Fights between the technocrats and the politicians are hindering development and denying residents social services and protection of public lands and spaces. Thus far, Mbale residents have paid a heavy price for the mess created by those entrusted with responsibility to do the right thing. Mismanagement of urban space is another issue mirrored in the poor enforcement of development controls and the lack of political will. Besides there are other major challenges identified include; lack of detailed physical development plans, lack of bye-laws and low staff capacity to enforce compliance. These are recurrent urban planning defects in Gulu and Mbale municipalities. To solve this, a clear demarcation of public spaces and lands enacting bye-laws followed by their enforcement against is a logical step towards reversing the negative trend of events in the park space.

Regarding the institutional framework, the study established that there are many actors who are engaged in provision and protection of public spaces in the Country. Several efforts in promoting public space and land management are ingrained in several legal and institutional frameworks. However, the inability of the municipalities to prepare, implement, monitor, and enforce their development plans has resulted in several deficiencies in the management of public spaces and land.

In addition, the study identified weakness in coordination of physical planning with other development programmes carried out by MDAs such as Uganda National Roads Authority (UNRA), National Water and Sewerage Corporation (NWSC), Roads, Energy and District Land Boards, Uganda Land Commission, etc. This has led to disjointed land use programmes leading to conflicts, unbalanced development; uneconomical land use, land fragmentation and destruction of fragile ecosystems.

In terms of stakeholders' role with regard to public space and land management the Study interviewed a wide range of respondents from the relevant ministries, districts and municipalities as well as the users of public spaces, particularly in the private sector, local communities and organisations. The study established that the level of citizens' engagement in public space and land management was inadequate and does not provide opportunities for meaningful participation in decision making.

Based on our findings, the study has identified what should be done to successfully promote public space and land management for equitable economic growth as follows.

- (1) Public space and land management in the two municipalities are political questions and there is a need for the political leadership including the Mayor to "champion" or carry the municipalities' goals through formal and informally established institutional channels. Highly visible mayoral support becomes an important assurance that the municipality public space and land is secure.
- (2) Effective management of public spaces and land MUST start with adequate data and information. There is a need to ascertain who is in custody or keeping the municipality land titles, secure duplicate ones for those that cannot be traced, renew expired leases after valuation by the Government Valuer and maintain a comprehensive land register. There is a need to take a further to survey all the land titles; and subdivided land should be restored to their previous status, while some land titles should be cancelled and development on the land halted. For the land that had expired leases, there was a need for them not to be re-newed. There is a further need to ensure that all municipal properties, spaces and land are surveyed, registered and land titles issued to generate a complete municipal asset register and database.
 - (a) To determine the legal ownership of facilities and ensure that proper and adequate management and maintenance are given to them. We propose that this exercise should be extended to all public lands and spaces across the municipality.
 - (b) To protect existing public spaces from selfish individuals across the two municipalities; and also facilitate their adequate monitoring and management in the future.
 - (c) Municipal Council authorities should inform the Zonal Offices, which process land titles, of such irregular transactions so that titling such land is halted.

- (d) To provide developers of public spaces with information on the recreation activities that should be included in the public spaces based on the analysis of user group statistics, local demographics and the existing inventory of open space amenities in particular neighborhoods.
- (3) There is a need to determine the extent to which land governance structures – including the District Land Boards and Area Land Committees are debilitated by bribery and fraud. There is a need to conduct formal inquiries and thorough investigations into accusation of land grabbing and fraudulent behaviour by municipal officials, powerful and intransigent state officials, District Land Boards and Uganda Land Commission, and other persons suspected to be behind the illegal land transactions and bring them to book. The Uganda Land Commission should stop usurping powers from the local land boards which are duly approved by parliament to handle land matters. It is also important to investigate where the proceeds from the illegal land transactions go.
- (4) In the short term, public Spaces and land should be part of the **broader Municipal Development Strategy (MDS)**. Public paces should be locked into the city’s development process and for Mbale Municipality, this might be an opportune time as the municipality’s new physical development plan was at the time of this activity being worked out. In the long run, there is a need for public space and land management plan that is realistic, comprehensive and integrated including:
- (a) Design of the network of public space as part of physical development plans. e.g. green spaces, road network, markets etc. Our results revealed serious deficiencies in planning for public spaces and there is a need for a clear definition of public spaces and formalization of the hierarchy and provision standards in both municipalities. For divisions such as Northern Division in Mbale Municipality and Layibi Division in Gulu Municipality, where this study observed a limited number of public spaces, there is a need to acquire and develop new public parks for their residents.
 - (b) There must be a deliberate urban planning attempt to provide well distributed and easily accessible open public spaces across the municipalities. Priority should, again, be given to Northern Division and Layibi Division in Mbale and Gulu Municipality respectively; since they show the greatest deficiency of open spaces when considering future upgrades or development of new public spaces. There is a huge potential for public spaces to be developed along the river fronts of Nabuyonga and Namatala in Mbale Municipality, and once this is done, they would then provide extra linear public space linkages for communities and properties that are development close to the rivers.
 - (c) Ensuring that the land dedicated for public spaces as required through the land development process is optimal for the intended park functions, uses, facilities and maintenance/management as well as accessibility and linkages;
 - (d) Increased vigilance and enforcement to guard against the loss of public spaces and land e.g. toll free lines, formation of street committees etc.
 - (e) There are three keys to a properly functioning public space: **design, maintenance and security**. There is a need to ensure that the spaces are adequately **secured and maintained** e.g. slashed, watered, and properly landscaped. For public space of national importance such as Kaunda grounds and Boma Grounds in Gulu and Mbale Municipalities respectively, there is a need for concrete surfaces to be constructed for parades, as well as a pavilion with a seating capacity of several hundreds of people. Water and lights should also be installed at the grounds to facilitate the different activities. The central markets in both municipalities require urgent attention and a maintenance programme so that they don’t degenerate into disrepair like many other facilities and spaces.
 - (f) There is a need for all **public spaces to be reviewed for possible upgrades or alterations and include appropriate service in them**. Investing in facilities (such as monuments, drinking fountains, service counters, toilets, lighting, seating furniture and shades, equipment and amenity upgrades (e.g. slides and swings, waste receptacles or litter bins, picnic tables, bicycle racks, barbecues, shade and

shade structures, turf restoration and naturalization) required in public spaces. There are several potentially useful guidelines provided elsewhere that the municipalities can look at to improve their public spaces.

- (g) **Public space signs:** All municipal public space should have consistent, stylish, identifiable signs that welcome users and visitors alike into the park. These fall into three categories: information signage, directional signage and interpretive signage which should identify the property location, name and ownership. They provide an opportunity for branding and in many cases are the first thing park users see when visiting the park. They should be bright, fresh and emit a sense of pride of ownership. The signs should be consistent with other municipal signs/ corporate branding and identifiable to users.
 - (h) Pathways are required in a large number of public spaces across the two municipalities since they provide a number of benefits to public space properties. They welcome visitors. They guide public space visitors into the park from the entrance. They provide a hard surface. They provide an accessible surface to public features and amenities. They help to keep public users away from areas of sensitivity. They provide a linkage to adjacent trail systems. They play an integral role in the use and overall functioning of the public space. In many modern municipal neighborhood park designs, park pathways flow from the public space entrance(s) to various public space features. In many cases the pathway wraps around the feature and continues to other features in the public space before returning to the entrance/egress part of the public space. This provides an opportunity to walk throughout the public space.
 - (i) Public school properties with running tracks and football pitches that are used by local residents should be evaluated in open space planning with the understanding that these facilities are not designed for use by the general public even though that is often how they are used.
 - (j) In Gulu Municipality, it is important that appropriate names are found for the open spaces that are currently referred to as: (1) Between Tank Road and Alex Ojera Road; (2) Between Oloya Gilbert Lane and John Oniri; and (3) Between Unfant P/S and Airfield Road; (4) Near Airfield; (5) Open Space between Aganach Close and Golf Course road; and (6) Open Space at Custom corner.
- (5) A need to **revise the institutional framework** that guides public space and land management including:
- (a) Establishing a clear regulatory framework to help in the alignment of land transactions that are consistent with the municipal physical development plans. As a planning authority, the Municipal Council should have full powers over land jurisdiction, rather than constantly conflicting with the District Land Board (DLB) over issues of land allocation (Cities Alliance, 2017).
 - (b) It is extremely important to clarify every stakeholder's responsibilities for an effective long term coordinated public space management system through a clear decision making process. A unified, integrated and coordinated structure that brings all aspects of public space delivery together across the the municipal management process is very important. There is a need to review the existing laws and regulations to accommodate and **harmonize the working relationships** of Uganda Land Commission, District Land Board and the municipal Councils to establish enabling systems to create, revitalize, manage, and protect public space, including participatory processes to define their use and manage access to public spaces. Because regulation, maintenance and resourcing are likely to involve a wide array of people and organizations, directly or indirectly, there is a necessity to co-ordinate mechanisms to ensure that the agents in charge public spaces and land pull in the same direction. This need for coordination applies equally to all relevant departments within each municipality.
 - (c) **Enacting bye-laws to prohibit, and protect public spaces** from encroachment, misuse, vandalism and destruction by illicit trade, vending, stray animals, car washing, taxi parking, animal slaughtering, garbage dumping, car and motorcycle driving practice etc.

- (d) There is a need to demonstrate how public spaces meet wider municipality objectives linked to other municipality agendas like education, health, safety, environment, local economic development, etc. While other departments across the municipalities may contribute to programming and maintenance, to handle public space and land management challenges effectively, the **Physical Planning Committee** needs to be re-organized.
 - (e) There is a need to explore the opportunities to access government funded school public spaces in order to provide more local recreational amenities in an effort to reduce the long term need for additional stand-alone public spaces and recreational facilities with the municipalities.
 - (f) An institutionalized monitoring and survey programme of public spaces on a periodic basis should be established across both municipalities. This should take into account types and number of users and the status of parks.
- (6) Public spaces also need **permanent homes**. This is most critical for the municipal library in Mbale Municipality; which is currently housed in a dilapidated building close the municipal headquarters. There is a huge potential to improve the reading culture for all municipality resident the urgent investments in a permanent place for the library is very critical.
 - (7) There is a need to **build the capacity** of the municipalities both human and financial to carry out their responsibilities effectively for equitable provision of services for all urban residents in view of the planned future growth of both municipalities.
 - (8) The potential **socio-cultural and economic value** of public spaces and land needs to be fully explored and exploited. Feasibility studies need to be conducted for all public spaces across the two municipalities and official marketing campaigns to promote the existing and potential public spaces across the two municipalities is urgently needed. A variety of recreational opportunities which would not conflict with the primary purpose of the cemeteries should be explored as well.
 - (9) The municipalities have to find creative and innovative ways of financing the management of public spaces and land. This can be through **Partnerships, Collaborations and Joint Ventures with the private sector**: The two municipalities have traditionally held significant responsibility for the development and delivery of public spaces for their residents. The municipal role over many years has been as direct financier, developer and operator of public space facilities and programs. In more recent years, there has been some contraction of the role in leisure services delivery for some municipalities. There is a need to for the municipalities to explore opportunities that encourage non-profit agencies and the private sector to identify investments and management opportunities in public space such as the main stadiums (Mbale Municipal Stadium and Pece War Memorial Stadium), swimming pools, tennis courts etc. These groups of agencies can also mobilize and receive grant funding that can be spend on public space restoration, maintenance and general management.
 - (10) Land value sharing/capture is a tool which needs to be widely adopted and promoted for municipalities to capture private values generated by better public spaces to sustain investment in public space.
 - (11) There is a need to link the physical development plans with Land information system so as to eliminate fraudulent land transactions.
 - (12) Land Banking: One strategy that the two municipalities should consider as they clamour for city status is to pre-identify land needed for major parks well ahead of the time of an area's development. Land acquisition in the centre of the municipalities is limited by land availability and high cost but in this strategy, the municipality would generate the funding resources necessary to purchase land potentially eight to ten or more years ahead of its required use. In this way, the municipality could receive two significant benefits: first, it would be able to secure the land necessary from both a size and locational preference perspective more conveniently than trying to secure the land later in the land development process;

secondly, there may be opportunities to acquire the land significantly ahead of its development timeframe at a lower cost than when development is imminent or ongoing.

In conclusion the two municipalities are challenged in a constantly changing environment to provide high quality public spaces and manage urban lands appropriately. This places increased responsibility on the municipality planners, politicians, developers and the community to work together to provide a common vision for their public space system. We observe that it is still a huge challenge to manage public spaces and land in both municipalities basing on our discussions with the technical personnel, including those presented to us from the public space users and expert judgment from the observations and spatial analyses that we conducted throughout the whole exercise.

ABBREVIATIONS

BOSCO	Battery Operated Systems for Community Outreach	PSFU	Private Sector Foundation of Uganda
CFRs	Central Forest Reserves	SPSS	Statistical Package for Social Scientists
CSOs	Civil Society Organisations	UBOS	Uganda Bureau of Statistics
DLB	District Land Board	ULC	Uganda Land Commission
DLG	District Local Government	UMA	Uganda Manufacturers Association
EIA	Environmental Impact Assessment	UMC	Uganda Muslim Council
FAO	Food and Agriculture Organisation	UNCDF	United Nations Capital Development Fund
GIS	Geographical Information Systems	UNRA	Uganda National Roads Authority
GMC	Gulu Municipal Council	USMID	Uganda Support for Municipal Infrastructure Development
GMDs	Gulu Municipal Development Strategy	WHO	World Health Organisation
JWP	Joint Work Programme	WIEGO	Women in Informal Employment: Globalizing and Organizing
LAR	Local Assessment Report		
LED	Local Economic Development		
LGSSP	Local Government Sector Strategic Plan		
LSSP	Land Sector Strategic Plan		
MATIP	Markets and Agricultural Trade Improvement Project		
MDAs	Ministries, Department and Agencies		
MDF	Municipal Development Forum		
MDS	Municipal Development Strategy		
MLB	Municipal Land Board		
MMC	Mbale Municipal Council		
MoLG	Ministry of Local Government		
MLHUD	Ministry of Lands, Housing and Urban Development		
MTWH	Ministry of Tourism, Wildlife and Heritage		
MRC	Mbale Rugby Club		
MSC	Mbale Sports Club		
NDP	National Development Plan		
NEMA	National Environment Management Authority		
NFA	National Forestry Authority		
NPFA	National Playing Fields Association		
NPPS	National Physical Planning Standards		
NRPA	National Recreation and Park Association		
NWSC	National Water and Sewerage Corporation		

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Chapter One

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1.1 Background and Context

Without a doubt urbanization presents immense opportunities from a strategic development perspective. It holds great potential to catalyse social, political and economic transformation through wealth generation, prosperity and improvement in the quality of life. The challenge, however, is that while urbanization offers a wide range of opportunities, it also comes with a multiplex of challenges. Subsequently, planning and managing the urbanisation trajectory is very critical if the country is to fully exploit the potential benefits it presents. Urbanisation has a powerful transformative effect as an engine for growth and development (SDSN, 2013). Urbanisation therefore, harnessed sustainably, can create employment, reduce poverty and vulnerability, ensure greater inclusiveness, build more resilient communities, improve living standards and promote sensible exploitation of natural resources. Otherwise, the negative impacts of poorly planned infrastructure investments and urban land-use systems can be hard to reverse (SDSN, 2013). Needless to say, failure to plan and manage such urban 'hardware' can cascade down the socio-economic chain, resulting in slum proliferation, deprivation, unemployment, insecurity, inequality, exclusion, vulnerability, crime and violence. In the absence of effective and responsive regulatory frameworks, the cumulative impact of these aspects on the environment can be very severe.

Urbanisation has a powerful transformative effect as an engine for growth and development (SDSN, 2013).

Cognisant of the urbanisation dynamics emerging across Uganda, the UNCDF commissioned a study to prepare a Local Assessment Report (LAR) on Public Spaces and Land Management. This study, executed alongside another on Local Economic Development (LED), aimed at establishing a reliable evidence base with respect to public space and land management in the target municipalities to foster equitable economic growth. It is expected that the findings from both the two studies will inform respective governance and decision-making processes towards improved service delivery and more equitable economic growth.

This study placed particular emphasis on three related components of the Joint Work Programme (JWP) which include:

1. **Focus on public goods and services.** Public space and land management offer multiple entry points and approaches, including, for example, private sector development and community-based initiatives. The Joint Work Program takes a specific angle of approaching these two themes from the perspective of public goods and services delivered by government. Its objective is to investigate how public goods and services should be improved/modified/expanded to foster inclusive and equitable economic growth in urban areas. A public good means a good that benefits all the members of a local community. The core characteristics of public goods are that they are 'non-rival', in that they can be consumed by one individual (or country) without diminishing availability of the good to another, and 'non-exclusionary' in that no individual (or country) can be excluded from its benefits. A public service, on the other hand, includes those basic services that support human rights, such as health, education services, employment and economic services, as well as those that are fundamental components of governance itself, such as electoral services, civil registration, and legal,

justice and police services. Services, such as infrastructure (including water, electricity, road, transport, sewerage and telecommunications) also play a crucial role in supporting economic and social rights, because when they do not function well, they can deepen gender inequalities, gender-based violence and exclusion. Hence, your focus should be (a) on government (the public aspect) and (b) goods and services that it delivers rather than on specific projects.

2. **Focus on municipal level.** A broad range of public goods and services is relevant for promoting LED and effective public space/land management. However, many of those are delivered by the central government and are outside the municipal remit. The study emphasized the following: (a) services for which municipalities are currently responsible, (b) services which are currently delivered by the central government but potentially may be devolved to municipalities, and (c) services which will continue to be delivered by the central government but which municipalities can/should influence by either offering complementary services or through advocacy efforts.
3. **Focus on equity and inclusion of disadvantaged groups.** With increasing inequality and thus increasing Gini coefficients, it is important that as many people as possible enjoy the fruits of municipal economic growth especially those groups that are largely excluded from accessing such benefits. These include the women, youth, residents of informal settlements and other marginalised groups. From this point of view, it is important to deliberate how public goods and services can be made more gender-responsive, more pro-youth and pro-poor oriented and more inclusive. Whereas Uganda has recorded a significant reduction in poverty levels, its Gini coefficient has stagnated over the past 30 years hovering at about 42%. Hence, the challenge of equitable economic growth in general and in urban areas in particular is very topical.

Within the JWP itself, WIEGO (Women in Informal Employment: Globalizing and Organizing, <http://www.wiego.org/>) is working on a global knowledge product focusing on city-level regulation of access to public space for the purpose of earning a living. This study on public space and land management has a strong potential to contribute to and enrich this global product. In addition, the LAR study, along with the LED study, will contribute to the UNCDF's emerging program for the Development Initiative in Northern Uganda (DINU) which addresses, among other things, good governance issues around public financial management in the northern part of the country.

Lastly, the LAR study also has a link to the joint UNDESA-UNCDF project on municipal asset management. Since land is the single most valuable municipal asset, a good understanding of the management issues that underpin this resource is critical for designing, planning and implementing adequate municipal land management frameworks and mechanisms.

1.2 Urbanisation in Uganda

Urbanisation in Uganda is still in its infancy. According to UBOS (2016), the country's urban population is increasing steadily, with an equally growing number of urban centres.

In 1991, Uganda had 67 urban centres in total, with Kampala as the prime centre, in addition to 13 municipalities, 33 town councils and 20 town boards. In 2002, the number of town councils rose to 61, while the others remain unchanged. The country's urban landscape has undergone significant transformation since then. Currently, there are 259 urban centres, which include 1 city, 33 municipalities, 163 town councils and 62 town boards. There has been very little attention accorded to the country's urban sector by way of planning and management in the last 2 decades. Subsequently, the urban sector is facing serious challenges, partly emanating from the lack of a coherent urban policy and resources. Subsequently, urban poverty, vulnerability, unemployment and lack of adequate provision of critical social services are emblematic of the country's urban

landscape. These are manifested in the increasing number of unemployed youth, vulnerability especially among women and a high population living in informal settlement, most of whom lack the capacity to access productive capital, basic services like healthcare, education and solid waste management. However, with the recent prioritisation of urbanisation in the national development agenda, this might change over the next few years.

Table 3: Number of Urban Centers by Type, Census Year and Urban Population (1969 –2016)

Index	1969	1980	1991	2002	2014
Number of Gazetted Urban Centres	n/a	41	150	75	197
City	n/a	1	1	1	1
Municipalities	n/a	2	13	13	22
Town Councils	n/a	34	33	61	174
Town Boards/Township	n/a	4	18	20	na
Urban Population	634,952	938,287	1,889,622	2,921,981	6,426,013

NB: The figures in 1969, 1980 and 1991 are as per the 1991 definition, while those for 2002 and 2014 are as per the 2014 definition of urban areas.

na - Information Not Available

* The Urban Population of 2014 excludes the Population enumerated in Town Boards

Fostering inclusive, planned and orderly urbanization is central to realizing Uganda’s Vision of “A transformed Ugandan society from a peasant to a modern and prosperous country within 30 years” by 2040 (NDP-II, 2015). In the country’s drive for socio-economic transformation, urbanization is a key player and the Government recognizes the significant contribution of synchronising urban and rural development, effective management of land resources, housing development and the urban development sector as critical engines for transformation. To enhance delivery of the Vision, planned urbanization is envisioned to lead to better urban systems that enhance productivity, liveability and sustainability while releasing valuable rural land for other purposes. The NDP-II aims to strengthen sustainable wealth creation, employment and inclusive growth. The Uganda Green Growth Development Strategy 2017/18 – 2030/31 is aligned to the country’s vision and aims to achieve an inclusive, low emissions economic growth process that emphasizes effective, efficient and sustainable use of the country’s natural, human, and physical capital.

Case 01: Gulu Municipality

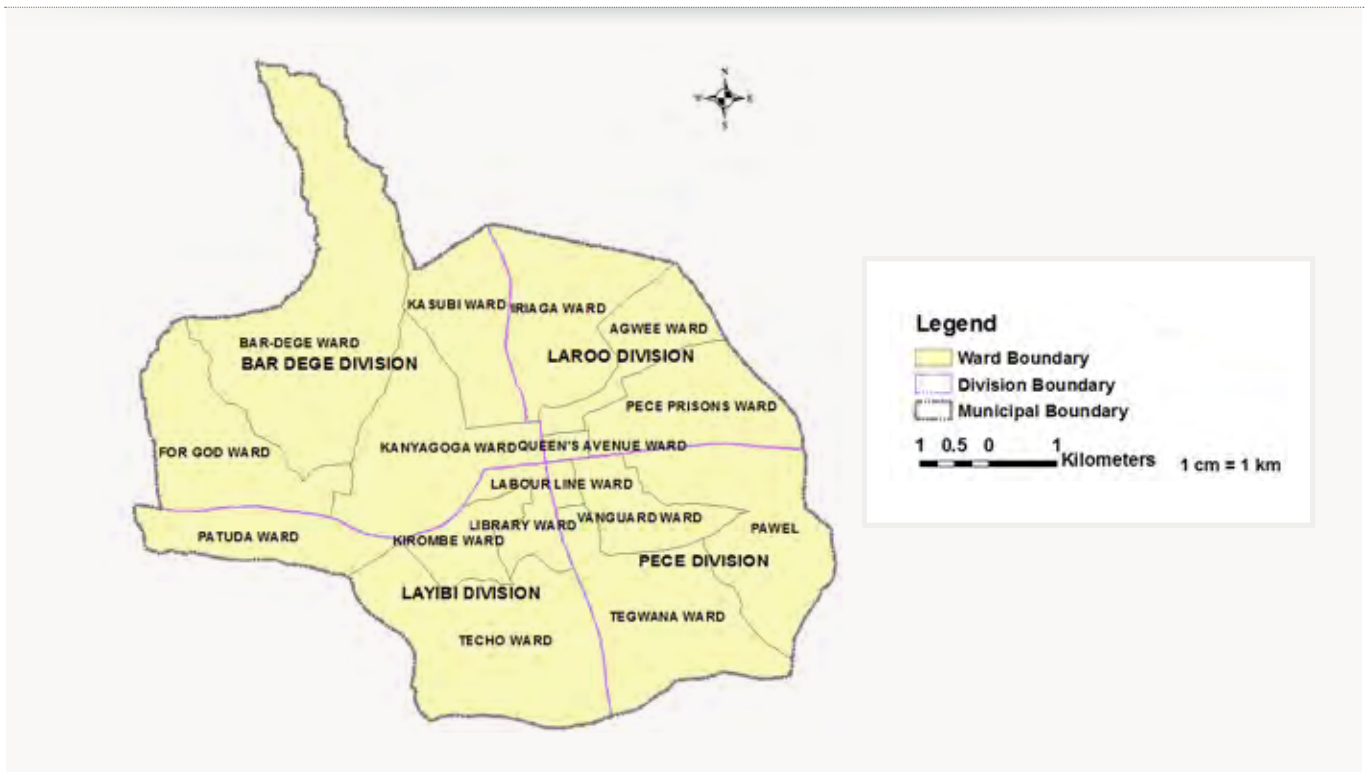
Gulu Municipality is the administrative centre of Gulu district, located 332 kilometres in the northern region by road from the capital, Kampala city. As the largest commercial centre in Northern Uganda, it is considered to be the principle urban node of the area. It is one of the oldest towns in the country, having started out as a colonial outpost for buttressing British colonial control over the region. The town derives its name from a word in the Acholi language which means ‘pot’ because of its location in a low-lying area (GMDS, 2015). Administratively, the municipality is composed of four divisions which include Bar Dege, Laroo, Layibi and Pece (Figure 2), altogether covering about 61 km² and is headed by a mayor elected through the universal adult suffrage system.

According to the UBOS (2014), Gulu Municipality’s population was estimated at 152,276, out of the district’s estimated population at 275,613. This accounts for more than 50% of the total population of Gulu district. The municipality is also among the largest 20 urban centres in Uganda. For more than 20 years, the town was ravaged by the effects of the conflict between the Lord’s Resistance Army (LRA) and the Uganda government. The conflict precipitated the mass displacement and migration of rural communities into the municipality, primarily for security reasons. Subsequently, the town’s population swelled rapidly, and enormous pressure was exerted primarily on its social and economic infrastructure.

In 2006, the conflict between the Lord’s Resistance Army (LRA) rebel outfit and the government ended, ushering in some much needed stability. The last ten years have seen a rapid change in the municipality’s skyline, and it has emerged as a vibrant socio-economic hub in the region. Given its strategic location in the region, until recently, Gulu municipality had become an important trade link between Uganda and South Sudan. Although the instability in South Sudan has disrupted affected the once burgeoning local economy, the impending exploitation of oil and gas in neighbouring districts like Nwoya are cause for optimism about its future prospects. Commercial activities like wholesale and retail trade form the basis of the municipality’s economy, followed by a vibrant service sector including restaurants, hotels etc. The municipality’s economy also boasts a range of processing and manufacturing industries, as well as construction and agriculture. In spite of the relative stability ushered in with the end of the LRA conflict, while the municipality shows encouraging signs of recovery, poverty remains a major challenge.

A large generation of youth raised in camps has emerged from the ruinous conflict with many of them having lost their relatives rendered landless, homeless and desperate. They are unable to access the much needed opportunities to build meaningful livelihoods. The situation portends serious social problems which the municipality’s leadership has to contend with soon or later (Branch, 2011).

Figure 3: Administrative Divisions in Gulu Municipal Council

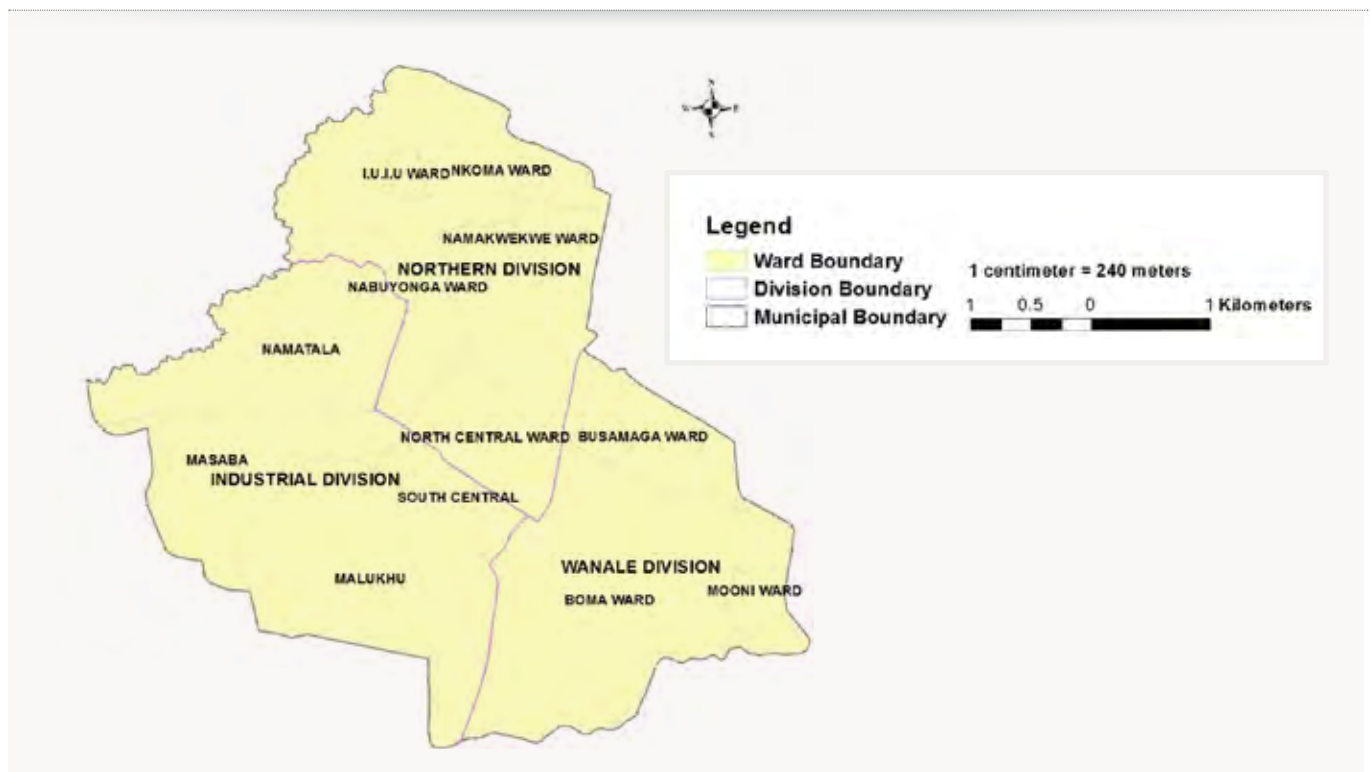


Gulu Municipality, like most other urban centres around the country, currently lacks a comprehensive plan for overseeing public space and land management. The municipality's current physical development plan is broad in nature and lacks detailed neighbourhood and strategic plans and therefore not suited to guide this, given its limited scope. Existing public space elements like play grounds, the stadium, green areas and public land are generally not among the high priority issues in terms of the municipality's development agenda, partly due to the instability that had plagued the area prior to 2006. The management of public space and land is an especially critical issue given the socially and politically-inspired nature of land-based conflict which characterises much of the region. Social disintegration has accelerated land-based conflict in the countryside, resulting in the displacement of individuals and communities for whom, ultimately, the last refuge to seek some kind of normalcy or livelihood is the municipality. The municipality therefore needs to urgently devise a public space and land management strategy as one of many ways to meet the needs of the large number of landless migrants moving into Gulu Municipality, to avert the potential social, political and environmental problems that are likely to arise.

Case 02: Mbale Municipality

Mbale Municipality is the administrative and commercial centre of Mbale District and the largest urban centre in the Mt. Elgon region. It is located 245 kilometres by road East of Kampala. Located below the foot of Mt. Elgon, the municipality is a thriving commerce, industrial and trade hub in the region. It has a population of 96,189 (UBOS, 2014). It consists of three autonomous divisions which include Industrial, Northern and Wanale Division Councils (Figure 3), altogether covering about 24.35km². The municipality is administered based on Uganda's two-tiered local governance structure. It is headed by an elected Mayor, the political head, supported by a council and a technical team headed by the Town Clerk.

Figure 4: Mbale Municipal Council Administrative Divisions



Mbale town is nearly 110 years old, with its origins traced as far back to the late 19th century, when Arab slave traders venturing into the interior of East Africa set up a commercial outpost at the foot of Wanale ridge, which is a part of Mt. Elgon (UN-Habitat, 2011). Later, Indian labourers working on the Uganda railway also moved to the town to engage in trade and commerce. The town eventually grew rapidly to become a regional commercial hub. Its strategic location within the eastern region makes it attractive and competitive especially as an important locus of trade within the region and beyond the border between Uganda and Kenya. It was declared a township by the British colonial government on June 26, 1906. By 1951, Mbale had established itself as the hub for business and was the neatest in East Africa. It was the first town to be granted the status of an urban authority after independence (Ladu, 2015). Historically, the town boasted of a vibrant economy based on traditional cash crops like coffee, cotton and consumable food products. However, it experienced a serious downturn in its economic fortunes after the 1971 Idi Amin-led coup (UN-Habitat, 2011). Its industrial base collapsed, and so did much of the infrastructure.

1.3 Structure of the Report

This report is organised as follows:

- a) The next section describes the
- b) In chapter two, the approach and methodology that was adopted in this consultancy to achieve the main tasks defined in the Terms of Reference is described.
- c) In chapter three, the legal, policy and institutional framework that influences public space and land management in Uganda is presented. Specific emphasis is placed on its relevance to public space and land management in the two municipalities.
- d) Chapter Four presents a situation analysis of the public space and land management
- e) Chapter Five presents the issues, structures, processes and processes that affect public space and land management across the two municipalities are presented.
- f) Chapter Six provides key conclusions and future outlook together with an array of what we think are appropriate and robust guidelines and policy recommendations that should be followed to improve public space and land management in the two municipalities.

1.4 Interpretation of the Terms of Reference

The consultants carefully read and internalized the Terms of Reference (ToRs) for this consultancy and unequivocally confirmed that that they were ready for the assignment. The Terms of Reference (ToRs) provide a clear description of the tasks to be undertaken.

The tasks and expected outputs were designed to be produced through a team effort of the two consultants. The Lead Consultant designed and helped to provide overall coordination and management of activities, while the consultant made relevant input in areas of the approach and methodology; management of the field research including data collection, entry and processing; inputs to the draft and final versions of the Local Assessment Reports and presentation materials as well as other outputs as agreed with the Lead Consultant.

1.5 Objectives of the Assignment

1.5.1 General objective

To establish a reliable evidence base with respect to public space and land management in Mbale and Gulu municipalities to foster improved urban service delivery towards equitable economic growth.

1.5.2 Specific objectives

1. To conduct a situation analysis and mapping of the two target centres' economies in terms of factors, systems and structures related to public space and land management;
2. To identify the key challenges and opportunities for public space and land management;
3. To prepare a Local Assessment Report on Public Space and Land Management which incorporates gender-sensitive analysis in planning for adequate and accessible public space and land in Gulu and Mbale municipalities;
4. To develop presentation materials¹ explaining the key findings, conclusions and recommendations of the Local Assessment Report and present them to the municipal validation workshops and key programme stakeholders;
5. To provide essential learning for other urban authorities in Uganda on incorporating inclusive public space and land management within broader urban development goals and objectives.

1.6 Scope of the Work

The consultants worked in close collaboration with the relevant municipal authorities and Municipal Development Forums, Ministry of Lands, Housing and Urban Development, Ministry of Local Government, Urban Authorities Association of Uganda and other relevant government and non-government stakeholders as well as with the JWP members in Uganda (Cities Alliance, DFID, World Bank and GIZ). The tasks and expected outputs were designed to be produced through a team effort of the two consultants as stated above and endorsed by the UNCDF focal point.

The assignment focused on Gulu and Mbale municipalities, with particular emphasis on exploring how existing governance structures and processes mediate public space and land management. Through an inventory of the respective public space and land management mechanisms and a critical examination of the challenges, opportunities and capacity issues around access by various stakeholder groups to these assets, the study drew valuable insights into how the relevant authorities could improve provision of public services for equitable economic growth.

1.7 Key Deliverables

- (a) An inception report - The inception report was presented to the stakeholders at an appropriate platform for buy-in and critiquing with the gist of further refinement;
- (b) Gaps and Opportunities (priority areas of improvement) Reports on
 - i. Land and public space management for promoting equitable economic growth;
 - ii. Delivery of public space and land management along local growth paths;

¹ These will largely include reports, pictures and power-point slides

- (c) A Local Assessment Report (LAR) on urban public space and land management for Gulu and Mbale Municipalities as well as relevant presentation materials for the municipal validation workshops and key stakeholders. The LAR forms a key input to inform city-level evidence-based policy briefs and recommendations to specify policy, legal and regulatory actions to be employed by municipal authorities to implement the LAR recommendations.

The key conclusions and recommendations in the report clearly identify: (a) gaps in the delivery of goods and services through effective public space and land management, particularly along local growth paths which impede equitable economic growth; (b) Specific challenges in accessing public space and land by different social and economic urban strata, including how access to these are also divided along gender lines; (c) opportunities, priority areas of improvement and key actions to encourage equitable economic growth through improved public space and land management that may be undertaken by (i) government agencies, particularly the municipal authorities; (ii) professional associations; (d) business entities and civil society organizations and (e) simplified benefit analysis to establish likely economic gains (benefits) from implementing those priority improvements in terms of local economic growth, personal incomes and other relevant economic indicators.

1.8 Quality Assurance, Validation and Reporting

Quality assurance was an integral component of the entire data collection process. The Lead Consultant was responsible for managing and guiding the process, planning and monitoring the progress of assessment activities and outputs against the work plan, as well as ensuring that the consultancy services adhered to the contract and its particular quality requirements. Regular communications with the UNCDF focal person and the relevant municipal officials from Gulu and Mbale senior officials from MLHUD, MoLG and UAAU was undertaken to monitor progress and address any issues or concerns.

The report format was agreed upon at the inception phase. The team presented and discussed the draft report in multi-stakeholder validation workshops, with adequate participation of the concerned institutions, and then integrate the comments and recommendations received into a final version of the report. We ensured that the report(s) contain all the deliverables as agreed upon in the TOR and during the inception meeting. The final report contained Local Assessment Reports for the two municipalities and presentation materials summarizing and explaining the main findings and recommendations in the most comprehensible format.

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2.1 Delivery of Public Goods and Services Under Decentralisation

In 1992, the government of Uganda initiated and embarked on ambitious governance reforms, most notably the decentralization program (Steiner, 2006). Through the Local Governments Act, Cap 243, considerable responsibilities and resources were devolved to sub-national governments which include the district, sub-county councils and urban councils (Lambright, 2011; Lambright, 2014; Makara, 2009). The Act granted district and urban authorities various responsibilities, notably the delivery of essential social services such as education and healthcare. Urban authorities like Gulu and Mbale municipalities are therefore mandated to deliver an array of public goods and services including the provision of education and healthcare services, in addition to the maintenance of street lighting and road infrastructure. Besides this, they are also responsible for provision of solid waste collection and management services, and overseeing commercial activities in their jurisdictional areas. Furthermore, the Physical Planning Act (2010) authorizes these sub-national governments to deliver these goods and services through the guiding frameworks of strategic physical development plans to ensure orderly development. However, this model of devolution has recorded mixed results. At best, the successes in urban service delivery are sporadic though evident in the country's growing towns (Lwasa & Kadilo, 2010). Most urban authorities across the country have and continue to struggle to meet their obligations in this regard, due to insufficient resources, poor accountability, corruption, political patronage, and continued resistance from the central government to grant these authorities full devolution (Steiner, 2006). The subsequent implication of this has been the perpetual failure of sub-national governments to effectively and efficiently deliver critical public goods and services. Meanwhile, the demand for essential public goods and services in regional urban hubs like Gulu and Mbale municipalities continues to accelerate, overwhelming the current capacities of the respective authorities.

In 1992, the government of Uganda initiated and embarked on ambitious governance reforms, most notably the decentralization program (Steiner, 2006).

Cognizant of the above institutional framework on the delivery of public goods and service especially within the urban domain, our approach to the execution of this assignment will be highly inclusive and participatory, employing a mix of quantitative and qualitative methodologies, in order to solicit for adequate factual information and in-depth perspectives from different actors to establishing a reliable evidence base with respect to public space and land management in the two municipalities. The consultancy team there engaged the following key actors;

1. Relevant MDAs (including Ministry of Lands, Housing and Urban Development and Uganda Land Commission). Emphasis was placed on the gender and pro-poor dimensions of the actors/stakeholders.
2. Local residents in the target municipalities, municipal authority officials, respective MDF representatives and other local interest groups in the two municipalities to ensure that the process generates relatively accurate and valid data and information on the contextual realities in the two municipalities to inform final recommendations.

Subject to periodic reviews, the consultancy team jointly designed, planned and implemented the working framework for the assignment. Specifically, it jointly developed the working methodology for ensuring systematic collection and analysis of the relevant data. The team also worked closely to prepare the final report, other requisite outputs and presentation materials. This was accomplished in a participatory approach where key development actors in the two municipalities were involved and engaged on topical issues on urban public space and land management.

2.2 Inception Phase:

The inception phase provided an opportunity for the consultants to present to relevant stakeholders how they conceive the assignment and the methodological approaches to be employed in accomplishing the tasks. The consultants sought to achieve consensus on the objectives for the assignment, clarify the scope and generate buy-in on the proposed methodology. In this phase, the consultancy team, together with the client continuously clarified the feasibility of the proposed assessment framework, work plan and methodology based on SMART (Specific, Measurable, Achievable, Realistic and Time-bound) objectives. It was hoped that the inception meeting would include teams and representatives from the Ministry of Lands, Housing and Urban Development, Ministry of Local Government and Urban Authorities Association of Uganda to agree on relevant data and information required for the assignment. The consultants also used this opportunity to get further insights on the expectations from this task and how to create synergy with the LED team. In addition, the inception meeting set modalities for periodic interface with the client for quality assurance, share progress and address any emerging challenges.

2.3 Tasks and Detailed Methodology

Task 1#: To conduct a situation analysis and mapping of the two target centres' economies in terms of factors, systems and structures related to related to public space and land management

2.3.1 Definition of Public Spaces

Public space, in the most basic sense, can be used to refer to all those non-built up or undeveloped areas within an urban area or city and are accessible to the public. The reference to "public spaces" captures a wide range of environments (Ontario Land Trust Alliance, 2015) and a thorough description of public spaces is detailed in Carmona (2010). To conduct this consultation activity, we were guided by the following:

- (1) UNHabitat (2013) definition of public spaces as the sum of the areas of the built-up areas of cities devoted to streets and boulevards—including walkways, sidewalks, and bicycle lanes—and the areas devoted to public parks, squares, recreational green areas, public playgrounds and open areas of public facilities'. UN-Habitat categorizes open public spaces into 4 types: local/domestic (e.g. community gardens), neighbourhood (e.g. playing fields), city level (e.g. forests, cemeteries), and linear (e.g. road reserves, riparian reserves). The details of this conceptualisation and description can be found in UNHabitat (2015).

The typology of public space reveals a highly variegated landscape, which has been expanded significantly to reflect the ever changing needs and aspirations of urban communities. Public space includes recreational parks, schoolyards, play grounds, play lots, play fields, forest lots, agricultural zones, public gardens and cemeteries.

It also encompasses the hard-scaped spaces, like the streets, public seating areas, local markets, plazas and squares, as well as some of those constituent elements of the built environment like the open terraces and roofs². Each one of these spaces, with its own unique and deeply embedded characteristics, have collectively shaped and defined the historical, social, political and environmental trajectories of the cities in which they thrive. Unlike most other urban elements, public space is a highly dynamic sub-component

² Regional Environment Centre (REC). Landscape, Urban Open Spaces and Biodiversity Protection Central Europe, ERDF, http://urbanspace.rec.org/files/Poster-UrbaSpaces_Biodiversity.pdf

of urban space generally, playing vital roles as platforms, links, breaks and mediators of human interactions, class, resource flows and more importantly, bequeathing unique identities to our cities. It is the stage where class boundaries are shattered, springs of liberation and freedom become reality and the fortunes of cities ultimately hinge.

- (2) If without imposing aesthetic criteria, public spaces are all types of space between buildings in towns and other localities. Internal space is shielded from weather and environment and is an effective symbol of privacy, while external space is seen as open and unobstructed space for movement in the open air in public, semi-public and private zones. Although they are similar in function and form, but mostly only external space is considered as public space (Krier, 1979) and,
- (3) MLHUD (2011) National Physical Planning Standards and Guidelines. The Ministry of Lands, Housing and Urban Development, considers public spaces in a very limited sense as urban open space and these may include smaller plazas that provide social gathering space, landscaped open space³ in high-density or commercial areas, beautification areas such as landscaped street islands or medians, downtown performance space, and public art and fountains.

Emphasis was also placed on the International Charter of Public Space (2013), that considers “public spaces as all spaces publicly owned or of public use, accessible and enjoyable for all for free and without a profit motive. Public spaces are a key element of individual and social well-being, the places of a community’s collective life, expressions of the diversity of their common, natural and cultural richness and a foundation of their identity.’ We undertook several activities including:

2.3.2 Reviewing of Grey and Scholarly Literature

For the most part, attempts were made to review existing urban space and land management literature relevant for the two cases. To be able to generate policy recommendations as stipulated in the call, it was necessary to review existing laws, policies, development guidelines and local practices in Gulu and Mbale municipalities to ascertain whether the urban development strategies that they have adopted relate to national and global commitments particularly with respect to having inclusive cities. Review of laws, policies, institutional frameworks and strategies was done to align the local development practices in the municipalities to the wider national objectives and development strategy. In this way, a review of existing development plans, physical and land use plans, zoning regulations, by-laws and ordinances, urban spatial frameworks were done, including, but not limited to:

- Uganda Vision 2040.
- National Development Plan II 2015/16 – 209/2020 - Uganda.
- Physical Planning Act 2010 - Uganda
- National Physical Planning Guidelines and Standards 2011 - Uganda
- The Uganda National Land Policy Implementation Action Plan 2015/16 – 2018/19.
- National Local Economic Development Policy 2014 - Uganda.
- The Local Economic Development Strategy - Uganda
- The Uganda National Land Policy 2013.
- The Uganda National Housing Policy 2016.

³ Just what is this open land that planners, designers, and citizens in hundreds of towns and cities are trying to designate and protect? Is it simply land without buildings? What is its spatial dimension? How does it function? At what scale is open space important for cultural and ecological values? Do connections between open-space sites matter? In order to protect open space, we need to know more about what we are trying to achieve (Erickson, 2006). There is, however, no single definition for open space, either in the planning profession or in legal terminology. There is considerable ambiguity about the forms and functions of open space, as well as diverse approaches for incorporating these landscapes into larger land-use plans (Erickson, 2006). Definitions of open space also differ in their emphasis. Some definitions focus on ecological processes, wildlife habitat conservation, and scenic preservation – others emphasise sport, recreation, and leisure functions. However, most definitions agree that open space is ‘undeveloped’ land and water settings (e.g. rivers and lakes), or areas free of ‘intensive development’, occurring in both urban and rural settings, and is ‘open to the air’ (EMM, 2012). Several other definitions and categories of open spaces can be found in City of Tshwane (2005), Dunnet, et al. (2002), Erickson (2006), EMM (2012), Municipality of the District of West Hants (2016), PLA (2013), Wooley (2003) and, Zube and Moore, ed. (1987). In everyday conversation, the term open space can mean anything from a paved 10,000-square foot basketball court to a thousand-acre wildlife preserve. In municipal zoning, open space usually refers to land left undeveloped, such as wetlands or steep slopes, when a new development is constructed. Because of this ambiguity, local planners should always be careful to define what is meant by open space when using this term in official documents (Aichele, Dinniman and Mancini, 2005). Regardless of how one defines it, we considered open spaces to include playgrounds, childrens parks, stadiums and golf courses. In this report, we employ the definition proposed by the City of Tshwane (2005) that refers to open spaces as ‘Areas predominantly free of building that provide ecological, socio-economic and place-making functions at all scales of the metropolitan area.’

- The National Land Use Policy 2006 - Uganda.
- State of the Land Use Compliance report for Uganda’s Urban Local Governments 2016.
- The National Urban Policy 2017 - Uganda.
- The Public Private Partnership Policy - Uganda.
- National Green Growth Development Strategy (2015-2030) - Uganda.
- National Environmental Act 1994 and Associated Environmental Guidelines Uganda
- Implementation of Physical Development Plans in Municipalities – Value for Money Audit (OAG, 2015) - Uganda
- Guidelines for establishing, licensing, registering and classification of private schools/ institutions in Uganda
- Mbale and Gulu Municipalities Urban Development Strategies and Development Plans
- Mbale Urban Profile.
- Gulu Urban Profile.

Figure 5: Some of the Reviewed Policy and Institutional Documents



The review of these documents informed the:

- a) Adequacy and completeness of the existing public space and land management framework at the town level (Land Use Regulation) within the national context (Uganda National Land Policy), including gender aspects and provisions for public-private partnerships for public space and land management;
- b) Alignment of the town land management framework with the broader development agenda as formulated in the national development plans;
- c) Capacity of the municipal administration, including town/division Land Committees and District Land Board, to plan, regulate and enforce land regulations based on the quality/completeness of the relevant planning and implementation frameworks, procedures and data;

- d) Clarity in the division of labour between the District Land Board, Division land committees and Area land committees;
- e) Public participation in land planning and regulation; public awareness about land regulations and guidelines;
- f) The extent to which these plans are inclusive, gender sensitive and conducive to equitable economic growth.

2.3.3 Mapping and Spatial Analysis

Mapping and establishing the characteristics of public spaces in both Gulu and Mbale and synthesizing access, utilization and management practices was conducted. Several locations and Global Positioning Systems (GPS) way points were captured to generate an appropriate map locating the public spaces on different interactive GIS layers, for future reference. In order to get good spatial accuracy in the data collection process, maps were used to provide ample information and reference points to allow proper identification and ease orientation of important public spaces.

2.3.4 Ground Truthing, Systematic Observations and Auditing of Public Spaces

We visited the various public spaces in the municipalities to capture the required data about their state/condition, usage and other dynamics. These public spaces were then categorized accordingly (based on ownership-public, private or otherwise; type; state/condition etc.). An observation tool/checklist (Appendix 4) guided by several protocols and criteria including the Commission for Architecture and the Built Environment (CABE) Space Shapers Guide (2007), Public Space Quality Criteria (Gehl and Svarre, 2013) and Dietrich and Kengyel (2016) was developed to assess the existing public spaces in the two municipalities. The tool/checklist helped to assess levels of adequacy, usability, accessibility and utility especially for various user groups of public spaces. The same tool was used to determine other critical issues such as the management challenges of particular spaces, their extent/coverage and how well the existing spaces meet the needs of highly heterogeneous urban populations.

2.3.5 Public Engagement

(a) User Perceptions and Public Space Visit Surveys

Perception is the key factor in preference for or against particular landscapes. Our cultural background strongly influences our view on the relationship between man and nature and the value that we put on public spaces. To determine actual usage of public spaces by individual municipality residents or communities, we were also interested in the perceptions of public space users over the types of public spaces that they were familiar with, those that they visited and used in their respective municipalities. This action was guided by the tool (Appendix 6) which solicited for self-reported perceptions of public space users in their municipality.

(b) Stakeholder Consultations and Mapping

There are a number of key stakeholders that were identified to be engaged in this assignment to yield the envisaged outputs. These were broadly identified by their institutional affiliation and listed in Table 4. However, the actual persons consulted are given in Appendix 8.

In each of the consultations, a number of key issues influencing public space and land management across the two municipalities were discussed. These issues are defined in Appendix 5. We consulted these key stakeholders including youth, women, slum dwellers, local planning committees, civil society groups and private developers in Gulu and Mbale municipalities on various issues regarding urban public space and land management issues. This was a critical step towards identification of constraints, gaps and opportunities that underpin public space and land and public space management vis-à-vis equitable economic growth. Most importantly, their engagement in this exercise was critical for understanding the intricate socio-political dynamics

of public space and land management, and thus the eventual success or failure of subsequent recommendations for achieving inclusive urban economic growth. The expected outcome of this engagement was a better understanding of the embedded power relations, influence and interests of different actors and how these relations played out in terms of their impact on effective public space and land management.

Figure 6: Consultations with Slum Dwellers Federation in Mbale Municipality



We employed the protocol defined by Eden and Ackermann (1998) in Figure 7 to assess the power, level of influence, interest and status (political, social and economic); degree of organization; control of strategic resources; informal influence (e.g. personal connections) of the stakeholders with regard to public space and land management. We anticipated that there exists an array of relevant stakeholders, that is state and non-state actors, operating within various institutions and/or capacities, be it formal or informal, to influencing public space and land management in Gulu and Mbale municipalities. Our interest was to take full advantage of this myriad of actors to explore the issues and tasks as defined in the inception report.

Table 4: The Stakeholder Categories Consulted

National Level Actors	<ul style="list-style-type: none"> • Ministry of Local Government • Ministry of Lands, Housing and Urban Development • Urban Authorities Association of Uganda • Friedrich-Ebert-Stiftung (FES)
Municipal Level Actors	<ul style="list-style-type: none"> • Municipal Town Clerk • Office of the Municipal Mayor • Division Town Clerks • Municipal Environment Office • Physical Planning Office • Engineers Office • Education Office • Division Chairpersons • Public Health Department • Municipal Development Forum (MDF) • Division Councillors • Community Development Office • Stadium Managers • Mbale Sports Club Management • Enforcement Office • Central Market Masters • Economic Planning Office • District Land Board • District Natural Resources Office • Schools Head Teachers • Municipal Librarians • Human Resources Office • Chairpersons - Area Land Committees • Community Elders

Figure 7: Tool and Matrix for Stakeholder Mapping



Source: Eden and Ackermann, 1998

For each of the stakeholders we identified and interacted with, we were able to:

- (1) Obtain secondary data to generate public space indicators for both municipalities. We have sought guidance from UN-Habitat (2015) Public Space Toolkit to generate a myriad of secondary data sets that we used in appropriately and objectively describing the state of public space and land management in the two municipalities.
- (2) Determine their interests with regard to public space and land management;
- (3) Determine their potential contribution to public space and land management;

Ultimately the key processes, factors and structures that influence public space and land management were unearthed, engaging the myriad of actors through various methods that included:

(c) Municipal Hall Meetings and Focus Group Discussions

These were carried out at the respective municipalities aimed at generating a description of priority and relevant public space and land management were conducted. We planned meetings and discussions with a number of key actors across the municipalities and these include, but not limited to market vendors, municipal division councillors (Figure 8), slum dwellers (Figure 9) and Municipal Development Forum officials.

Figure 8: Consultations with Northern Division Councillors at Namakwekwe Primary School in Mbale Municipality



Six focus group discussions (3 each in Mbale and Gulu Municipality) were used to generate local knowledge on public space and land management. In addition, the FGDs were used to obtain information on how marginalised groups have coped with land management-related issues and access to public space for economic activities, and thus the extent that municipal authorities directly or indirectly, play influential roles. Special community meetings were held with diverse groups of women, youth and men across the two municipalities to understand the various ways their livelihoods are affected by the existing public space and land management regimen. The focus group discussions were guided by customised semi-structured interview tools, relevant to the social, economic, political and historical contexts of the two municipalities to collect information on specific urban open spaces and the personal experiences of the stakeholders. Each FGD constituted 8-10 participants for easy moderation and management of the discussions.

Figure 9: Public Engagement with Communities in Limu Medical Flats, Laroo Division, Gulu Municipality



Task 2#: To identify the key challenges and opportunities for public space and land management to promote equitable economic growth;

The execution and delivery of the expected outputs and outcome of this task within the wider assignment entailed phased procedures and methods that are presented in earlier sections including reviews of literature, municipal hall meetings and stakeholders. We however, extended the data collection to include:

2.3.6 Policy Reviews and Interviews

Emphasis here was placed on population and access to public services within the urban areas based on gender perspectives will be done. We envisage working closely with the LED team in the conducting survey to elicit information from selected informal settlements within the municipalities to establish the extent to which public goods, services and opportunities, accruing from public space and land management are accessed by the urban poor. The key informant interviews that were relevant in section 2.3.5 were contacted to establish the extent to which municipal development plans and access to public services are inclusive and conducive to equitable economic growth. This technique will be adopted to interview the above categories of people based on their first-hand information and knowledge on urban public space and land management issues. Furthermore, face-to-face interviews were conducted with public space users and neighbourhood residents in the two municipalities.

2.3.7 Institutional Capacity Assessment

Emphasis here was placed on the municipalities' capacity to manage public space and land management challenges. The main aim of this exercise was aimed at exploring:

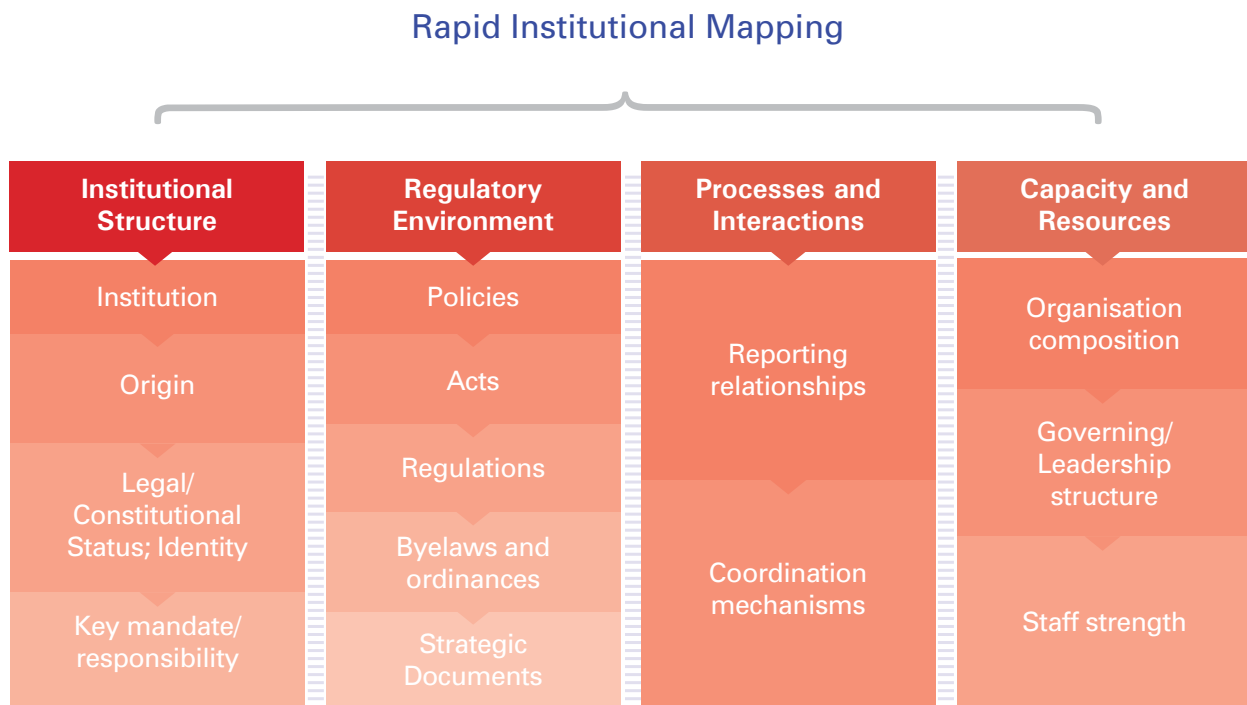
- Alignment, adequacy and completeness of the existing land management framework at the municipal level within the national context;
- Capacity of the municipal management structures, including town/division Land Committees and District Land Boards, to plan, regulate and enforce land regulations based on the quality/completeness of the relevant planning and implementation frameworks, procedures and data;
- Identifying the gaps and opportunities for improved land and public space management
- Effectiveness and efficiency of public land use, percentage of idle/unused land and the ability of each division to have open spaces duly maintained;

- Access to information about the municipalities’ demographic and economic projections and their land and property market so that developers and investors are well informed about urban development trends. The main issues dealt with are illustrated in Figure 10.

Based on the findings from field surveys and engagements with different actors in the two municipalities, an inventory of the existing public spaces and the state of land management systems was developed, which reflect the prevailing realities. Out of this, the study then rendered what the ideal situation should be in relation to the narratives proffered by the key stakeholders.

We envisaged incorporating gender-sensitive analysis throughout to take stock of the adequacy and access levels to public space and land for private sector development along gender lines. We undertook a gendered analysis of the two municipal authorities in order to assess power dynamics in institutions and how these power dynamics impacts on public open space and land management in Gulu and Mbale municipalities. We envisaged conducting an elaborate and systematic analytical process to identify, understand, and describe gender differences and the relevance of gender roles and power dynamics in public space and land management in both municipalities. This gendered assessment will help to understand barriers and constraints of accessing public spaces and land as well as guide the development of strategies to address these barriers and constraints. This ensured that gender strategic interests are addressed. A mix of protocols for conducting a gender analysis recommended by USAID (2011), UNDP (2016) were employed. We captured as much as possible gender-disaggregated data and incorporate gender-sensitive analysis throughout to take stock of the adequacy and access levels to public space and land for private sector development along gender lines.

Figure 10: Institutional Mapping for Public Space and Land Management in Gulu and Mbale Municipalities



Task 3#: To prepare a Local Assessment Report on Public Space and Land Management which incorporates gender-sensitive analysis in planning for adequate and accessible public space and land for enhancing private sector development;

The design of the local assessment report was premised on the contextual analysis of what the report intends to ultimately serve. A situation analysis, mapping of the city economy in terms of factors, systems and structures related to the provision of and access to public goods, resulting in a clearly documented evidence base was done. Detailed information about public space and land management, delivery mechanisms, service delivery and required improvements to promote equitable economic growth was produced.

Task 4#: To develop presentation materials explaining the key findings, conclusions and recommendations of the Local Assessment Report and present them to the municipal validation workshops and key programme stakeholders;

Arising out of task 1, 2 and 3, we prepared various presentation materials including but not limited to; reports, hand-outs and customised PowerPoint slides integrated with a number of graphics/ photographs, video recordings and photographic collections obtained during the data collection phase. Most specifically, the LAR forms a basis to informing urban-level evidence-based policy briefs and recommendations to specify policy, legal and regulatory actions to be employed by municipal authorities to improve access and delivery of public goods and services in an inclusive urban context.

Task 5#: To provide essential learning for other urban authorities in Uganda on incorporating inclusive public space and land management within broader urban development goals and objectives.

The experiences drawn from the exercise in Mbale and Gulu Municipalities have been packaged in appropriate formats and language with key lessons and message that should be relevant for the management for similar public space and land management challenges across other municipalities in Uganda.

2.4 Data Analysis

Cities vary considerably in size, history, development patterns and attitudes towards public space. Measuring how much public space a city has is only one part of measuring whether residents actually benefit from the space (Welle, 2016). For this reason, a mix of analysis techniques were employed including synthesizing literature and municipal practices to identify challenges and opportunities in accessing public spaces. Synthesised narratives to explain gaps and solutions to foster access to public space and improved land management for equitable and inclusive growth was presented. While qualitative data will be analysed through synthesis and presented using narratives, SPSS and MS-Excel was used to analyse quantitative data. GIS analytics were applied to establish the spatial distribution and access to public space and land management.

2.4.1 Public Space and Land Management Legislative Gap Analysis

All the relevant policies and laws, at national, district and municipal level, relevant for public space and land management were reviewed and legislative gaps identified. Specific attention was paid to the areas of deficiency in the reviewed legislation with regard to public space and land management.

2.4.2 Qualitative Assessment of Public Spaces

Analyses of existing well-functioning public spaces throughout the world show that they share common characteristics. There are several evaluation criteria available including City of Regina (2007) and Gehl Architects (2009). In this task, we employed Gehl Architects (2009) categorization that summarized these characteristics in the 'Quality Criteria' under the headlines 'protection,' 'comfort,' 'delight' and 'place' (Appendix 4). Public spaces must be inviting, attractive, and provide room for recreation, pleasure, exercise, and play. They must act as urban meeting places and be

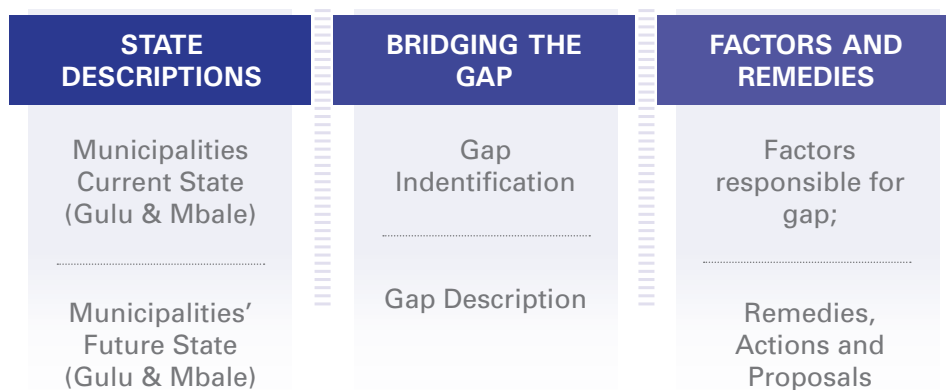
able to attract and welcome a broad variety of people; children, teenagers, adults, the elderly, and people with disabilities. If public spaces are very attractive one can, in fine weather, expect necessary, optional, and social activities to take place - and expect people to spend more time in those spaces. Good public spaces reflect the majority, if not all, of the 15 quality criteria. The list of criteria provided a good design checklist to categorize the quality of the public spaces. A 'ticking off' of the 15 criteria is reflected in three categories: Good quality = 11-15; Average quality = 6-11 and Poor quality = 1-5.

2.4.3 Public Space Standards Gap Analysis

To achieve this task, our interest was to compare what is currently available and the current/future public space needs of the two municipalities. The ultimate aim was to identify gaps in current provisions or areas where there might be an oversupply or deficiency (Figure 11). The issue of required public spaces per capita in urban systems has remained controversial. The adequacy of open space provision has traditionally been assessed by comparing the area of open space to the total population within a given geographic area. In 20th century, experts in Germany, Japan and other countries proposed a standard of 40m² urban green space in high quality or 140m² suburb forest area per capita for reaching a balance between carbon dioxide and oxygen, to meet the ecological balance of human well-being. Currently, developed countries have tended to adopt a general standard of green space of 20 m² park area per capita (Sukopp et al. 1995, Wang 2009).

A key issue for this report was to consider an appropriate standard for determining adequacy of public space provision. Researchers at the UN-Habitat's Global Urban Observatories Unit, released the report; 'Streets as Public Spaces and Drivers of Urban Prosperity' and argued that asphalt, hardscaped streets should be counted as public space right alongside our leafy parks and landscaped plazas. Together, they should make up 45 to 50 percent of a city's land area, with 30 to 35 percent of the area occupied by streets and 15 to 20 percent open space. If less than 30 percent of the land of the city is dedicated to the street pattern, it's a huge error (Scruggs, 2015).

Figure 11: Systematic Analysis of Gaps and Opportunities for Improved Public Space and Land Management



Several public provision standards are available from several countries and some of these are given in Table 5. The City of Regina observed that the guideline for the preferred amount of recreational neighbourhood open space was applied to each community association to determine if it had a surplus or a deficit of open space. If a community association had less than 1.2 ha/1,000 people of open space a deficit existed. If it had in excess of 1.6 ha/1,000 people, a surplus existed (City of Regina, 2007). Some planning agencies divide an urban area into smaller zones and calculate the amount of parkland available to residents within each of these units (Nicholls, 2001). The World Health Organization (WHO) suggests providing a minimum of 9m² of green space per capita (per city dweller) (World Health Organization, 2010). This standard has been adopted internationally including the United Nations Food and Agriculture Organization (FAO) this amount is only suitable if the greenery is reachable (Takano et al., 2002), safe (Frumkin, 2003) and usable (Singh et al., 2010). The ideal amount, according to the same organization, would be 50m².

The location of parks relative to their potential users is an important factor in the assessment of accessibility (Nicholls, 2001). Measures of accessibility may consider any or all of: a) the proximity of specific green spaces to residences or communities (using either linear distance or walking distance); b) green spaces that are publicly accessible (with or without entry fee); and c) specific points of access to green spaces (e.g. gateways, paths, car parks) (WHO, 2016). We considered the first measure and employed the 'simple radius method'⁴ or service area catchment analysis⁵ that focuses on the linear distance from parks rather than considering citizens' actual routes to them. Moreover, aspects of the surrounding areas of public spaces, including the number of benefited users, land uses or development density are not considered. The simple radius method argues that residents are said to be 'covered' by, i.e. have access to, a public space if they are located within the specified maximum distance of it, but are deemed to have inadequate access if they are not (Nicholls, 2001)⁶. Using this method, access is typically defined according to each public spaces' service area, represented by a circle drawn around the facility with a radius equivalent to the maximum desired distance of users from it. There are several guidelines on measuring access. For example, the National Physical Planning Standards and Guidelines (Uganda) report that for community public spaces, typical users come from within a distance of 1.5 km to 3 km, travel by vehicle, bus, foot or cycle and visit the public space for at least 1-3 hours while for parks and gardens. According to UNHabitat (2015), accessibility is considered as the proportion of population farther away than 200-300 metres from an open green area or a city park.

It should be pointed out that the 'simple radius method' (sometimes referred to as catchment buffering) may be misleading because accessibility is considered as a function of many factors. This approach is considered very crude and it doesn't assess physical barriers and connectivity issues that often exist between residents and public spaces, resulting in a distorted and overly optimistic assessment of the network (Victoria Planning Authority, online). We went ahead to compare the results from the simple radius method with elaborate methods of network analysis. In urban design, different planning agencies and scholars provide variations in the typical walking speed in urban areas. In this exercise, we selected and employed: (1) 1.5 km to 3 km as an appropriate walkable distance to public spaces, based on best practice research and route analysis; and (2) typical walking speed of 1.4 m/s is recommended by design guides including the Design Manual for Roads and Bridges. Transport for London recommend 1.33 m/s in the PTAL methodology.

⁴This method has its potential disadvantages given that it only assumes 'as-the-crow-flies' movement. In reality, however, potential public space users don't travel in straight lines. They move along predefined rights of way and must avoid several barriers. Thus the actual travel distance is always greater than the direct distance (Nicholls, 2001). The second disadvantage is that the method assumes that the public space to be open to access at all points along their boundaries, which is not always the case as users have to travel out of their way to reach a point of entry. These two concerns are likely to lead to an overestimation of the size of the public space's service area. The third, however, may lead to its underestimation, and is related to measurement of the specified distance from the centre of the park rather than its boundary. As the size of a park increases, and the distance between its centre and its perimeter grows, underestimation of the inclusion of the park itself within this zone. The final disadvantage of drawing a circle around the centroid of a park is that it does not take into account the park's shape. The less regular this becomes the higher the degree of inaccuracy and misrepresentation of the service area; a linear park would provide a good example.

⁵A catchment represents the area surrounding an open space that corresponds to a reasonable traveling distance to that open space. This is similar in principle to a school catchment area, which uses a geographic circumference around each school (together with capacity and travel factors) to identify the neighbourhoods where children should attend that particular school.

⁶The problem with this 'container' approach (Talen and Anselin, 1998) is that it assumes the benefits of services provided are allocated only to residents within the predefined zone in which they are situated, and that no spatial externalities to surrounding areas occur. Similarly, it assumes that residents of an area have sufficient access that they all benefit from the services provided within it, an unrealistic expectation (Nicholls, 2001).

Table 5: Selected Standards for Public Space Provision

Author/Agency (country)	Hectares/1,000 residents
World Urban Parks (2014)	14.2 ⁷
City of San Diego	8
Queensland Australia (present)	4-5
NRPA	4.1
Yardstick™	4 ⁸
Australia (1940s)	3
Leicester City Council, 2017	2.88
NPFA (UK – 1920s) (now called <i>Field in Trust</i>)	2.4 ⁹
UK (1950s)	1.6
City of Regina (2007) - Canada	1.2

There are a number of different terms related to designing for improved accessibility. These terms are sometimes used interchangeably, but it is recommended that organizations are consistent in the terminology they use. Here are the most common terms used:

1. Barrier Free Design: facilities/spaces that are “barrier free” are generally free of obstacles, barriers or changes in level that would make access difficult for those using crutches, canes or wheeled forms of mobility (e.g., strollers, wheelchairs, scooters).
2. Universal Design – Is the design of products and environments that can be used and experienced by people of all ages and abilities to the greatest extent possible: Three principles: safety, accessibility and diversity underlie universal design. It strives to maximize, to the greatest extent possible, the proportion of the potential users who will be able to access facilities and spaces, considering the broadest possible spectrum of potential users (e.g., different age groups, different abilities, genders, various cultures, etc.)
3. Inclusive Design: refers to design that is “inclusive of the full range of human diversity with respect to ability, language, culture, gender, age and other forms of human difference.” In essence, it is similar to universal design but attempts to replace the notion of accommodating differences via adaptations with seamless inclusion.

⁷ Of this 6.6 hectares per 1,000 residents is maintained urban parkland, with the balance being natural/conservation areas. Across different countries this ranges from 2.5 hectares per 1,000 residents to 15.4 hectares per 1,000 residents.

⁸ Yardstick™ is a proven international parks benchmarking initiative established in 2001 in New Zealand by local authority park managers.

⁹ This standard has long been used as the national benchmark for open space provision and is still used for comparison purposes. The standard was developed to quantify the amount of open land required for the sports and play needs of local communities and it therefore focuses on green space that is fully accessible to the public and that can be used for these purposes. It follows that not all types of open space can be counted as contributing towards this type of provision.

2.5 Data and Information Limitations

This report is based on trends, assumptions, and data, which come from various sources. As such, data and information has its parameters and limitations. Some of the limitations encountered while doing this task included:

- (1) Failure to access the land use and road network shape files for Mbale Municipal Council. The size of the street network was not taken into account when determining the amount of open available in each municipality. Therefore, our estimates of public space may not accurately give the actual size of public spaces across the two municipalities. This exercise was conducted at a time when the municipality was generating a municipal development strategy for the period 2016-2026 and in fact, the strategy was launched in the middle of this exercise. We made repeated attempts and requests to the relevant offices but this data was not forthcoming.
- (2) The inventory of spaces was only limited to those spaces principally owned and under the direct stewardship of the municipalities only. There may be other private public spaces that exist in the municipality but difficult to find information about and therefore these were left out altogether;
- (3) For lack of baseline information, we also put very limited attention to river banks and water fronts (considered as natural areas in this report). There were Namatala, Nabuyonga and Nashibiso rivers in Mbale Municipality.
- (4) This exercise was unable to categories the public spaces in both municipalities into classes like neighborhood parks, community parks, regional parks, linear parks etc. This categorization would require employing several standards in determining levels of service and supply of public space. We recommend that future work should, in fact, start with generating an appropriate categorization or hierarchy of public spaces (based on the importance of each space in terms of its extent, the size of its catchment areas, the nature of the public space and the type of facilities provided) across the two municipalities.
- (5) For lack of neighborhood population statistics, it was difficult, while using the network analysis method, to draw an accurate picture of the number of municipal residents that were excluded from open spaces. The best that we could do was to estimate the number of people that would fall within a particular radius of the identified open space. The next biggest task that would follow up on this is to determine actually how big the municipality population is within a specific walking distance from a public space.
- (6) Public spaces in Gulu municipality are just described; such Open space behind Unifat Primary School, Open Space between Unifat Primary School and Airfield Road, Olaya Gilbert and John Oniri open space, Open space between Aganach close and Gold Course road, and Open Space between Tank Road and Alex Ojera road. This made it difficult to locate them appropriately;

Chapter Three - Legal, Policy and Institutional Frameworks Influencing Urban Public Space and Land Management

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3.1 Introduction

There are many institutions and stakeholders involved in urban development at multiple spatio-temporal and governance scales in Uganda. Institutional frameworks, in this report, refer to the system of formal laws, regulations, guidelines, policies, customs and norms that shape the functionality of a given system. This chapter, presents the totality of public and quasi-public agencies and institutional frameworks influencing urban space and land management in Mbale and Gulu Municipalities.

3.2 Public Space within the Global Development Context

From a global perspective, it is now widely acknowledged that public space, falling within the wider hierarchy of urban spaces, as enshrined in SDG 11. Apart from the above, public space could also significantly contribute to meeting other key SDGs like good health and wellbeing for all - SDG 3, gender equality - SDG 5, decent livelihoods - SDG 8 and climate action - SDG 13, (Daniel, 2016). The New Urban Agenda reinforces this position, explicitly emphasising the value of open space towards a prosperous, inclusive and resilient urban future.

Public space is vital in shaping the socio-economies of cities by impacting land values, attracting investment and also the quality of life within. It provides critical ecosystem services, contributes to the regeneration and reviving of distressed neighbourhoods as well as contributing to character diversity. Well-planned, managed and designed public space therefore holds enormous potential for building and sustaining local economies and making cities socially and economically vibrant (Woolley and Rose, 2003).

One of the Sustainable Development Goals recognises the importance of public spaces: Goal #11 states “By 2030, provide universal access to safe, inclusive and accessible, green and public spaces, in particular for women and children, older persons and persons with disabilities.” Target 11.7 of the SDG on cities is to “provide universal access to safe, inclusive and accessible, green and public spaces, particularly for women and children, older persons and persons with disabilities.” In February 2016, the Sustainable Development Goal Network proposed an indicator for this target as “the average share of the built-up area of cities that is open space for public use for all, disaggregated by age group, sex and persons with disabilities (Figure 12).”

Real estate, one of the most important elements of local economies derives benefits that are directly related to the quality of public space proffered by a city. Public parks, squares, and gardens can attract businesses like restaurants and hotels which play a central part in revitalising urban economies. Well-maintained public space plays an essential role in improving physical and mental health of urban residents. Active and passive public space encourages physical activity like sports or walking, exercise, jogging or running, which make it a formidable tool for fighting obesity and poor ill-health. Similarly, public space elements like play grounds, play lots and play fields are essential elements which can impact learning and development of children and youth, as well as acting as critical places enabling social interaction, events and activities amongst other groups (the young, the elderly etc.). Public space can also act as an asset for improving security and safety of urban residents. Poorly managed, though, public space can become a liability by harbouring criminal elements, delinquency and other vices which can significantly reduce the land values, discourage investments hence lost employment opportunities for youths and women. Public space also mediates urban mobility, accessibility and connectivity. It plays an important role in enabling

movement within cities, and therefore impact significantly on the mobility choices of urban residents. More pertinent today, in an increasingly environmentally-conscious world, green-scaped public space components are taking centre-stage in safeguarding critical urban infrastructure and addressing environmentally-related imbalances in cities as ameliorating elements (cooling, carbon sink, flood attenuation etc.). Public spaces are also important interfaces for human and natural biodiversity.

Figure 12: Public Spaces as a Development Goal



The Uganda government recognizes the administrative, political, and welfare challenges posed by rapid urbanization and developed a national urban policy aimed at achieving transformed and sustainable urban areas by enhancing the quality of life, improve competitiveness, optimize land use, preserve the natural environment and save resources over time. While there is clearly government commitment to fostering growth and development as evidenced in the different laws, policies and strategies, limited access to city land resources and public services by the urban poor and other vulnerable groups undermines the development efforts to achieve the vision of cities for all as stipulated in the New Urban Development Agenda III and SDG 11 on safety, inclusive, resilient and sustainable development.

The physical planning function in Uganda entails implementation of the spatial frameworks for arrangement and organization of socio economic activities at all tiers to achieve optimal use of land and sustainable development. Urban authorities in Uganda have a mandate through development plans, physical and land use plans, zoning regulations by-laws and ordinances to regulate land use and land management. Besides the regulatory roles, the authorities are responsible for ensuring effective use and maintenance of land and associated natural resources as well as overseeing implementation of development projects in their areas of jurisdiction. The Act also outlines the mandate of councils in respect of the services they are supposed to deliver to the population. The Physical Planning Act (2010) declares the entire country a planning area whereby outline schemes and/or physical development plans are by this law required to be formulated.

3.3 Relevant State Actors

The role of government is that of enabler, co-coordinator and regulator of all the stakeholders by providing the legal, fiscal and regulatory framework required to mobilize energies and resources while playing a facilitating role, including removing policy, institutional and regulatory obstacles to efficient delivery of urban basic services. Government must guide development and the deployment of public sector resources to planning, research, provision of infrastructure and human resource development. It has to encourage other actors' initiatives aimed at improvement of service delivery. Central government monitors the outcomes of government-financed projects to ensure that funds have been well used. The key national level actors involved in conceiving, formulating, implementing and protection of urban public space and land management are presented in the next section.

3.3.1 National Level State Actors

(a) Parliament

Parliament is charged with passing necessary legislation, influencing priorities in national resource allocation, and ensuring effective oversight over the functions of the Executive Arm of Government and also **monitoring the implementation of Government programmes and projects among others**. The Parliamentary **Sessional Committee on Physical Infrastructure** is the main organ through which the legislature interests itself and influences urban public space and land management in the country.

(b) National Physical Planning Board (NPPB)

The National Physical Planning Board was established under the Physical Planning Act 2010 Section 4 Part 2 making it the supreme physical planning body, a body corporate replacing the former Town and Country Planning Board. The responsibilities accorded to the NPPB in the Act include:

- (1) to advise government on all matters relating to physical planning;
- (2) to hear and determine appeals lodged by persons or local governments aggrieved by the decision of any physical planning committees;
- (3) to determine and resolve physical planning matters referred to it by physical planning committees;
- (4) to advise the government on broad physical planning policies, planning standards and the viability of any proposed subdivision of urban or agricultural land;
- (5) to study and give guidance and recommendations on issues relating to physical planning which transcend more than one local government for purposes of co-ordination and integration of physical development;
- (6) to approve regional, urban or district physical development plans and recommend to the Minister national plans for approval;
- (7) to advise the Minister responsible for local governments on the declaration of town councils, town boards or upgrading of urban authorities;
- (8) to advise the Minister on the declaration of special planning areas;
- (9) to cause physical development plans to be prepared at national, regional, district, urban and sub county levels;
- (10) to monitor and evaluate the implementation of physical development plans;
- (11) to formulate draft planning policies, standards, guidelines and manuals for consideration by the Minister;
- (12) to ensure the integration of physical planning with social and economic planning at the national and local levels;
- (13) to exercise general supervisory powers over all lower planning committees such that they can seek guidance, set standards and take control; and
- (14) to foster co-ordination of physical planning related or interdisciplinary activities in the country in order to promote orderly and sustainable development of human settlements in rural and urban areas.

Given the wide range of responsibilities the board has a very critical role to play in ensuring that issues of urban public spaces and land are an integral part of the development planning in the municipalities.

(c) Ministries, Departments and Agencies (MDAs)

Key MDAs whose functions directly impact public space and land management in the country are identified and their roles described briefly below:

(1) Office of the Prime Minister

The Office of the Prime Minister (OPM) is administratively charged with fostering harmonization and coordination of the performance of all MDAs in service delivery. The Office is also expected to monitor, evaluate and provide accountability to Parliament and Ugandans in general, for government's performance in utilizing public resources. OPM's mandate, therefore, extends to public space and land management in the municipalities.

The Government has established the Prime Minister's Delivery Unit (PMDU) in the OPM after the Cabinet adopted the NDP II recommendation to set up a Delivery Unit as one of the measures to reform and strengthen existing institutional frameworks to address project implementation constraints. Specifically, the overall purpose of the PMDU is "to facilitate faster implementation of select national priorities and enable delivery of big and fast results through a methodical approach to planning for implementation and execution."¹⁰ NDP II further recommends the progressive establishment of linkages to the PMDU in the planning units at sector and local government levels.

(2) Ministry of Finance, Planning and Economic Development (MFPED)

MFPED sources and allocates resources to all MDAs including those engaged in urban development. Its impact on the functionality of municipalities is, therefore, at critical player in promoting public space and land management in the country. The Ministry also supervises the National Planning Authority (NPA) and Uganda Investment Authority (UIA), two of the key Agencies whose mandates have significant impact on a well-functioning urban development planning and service delivery systems.

(3) Ministry of Water and Environment (MoWE)

MoWE is another important player whose policies and programmes in the areas of environmental protection and conservation have significant implications on public space and land management and vice versa. This Ministry supervises and provides policy guidance to key agencies including National Water and Sewerage Corporation (NWSC), National Environment Management Authority (NEMA), and National Forestry Authority (NFA). The operations of these agencies have direct impacts on public space and land management hence the need to harmonise their planning programmes with urban development plans.

(4) Ministry of Lands, Housing and Urban Development (MLHUD)

MLHUD is the physical planning, urban development and land management sector leader in Uganda. The Ministry is responsible:

- (a) Formulating national policies, strategies and programmes on Lands, Housing and Urban Development;
- (b) Providing policy guidance to land holding authorities for sustainable, orderly development and an effective management of Lands, Housing and Urban Development;
- (c) Initiating and reviewing legislation on Lands, Housing and Urban Development;
- (d) Setting national standards for sustainable use and development of land and the development of improved housing;
- (e) Ensuring compliance to laws, regulations and standards for an effective land management and the sustainable development of Housing and Urban Centers;
- (f) Monitoring and coordinating national lands, housing and urban development initiatives and policies as they apply to local Governments;

¹⁰ See PMDU website <http://webstudio.ug/pdu> and OPM website <http://opm.go.ug/the-prime-ministers-delivery-unit-pmdu>.

- (g) Providing support supervision and technical back-stopping to Local Governments on matters regarding Lands, Housing and Urban Development.

MLHUD is responsible party for giving public spaces a multi-sectoral approach by linking it to mobility choices, security and safety, accessibility, and urban renewal and revitalization initiatives among others. Furthermore, it sets standards, guidelines, capacity building and norms for the provision of public spaces. It is the mandate of MLHUD to ensure proper and effective management, supervision and protection of urban public spaces and land management in the municipalities.

(5) Ministry of Local Government (MoLG)

MoLG is mandated by the Local Government Act 1997 to operationalize all relevant laws in place at local government level by coordinating all activities of Local Governments. MoLG also puts in place mechanisms that make Urban Councils adhere to established legal and policy frameworks and standards; undertakes systematic verification of adherence to established legal and policy frameworks, regulations, guidelines, procedures and rules to ensure efficiency and effectiveness in the operations of Urban LGs.

MoLG has programmes relevant to public space and land management including: good governance, decentralization, community development, local finance, local economic development and social protection. Through the Ministry, the government strengthens urban councils by improving their capabilities to employ and retain trained personnel to efficiently manage their resources and infrastructure and, as such, enforcing development planning schemes. It is responsible to develop regulations and guidelines on the elements and activities that will be part of the public space programmes in the future.

(6) Ministry of Gender, Labour and Social Development (MGLSD):

The mandate of this ministry is to empower communities to enhance their potential through skills development, cultural growth and labour productivity for sustainable and gender-responsive development. MGLSD has one of its major tasks to ensure that all Ugandans enjoy better standards of living, especially the disadvantages and vulnerable groups. MGLSD is to ensure that issues of inequality and exclusion in access to services across all sectors and at all levels are addressed; It plays an enabling role that creates the conducive environment for the other sectors to deliver services to the population. Therefore, on urban public space, MGLSD focus is mainly to ensure availability of access to services/facilities by vulnerable groups (women, children, youth, People with Disabilities and older persons). This largely because sexual harassment and other forms of sexual violence in public spaces are an everyday occurrence for women and girls, reducing their freedom of movement and limiting their access to essential services and cultural and recreational opportunities.

(7) Ministry of Works and Transport (MoWT)

MoWT is the lead Ministry for the development of the country's transport infrastructure encompassing formulation of a comprehensive multi-modal transport system, mobilizing and monitoring resources for the transport sector ministries and agencies. In this regard, therefore, MoWT is a major player in urban public space whose programmes must be adequately harmonized and coordinated with those of other key actors in the country's urban development planning system. The Ministry also provides policy and strategic guidance to parastatal bodies under its supervision namely, Uganda National Roads Authority (UNRA) and Civil Aviation Authority (CAA), Uganda Railways Corporation, (URC) and Uganda Road Fund (URF).

(8) National Planning Authority (NPA)

NPA is responsible for coordinating the process of formulating five-year National Development Plans (NDPs) as well as longer-horizon Perspective Plans, all of which must encompass the urban development sub-sector. The Authority is, therefore, not only greatly interested in seeing that national and local government physical development plans are developed and approved, but has also been playing an increasingly vital role as coordinator of an integrated approach to the urban development function in the country.

(9) Uganda Investment Authority (UIA)

UIA's mandate is to coordinate, encourage, promote and facilitate investment in Uganda; advising Government on investment policy, and advocating for a competitive business environment. The Authority has established UIA several Industrial Parks across the country with the aim of attracting and facilitating foreign and local investors. The Authority is, therefore, an important stakeholder and actor in public space and land management.

(10) Uganda Land Commission (ULC)

ULC was established by the 1995 Constitution Art. 238, to hold and manage any land in Uganda vested in or acquired by the Government of Uganda, in accordance with the provisions of the Constitution. Government land includes:

- (a) Land occupied and used by Government for public purpose
- (b) Land reserved for future use by Government
- (c) Land held in trust for the people by Government

The land comprises of i) surveyed and titled land ii) gazetted but not titled land and iii) land that is neither gazetted nor titled. The functions of ULC are not decentralized but the Commission may liaise with the independent District Land Boards (DLBs) with regard to Government land in the Districts. The Commission's mandate, and in particular modus operandi, is central to the effective utilization of public spaces which is dependent, inter alia, on the harmonious resolution of land-related issues in the municipalities. It is imperative that ULC's decisions are taken in close coordination with planning authorities such as municipal councils as well as District Land Boards (ULC is expected to provide technical support to the DLBs). This need is particularly significant whenever the Commission divests itself of Government land to private investors. ULC is also charged with ensuring proper use and accountability of the Land Fund.

(11) Urban Authorities Association of Uganda (UAAU):

This organisation brings together urban local governments from all districts of Uganda. It derives from the decentralisation process that transfers authority, resources, responsibility and accountability from central to local government. UAAU has been instrumental in building the capacity of its members, lobbying and advocating for its members as well as representing its members in activities both in Uganda and abroad. UAAU therefore offers a platform that can as well be used to create awareness and to engage with the members on issues of urban public space and land management in their respective councils.

(12) National Environment Management Authority (NEMA)

NEMA's Mission is "to promote and ensure sound environmental management practices for sustainable development". NEMA is charged with promoting responsible use of the country's natural and climatic resources that protects the environment against abuse and degradation. It goes without saying; therefore, that urban public space and land management at all levels must be adequately responsive to NEMA's policies, standards and guidelines. At the same time, however, NEMA's decisions and operational activities must facilitate rather than impede a well-functioning urban planning system. NEMA is obliged, therefore, to carefully manage and ensure appropriate balance between spatial planning, socio-economic development and environment conservation.

(13) National Forestry Authority (NFA)

NFA is charged with gazetting and protecting the country's forestry resources against encroachment and/or destruction. The Authority must, therefore, be an active partner in the physical development planning activities taking place in the country to ensure harmonization of interests, policies and plans. This is particularly important as Gulu and Mbale municipalities have applied for the de-gazetting of their central reserves to provide for urban expansion and development in bid to acquire city status.

3.3.2 Local Government Actors

(1) Physical Planning Committees (PPCs)

The PPA establishes Physical Planning Committees (PPCs) at Local Government level. These include: Urban Physical Planning Committees for all urban areas (City/Municipalities/Town Councils); Divisional Physical Planning Committees (for Cities, Municipalities and Town Councils).

The Local Government level physical planning committees are intended to be major vehicles for institutionalizing and streamlining physical planning as a decentralized function, in line with the Local Government Act, and the PPA. Local Government Physical Planning committees are subordinate to the NPPB.

(2) Urban Physical Planning Committees

All Urban Councils (City/ Municipal/ Town Councils) are required to establish Urban Physical Planning Committees in accordance with Section 11 of the PPA. The composition of the Urban Physical Planning Committee includes the Town Clerk, Physical Planner and other professionals as shown in Box 1.

Box 1: Composition Urban Physical Planning Committees

The PPA (Section 11) stipulates that each urban authority or city shall establish an urban physical planning committee comprising of the following members:

1. Town Clerk as the Chairperson
2. Physical Planner (Secretary)
3. City, Municipal or Town Engineer
4. Architect
5. District Environment Officer
6. Land Surveyor
7. A Physical Planner in private practice

Among other responsibilities, Urban Physical Planning Committees are mandated to: ensure the preparation of relevant physical development plans for their cities, municipalities, or towns; in which public space is an integral land use component, receive and consider (approve, defer or reject) development applications; hear and determine appeals against decisions made by the Urban Physical Planner or subordinate local authorities and ensure that the urban 5-year rolling development plan implements the urban physical development plan and vice versa.

The Urban Physical Planning Committee is the final approving authority for all development applications in its area of jurisdiction except for applications for change of use and in matters prescribed in S.12(c) which it shall recommend to the NPPB and the Urban Council, respectively. Urban Physical Planning Committees are also subordinate to the NPPB.

(3) Area Land Committees

Each Division, parish or village in the country is expected to have an Area Land Committee (ALC). These Committees **do not** have a formal role under the PPA. However, they often are called upon to validate ownership of land as well as applications for change of land use in their locality. ALCs can, therefore, serve as important sources of primary data on public space and land management at the grassroots level.

Land administration matters in municipalities are handled by ALCs at the division level. They advise the DLBs on subdivision, consolidation and allocation of public land within the municipalities. From interviews with the members of the municipal PPCs, members of the DLBs, and review of correspondences between the DLBs and PPCs, it was established that there was no coordination mechanism to harmonize land administration decisions and physical planning activities amongst the PPCs and DLBs.

(4) Municipal Development Forums (MDFs).

Amongst other key donor-funded programmes that support planning initiatives in the country is the Municipal Development Forums (MDFs). This is a World Bank initiative, covering 14 Municipalities (Arua, Entebbe, Gulu, Hoima, Fort Portal, Jinja, Kabale, Lira, Masaka, Mbale, Mbarara, Moroto, Soroti and Tororo). MDFs are aimed at promoting participatory stakeholder engagement in addressing urban development and service delivery. MDFs are quasi-public-private partnerships (PPPs) — also referred to as public-private-people partnerships (PPPs) — as their membership includes Government and a wide range of non-government actors (private developers, communities, faith-based organizations, civil society, the media, etc.) that operate within the framework of a Charter. MDFs provide a platform for increased vigilance and enforcement to guard against the loss of public spaces and land and also protects public spaces from encroachment, misuse, vandalism and destruction.

MDFs have served as critical linkages between different the diverse range of urban development actors in Mbale and Gulu municipalities and the urban authorities on issues relating to how public space and land are handled. Needless to say, their formation and introduction was especially timely, because they have come in at such a critical time to close the previously large gap in terms of civil oversight where impunity and corruption abounded in urban authorities especially over how public spaces and land resources were being managed.

3.4 Non State Actors

(1) The Private Sector

The private sector is an important factor in the urbanization process through its role in the built environment, which includes provision of building materials and construction and rehabilitation of public infrastructure and private assets. This key sector brings human, technical and financial resources to complement government activities. This sector has the capacity to partner with municipalities and needs to be encouraged with concessions and private sector investments to fund and maintain public space projects in the municipalities. Sector partners include the Private Sector Foundation Uganda (PSFU), real estate developers, Uganda Manufacturers Association (UMA), financial institutions, associations of professional bodies, etc.

(2) Development Partners

Several multinational and bilateral development agencies continue to provide financial and technical assistance to Uganda's land and urban development sector. Key among these is the World Bank (WB), which is currently supporting two major initiatives that have components that are aimed at improving urban public spaces and land management in Uganda, namely: (i) the Competitive and Enterprise Development Project (CEDP) and (ii) the Uganda Support Municipal Infrastructure Development (USMID) programme.

The Cities Alliance (CA)¹¹ has also created a framework to align urban development efforts and enhance cooperation among partners who include national and local governments, urban poor communities in Uganda through the Transforming Settlements of the Urban Poor in Uganda: A Secondary Cities Support Programme (TSUPU). Uganda is among eight countries in Africa that benefited from CA support to become better future proofed to climate, environment and natural resource challenges, so that they are inclusive and resilient, and achieve sustainable economic

¹¹The Cities Alliance (CA) is a global partnership with membership drawn from six constituencies: bilateral and multilateral institutions; national governments; associations of local governments; international non-governmental organisations; private sector and foundations; and universities and knowledge networks.

growth. Other notable development partners that are supporting urban development related initiatives include: United Nations (UN) in Uganda¹², including United Nations Development Programme (UNDP), United Nations Capital Development Fund (UNCDF) and UN-Habitat; the European Commission (EC); the UK Department for International Development (DFID); and the African Development Bank (AfDB).

(3) Civil Society Organizations (CSOs)

CSOs play an important advocacy and accountability role in public space and land management. CSOs such as ACTogether and other member's associations of the National Slum Dwellers Federation (NSDF), among many others, have been instrumental in helping the poor and other socially vulnerable groups (e.g. women and the children) exercise their social, economic and political rights through advocacy, providing legal aid and lobbying the government for legislative change. They are uniquely situated to develop activities and provide assistance to the government in its development efforts. The Ugandan government in collaboration with NGOs, CBOs and CSOs has carried out a number of activities to help communities access services and strengthen their competencies in dealing with a growing scale of urban problems, such as provision of credit to fight poverty, support livelihoods, HIV/AIDS, etc. Working with CSOs fosters social inclusion, celebrates multiculturalism, and enables creation of rich, vibrant spaces in the urban commons thus facilitating social mix with access to public spaces for all.

(4) Cultural Institutions

The Constitution recognizes cultural leaders and institutions. Most of the cultural institutions are big and powerful landlords (*Mailo*, Freehold and Communal Land) and, thus, play an important role in the country's urban development and in particular promoting safe, inclusive, accessible, green, and quality public spaces. There are two cultural institutions in Mbale (the Umukhukha) and Gulu (King Rwot, the Paramount Chief of Acholi), and their influence on public space and land management in the two municipalities is enormous.

(5) Faith-based Institutions

Both the mainstream religious faiths and the numerous evangelical faiths are important stakeholders in urban development given their extensive land and property assets that they own. FBIs act as land owners, property developers and opinion leaders in urban areas of the country and therefore big stakeholders in provision of public space and land management. They have capacity to create, revitalize, manage, and protect public space, including participatory processes to define their use and manage access to public spaces and land.

3.5 Existing Policies, Plans and Guidelines Relating to Urban Public Spaces and Land Management

(a) Uganda Vision 2040

Uganda Vision 2040 (Republic of Uganda, 2013c), which was launched on 18th April 2013, is the overall policy blue print for the economic and social development of the country. It provides a comprehensive framework to operationalize Uganda's Vision statement which is "A Transformed Ugandan Society from a Peasant to a Modern and Prosperous Country within 30 years" as approved by Cabinet in 2007. In this regard, it recognizes the need for policy reforms and appropriate strategies in the lands, housing and the urban development sectors.

Although *Vision 2040* is not based on any coherent spatial plans, it makes several spatial proposals. It notes that Uganda's level of urbanization in 2013 was about 15%, with Greater

¹²See United Nations Development Assistance Framework for Uganda, 2016 – 2020 (United Nations, 2016)

Kampala Metropolitan Area (GKMA) contributing up to 10%. It envisages that over the Vision period, four additional regional cities will be established namely Gulu, Mbale, Mbarara and Arua while other strategic cities will include: Hoima (oil), Nakasongola (industrial), Fort Portal (tourism), Moroto (mining) and Jinja (industrial). In addition, other emerging urban centres that meet the criteria for city status will be considered. As per this strategic view, *Vision 2040* positioned the country to harness different resources which with the aim of promoting both regional and national development.

Vision 2040 recognizes the fundamental role land plays in Government's desire to harness the nation's strategic opportunities for maximizing returns to the economy. It thus states that a National Spatial Plan will be developed to facilitate public policy and actions that will influence the geographical location of projects in economically viable areas and help achieve organized, equitable, sustainable, efficient and cost effective development. In this respect it is necessary land for streets and public spaces as well as public infrastructure networks must be secured i.e. ensure adequate public space in planned city extensions and planned city in-fills. It is, therefore, important to point out that the aforementioned sectoral opportunities will be realised through the expedited facilitation of urban planning, among other strategic approaches. To realise this objective, a reliable land information system that is properly linked to the spatial plans is required to ensure that the land market operates formally and uniformly throughout the country.

(b) National Development Plan (NDPII)

The *Second National Development Plan (NDPII) 2015/16 – 2019/20* (Republic of Uganda, 2015b) is the second of Uganda's five-year development plans that are aimed to contribute towards the achievement of *Uganda Vision 2040*. The five-year development plans are one of the five principal elements of the Comprehensive National Development Planning Framework (CNDPF) (NPA, 2009) namely: (i) the 30 year national vision; (ii) 10 year national development plan; (iii) the five-year national development plans; (iv) Mid-term Reviews (every 2½ years); and (v) annual plans and budgets.

The goal of NDPII is to strengthen sustainable wealth creation, employment and inclusive growth so that the country can achieve middle income status by 2020. Urbanization is a key player in the process. NDPII succinctly recognises the role of urbanization that highly urbanized countries such as Malaysia, Singapore and China have attained high levels of urbanization through integrated physical planning and investment which has led to establishment of commercial and industrial functional zones. That it entails implementation of the Spatial Frameworks for arrangement and organization of socio-economic activities on land at the Municipalities to achieve optimal use of land and sustainable development. Land is, therefore, a major vehicle for streamlining the country's Vision and Spatial Framework (Republic of Uganda, 2015). This recognizes the critical role of government and local governments to create, revitalize, manage, and protect public space for investment including participatory processes to define their use and manage access to public spaces and land.

(c) Land Sector Strategic Plans

The Land Sector Strategy Plan 2013 - 2023 (LSSP-II) (Republic of Uganda, 2013a) is designed to provide the operational, institutional and financial framework for the implementation of land sector reforms to streamline and modernize land delivery; encourage optimal use of land; and facilitate broad-based socioeconomic development. It details the medium and long term priorities for action for the ten-year plan period within the available and estimated resource envelope. LSSP-II is premised on the integration of the land sector function in national economic planning and development decision making, in which the NPDP —preparation of which is ongoing under a separate but related assignment to this Baseline Study— will be a key instrument.

LSSP-II recognises the fundamental need for transparent rights of land ownership and improved tenure for all categories of land ownership — and thus stresses the importance of easy access to land for productive investments; harmonization of land sector institutions and the policy, legal and regulatory framework for land planning and management; modernization of land services delivery; and a coherent and comprehensive land information system (LIS) and supporting infrastructure for planning and decision making.

LSSP-II further argues that the objectives of *Vision 2040* cannot be achieved without different levels of physical and spatial plans which co-locate infrastructure with areas set aside for settlement and economic development while ensuring the most efficient use of natural resources and balanced regional development. In this regard, the urban physical development plans provides a key platform for integrating social, economic and environmental objectives and translating these into detailed dimensioned land use plans, to which specific roles and economic values can be attributed, and investment planned within a national development strategy (Republic of Uganda, 2013a).

(d) The National Land Use Policy 2013

The overall policy goal is *“To achieve sustainable and equitable socio-economic development through optimal land management and utilization”* (Republic of Uganda, 2007:ix). In line with the Constitution, a key objective of the policy is to enhance the quality of rural and urban settlements and strengthen land use planning at all levels — this by facilitating district and urban planning units to produce urban and rural settlement plans to direct development in these areas. The NLUP thus gives direction on land use planning and management which is critical for urban development, and underscores the important role of the Directorate of Physical Planning and Urban development in the implementation of the policy.

(e) The Uganda National Land Policy 2013

The Uganda National Land Policy (NLP)(Republic of Uganda, 2013b)was formulated as a framework for articulating the role of land in national development, land ownership, distribution, utilization, alienation, management and control of land. One of the key policy statements (25) in the NLP is that *“the state shall define land as land reserved and held and used for a public purpose, including public open space, public infrastructure and land.*

The above focus is aimed `to achieve the policy vision of *“a transformed Ugandan society through optimal use and management of land resources for a prosperous and industrialized economy with a developed services sector”* (Republic of Uganda, 2013b:8).A key policy strategy to this end is to define the manner in which municipalities will hold and manage such land taking into account the principles of public trusteeship, transparency and accountability. This is also to ensure that District Land Boards hold and manage land entrusted to them by the constitution and the Land Act as trustees for the people of Uganda.

(f) National Local Economic Development (LEDP) Policy 2013

The Government of Uganda, in collaboration with stakeholders, formulated the LED Policy to provide a framework for partnerships in LED and a vehicle for implementing local government LED initiatives. It is intended to deepen decentralization, eradicate poverty and ensure inclusive, sustainable and equitable economic growth at local level. To affirm its commitment, government adopted the LED as the sixth pillar of the Decentralization Policy and Strategic Framework (DPSF) and the Local Government Strategic Investment Plan (LGSIP). To realize this strategy, proper public space and land management has to be effected on which LED can flourish. Investing in public space needs to be harnessed as a driver for economic and social development, taking into consideration region and urban-rural linkages e.g. Market development, Stadia etc.

(g) National Population Policy (NPP), 2008

The (NPP) is in harmony with the NDP II and Vision 2040. It defines critical issues that must be tackled to ensure a population that enhances the country’s development goals and objectives. The policy observes that urbanization influences the development process. The current urban population growth rate overstretches existing infrastructure and other amenities affecting the welfare of the urban population for health, education, social welfare, and employment. Therefore, there is need to look for innovative ways to cater for the growing population by increasing on public space by identifying areas to convert to parks (permanently or temporarily) such as public streets with low traffic volume and parking facilities.

(h) Local Government Sector Strategic Plan (LGSSP) 2013-2023

The goal of the LGSSP (MoLG, 2013) is: “to deepen decentralisation, enhance service delivery and transform local governments into well administered entities with vibrant local economies”; while its primary objective is “to foster a collaborative and coordinated framework for providing efficient and sustainable delivery of services within a decentralized setting.”

The LGSSP observes that, despite the entire country having been declared a planning area under the PPA, “poorly planned urban centres continue to rapidly expand: streets are not mapped; and housing locations and business centres are not properly planned for, leading to overcrowding and rampant illegal encroachment on roads and other fragile ecosystems” (MoLG, 2013). The LGSSP further notes that physical planning challenges are compounded by weak law enforcement owing to lack of financial and human resources. Urban councils are challenged to develop realistic, comprehensive and integrated public space and land management strategy - to ensure that resources towards the protection, the management and the revitalization of public space are allocated. The strategies need to focus not only on places and spaces but on the form, function and connectivity of the urban areas as a whole

(i) Uganda Green Growth Development Strategy 2017/18

Government has launched a new sustainable development strategy that aims at catapulting Uganda into a green economy by 2040. The strategy focuses on five priority areas: sustainable transport systems; planned urbanisation; sustainable energy with emphasis on greening the energy mix to include solar and wind; natural resource management with focus on green tourism, water resources management and sustainable use of forests and wetlands; and sustainable agriculture with concentration on solar-powered irrigation.

Once implemented, the strategy is expected to boost gross domestic product by 10 per cent beyond current projections and create an additional four million green jobs by 2040. It is also expected to reduce greenhouse emissions by 28 per cent over the same period. The potential socio-cultural and economic value of public spaces and land will be fully explored and exploited through conducting of feasibility study needs.

The **Strategy** will enhance Uganda’s economic growth while creating new opportunities for decent employment and Support a low-emissions economic growth pathway integrating resource use efficiency, climate resilience, disaster risk reduction and optimal use of natural capital.

(j) The National Urban Policy (NUP) 2017

In an effort to address the challenges of urbanisation, MLHUD has formulated the National Urban Policy (NUP), which is aimed to provide a framework and guide for organised urban development in Uganda. The goal of the policy, “to promote liveable urban areas that are organized, inclusive, productive and sustainable” (Republic of Uganda, 2015). Regarding public spaces Policy Statement 7 states that government shall provide adequate Open space and recreational areas to meet the requirements of the urban sector. This essentially aimed at ensuring recreational areas are provided; Gazetting recreational areas and monitoring the implementation of their development; promoting the contiguous and integrated development of green areas in urban centers; formulation of a National Landscape Policy to guide preparation of landscape; and setting of guidelines and standards pertaining to the provision of open space and recreational areas.

The NUP further addresses urban governance, environmental quality, and effective urban planning and management to curtail urban sprawl. The policy further outlines measures to address accessibility to efficient urban infrastructure and service delivery, safety and security in urban areas, promotion of urban economic development with emphasis on local economic and informal sector development, as well as strengthening urban financial management to improve competitiveness and productivity of the urban economy. An Urban Sector Strategic Plan has been prepared to guide the implementation of the Policy (Republic of Uganda, 2015a).

(k) The Public-Private Partnership Framework Policy of Uganda (2010)

The Government of Uganda adopted a policy of Public Private Partnerships (PPP) as a tool for the provision of improved public services and public infrastructure based on the principle of better value for money, appropriate risk transfer and management and taking advantage of private sector innovations. It is also a tool for improved fiscal moderation and control of public debt. The Policy is expected to result into the following;

- a) Better utilization and allocation of public funds
- b) More efficient development and delivery of public infrastructure
- c) Good quality public services
- d) Increased economic growth and foreign direct investments.

According to the policy, implementation remains with the relevant Government departments and state enterprises in charge of the provision of the public service or infrastructure in question and municipal councils are responsible for identifying, developing and managing PPP projects. For this reason, municipalities will need to mainstream the PPP into their operations as a way of enhancing of service delivery.

These guidelines are intended to outline for local governments/agencies, potential private sector bidders and the public the general direction and principles that to be adopted and used for implementing the Public Private Partnerships as alternative means of enhancing revenue in local governments for effective and efficient delivery of services and infrastructural development. Secondly, the guidelines provide a framework for operationalising the Public Private Partnership Framework Policy for Uganda. The Guidelines are intended to be used by the Local Governments to assess whether a PPP is to be preferred over other forms of procurement. These guidelines are designed for use by the Local governments, the community groups, advisors and other stakeholders, desiring to partner with the private sector in the delivery of public space and public services in their areas of jurisdiction.

(l) National Housing Policy 2016

The National Housing Policy aims at delivery of adequate housing for all. The policy recognizes the role of housing in the social economic transformation and development of the country and particularly as an indicator of growth and development. In policy Statement 5, the policy seeks to establish a mechanism for delivery of affordable and sustainable infrastructure services to support housing development. It therefore emphasizes the need for basic infrastructure services associated with housing including access roads, water and sanitation, drainage systems, waste management, energy and telecommunication. The policy is cognizant of infrastructural facilities include health, education, recreation, parks and open spaces. The policy notes that properly serviced areas attract housing investments much faster and greatly improve economic welfare, and the quality of life of the residents of a given area.

(m) Gulu Green Growth Action Plan

Gulu Municipality through the Ministry of Housing and Urban Development (MHUD) in partnership with Global Green Growth Initiative (GGGI) are piloting the green growth model of development to develop the Gulu Green Growth Action Plan (GGGAP) to integrate green growth in its Strategic Development Plan (SDP). This will include mainstreaming climate adaptation and mitigation strategies into all aspects of the municipal policies, planning and projects; and incorporating policies to help implement the municipal's plans for high-density urban development into all sectors and to integrate social, cultural, economic and environmental aspects into housing policies.

It is hoped that green growth development model will lead to Economic Growth and Environmental Sustainability. Gulu's Economic Growth can be realized from increased access to markets and increase in production. Improved productivity will lead to food security and income from local economic development activities. Its inclusive nature reduces poverty levels and improves the welfare of those in the informal sector as much as those in the formal sector.

Green growth will boost investor confidence through greater predictability in how governments deal with major environmental issues hence increased job opportunities which lead to increased house hold incomes. Increase in house hold incomes lead to improved standard of living of the

community. Green growth will stimulate demands for green goods, services and technologies in Gulu hence increasing access to markets, employment rates and local economic development. The municipal will be able to realize more taxes from these local economic activities.

(n) Nature Conservation Policy, Principles and Strategies for Gulu Municipal Council

The overall policy goal for nature conservation and greenery is sustainable development which maintains or enhances environmental quality. The policy seeks to meet three basic objectives: -

- a) Maintenance of ecological processes and life support systems. Soils, water bodies/ streams, forests, wetland/swamps, open and green spaces are existing life support systems under maintenance and conservation.
- b) Conservation of habitats and reintroduction of indigenous species to ensure that many species of plants and animals are protected from extinction.
- c) Sustainable utilization of resources, that is, to manage the use of species and ecosystems in ways which ensure that they continue to meet the needs of now and the future.

A detailed inventory of existing green areas in the municipality is being conducted but the policy mentions the following strategic areas of immediate action.

- a) Forest plantations (Eucalyptus) of about 150 hectares exist outside the built-up area of the town.
- b) Wetland, mainly papyrus swamps cover nearly five (5) square kilometres outside the developed areas of the town.
- c) Open 'green' space under reforestation cover 30% of the developed areas of the town.
- d) Three streams are under maintenance of the Municipal Council. One reaches the centre of the town.
- e) Water ponds are available for conservation of aquatic life. Some belong to individuals and others to fisheries department.
- f) The Independence ground for Uganda's independence of 1962 is under development into a green park.
- g) An area of about one square kilometre near the airfield is designated for protection where threatened and indigenous plant and animal species will be introduced.

3.6 Legal Framework for Urban Public Spaces and Land Management

(a) The Constitution of the Republic of Uganda

The Constitution of the Republic of Uganda, 1995 (Republic of Uganda, 1995) is the supreme law of the country. Section XXVII (iv) the State, including local governments, shall— create and develop parks, reserves and recreation areas and ensure the conservation of natural resources; promote the rational use of natural resources so as to safeguard and protect the biodiversity of Uganda.

Municipalities as local governments are obliged to plan and to adopt an integrated and coordinated planning approach regarding public spaces, and to take other necessary measures to ensure they are conserved and protected. In this regard, the need for planning strategies to guide promote the rational use of public open spaces as a resource so as to safeguard and protect them. There are important provisions in the 1995 Constitution of the Republic of Uganda that have relevance for the management of land and public spaces such as:

- a) Land in Uganda belongs to the citizens of Uganda and shall vest in them in accordance with four land tenure systems provided for in this Constitution, i.e. customary, Mailo, freehold and leasehold systems. This has been widely interpreted by landowners as meaning that they are free to develop the land they own as they wish without being subject to develop control. Indeed, this was mentioned by physical planning officers in both Mbale and Gulu during the fieldwork interviews. This has led to the current disordered and uncoordinated physical development that characterizes many Mbale and Gulu municipalities.

- b) Provides setting up of the Uganda Land Commission mandated to hold and manage any land in Uganda vested in or acquired by the Government of Uganda in accordance with the provisions of the Constitution.
- c) Provides for setting up of the District Land Boards functions including the following:
 - a. Holding and allocating land in the district that does not belong to any person or authority.
 - b. Facilitate registration and transfer of interest in land and dealing with all matters concerning land in the district.

(b) The Local Government Act, Cap. 243

The Local Governments Act 1997 (LGA)(Republic of Uganda, 1997) provides for the decentralisation and devolution of functions, powers and services to the different levels of local government. The Act accordingly establishes local governments and administrative units in Uganda and empowers them to manage the development of their respective areas of jurisdiction. In managing development, the law mandates local governments and administrative units to provide certain services. Accordingly, section 30 of the LGA provides for the services listed under Parts 2, 3, 4 and, 5 of the second schedule to the Act including among others the establishment, administration, management and collection of revenue from markets as falling within the mandate of local governments.

The Local Government Act Cap 243 provides autonomy to local governments to prepare or cause to prepare Physical Development Plans, carry out land surveys, land administration and environmental management. Through the Local Governments Act considerable responsibilities and resources were devolved to sub-national governments which include the district, sub-county councils and urban councils (Makara, 2009; Lambright, 2011; Lambright, 2014). The Act granted urban authorities various responsibilities, notably the delivery of essential social services such as education and healthcare and it also grants the municipalities the authority to acquire, establish, develop, maintenance or manage of public parks, garden and recreation grounds.

Gulu and Mbale municipalities are therefore mandated to deliver an array of public goods and services including the provision and maintenance of education, healthcare, street lighting and road infrastructure. Besides this, they are also responsible for provision of solid waste collection and management services, overseeing commercial activities and businesses, such as markets and street traders. Furthermore, the Physical Planning Act (2010) authorizes these sub-national governments to deliver these goods and services through the guiding frameworks of strategic physical development plans within their respective areas of jurisdiction to ensure orderly development.

Public spaces fall under the purview of the lower local governments such as municipalities; which have to plan their development and management, along with coordination of reciprocal agreement roles (if any) with other authorities and agencies so as to enhance the array of public spaces available for municipality residents; and to manage and maintain the spaces to safe and functional standards.

The functions and services for which urban councils are responsible are detailed in the Second Schedule Part 3 of the Act and among others include but are not limited to;

1. Establish, maintain or control public parks, garden and recreation grounds on land vested in the council and;
 - a. Reserve any portion of the Public Park, garden or recreation ground for any game, garden or recreation ground for specific purposes.
 - b. Exclude the public from portions of the public park and provide for their renting and hiring to the public, clubs or any other organization.
 - c. Establish, erect, maintain, control cafes, restaurants, refreshment rooms and so on as council may deem necessary.
2. Local governments can also prohibit, regulate or license:
 - a. Sale or hawking of wares, or the erection of stalls on any street, or the use of any part of the street or public place for the purpose of carrying on any trade, business or profession.
 - b. Street decoration and erection of shelters, temporary buildings, platforms, seats and other

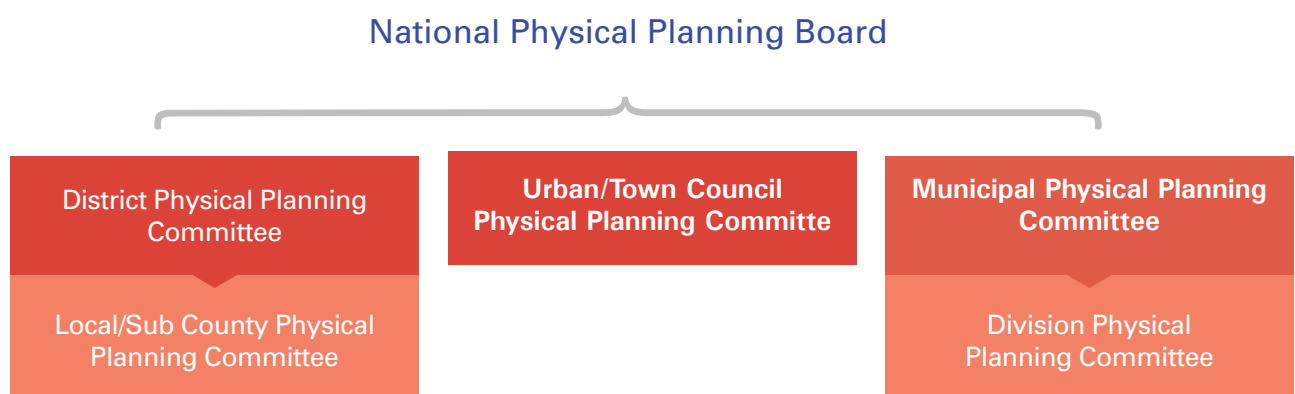
- structures at any entertainment, prostitution and brothels, lodging houses, cinema and video halls.
 - c. Depositing on the street, public place or unoccupied land refuse, rubbish or any other material.
 - d. Placement of banners, wires, ropes or any other impediments over or across any street or public place, among others.
3. Other related functions include the following:
- a. Identifying streets and other public places by assigning them names and cause those names to be exhibited on posts or pillars or to be printed or otherwise exhibited on any building or another erection fronting.
 - b. Lay out land and provide and maintain necessary public services.

(c) Physical Planning Act, 2010

The PPA is a principle statute governing physical planning in Uganda. The Fifth schedule spells out matters to be dealt with in district, urban and local council development plan. Section 3 classifies plan area for residential, commercial, industrial and agricultural development, infrastructure, environmental protection, natural resource management, urbanization, human settlements conservation, tourism and other purposes, including the provision of special areas for industries generally, or for shops, warehouses, stores, stables, and other buildings used for commercial and industrial purposes and fixing the sites for buildings required for any of the purposes referred to in paragraph 1 and for public and private open spaces, and prohibiting the carrying on of any trade or manufacture, or the erection of any building, in a particular part of the area, otherwise than in accordance with the plan. It further states in section 36 Land within the area of a local government shall not be Sub-divided or consolidated, except in accordance with the approved local physical development plan relating to that area.

The Physical Planning Act is Uganda’s latest legal framework for physical development planning. It is intended to promote orderly and sustainable development of human settlements in rural and urban areas. It involves preparation of physical plans and regulation on land use, social and infrastructure provision by the various levels of governments. It further provides for building standards and guidelines to ensure orderly and sustainable development. The role of physical planning in this instance is to organize public spaces and to encourage their use.

Figure 13: National Physical Planning Institutional Framework



(d) Land Act, Cap. 227

The Land Act (LA) (Republic of Uganda, 1998) was passed to implement the constitutional provisions on tenure, ownership and management of land, and legislatively actualized most of the reforms provided for in the Constitution. Article 237(8) of the Constitution guarantees security of occupancy of lawful and bona fide occupants of 'Mailo', freehold and leasehold land; while Article 237(9) obliges Parliament to enact a law regulating the relationship between them and the registered owners of the land they occupy. The implication of this Act on urban development is that once zoning is done and the plan becomes law, owners have to conform to approved plans no matter what existing land rights are held. Section 42 of the Act empowers the Government and local governments to compulsorily acquire land in the public interest in accordance with the provisions of the Constitution. The Act provides for protection of environmentally sensitive areas — including fragile ecosystems such as lakes, rivers, ground water, wetlands — and other land reserved for ecological and touristic purposes for the common good.

Section 43 of the Act specifically addresses utilisation of land, and states that: A person who owns or occupies land shall manage and utilise the land in accordance with the Forests Act, the Mining Act, the National Environment Act, the Water Act, the Uganda Wildlife Act and any other law.

The Act also directs that there should be a district land office — composed of the offices of the district land officer, the district physical planner, the district surveyor the district valuer and the district registrar of titles — in every district. CF study findings—where should physical planner. The Land (Amendment) Act, 2010 (Republic of Uganda, 2010) enhanced the security of occupancy of lawful and bona fide occupants on registered land in accordance with Article 237 of the Constitution. In particular, it protects bona fide tenants and lawful occupants of Mailo land from arbitrary eviction.

(e) National Planning Authority Act, 2002

The Act (Republic of Uganda, 2002) provides for the composition and functions of the National Planning Authority (NPA) in accordance with Article 125 of the Constitution. The primary function of the Authority, as stated in the Act, is to produce comprehensive and integrated development plans for the country, The Act also mandates the Authority to be the national co-ordinating body of the decentralised planning system; and in relation to this, to design and implement programmes to develop planning capacity in local governments. The Authority is therefore; greatly interested in seeing that national and local government physical development plans are developed and approved, as it also increasingly plays the vital role as coordinator of an integrated approach to the urban development function in the country.

(f) Land Acquisition Act, Cap. 226

However, the Land Acquisition Act Cap. 226 governs the compulsory acquisition of land for public purposes in addition to the Constitution of Uganda and the Land Act. The Land Acquisition Act (1965) was created to say the Government can acquire land which it needs, when an owner does not want to give it or sell it. Sections 2 to 7 describe the exact steps which must be followed by the authority which wants to acquire the land. These are described below. There are three key stages:

1. Application to the Ministry of Lands, for permission to acquire through compulsion
2. Assessment of compensation claims and sale price
3. Taking possession of the land

The District Land Board has been given the responsibility for setting compensation rates for crops or other non-permanent structures on land, but not the value of the land itself or any permanent buildings. It is clear that the main problem for municipalities with this process is that everything depends upon the Ministry in Kampala. If many local governments across the country all have several urgent development plans needing to go through this process, it won't be possible for the Ministry to respond to the needs of the local governments. It is important that compulsory acquisition is an option for local governments, but it is rarely likely to be the easiest choice for them. It is expensive in terms of time and of money. Where possible, local governments will usually find it easier to negotiate and reach amicable settlement with landowners, to lease land or to buy it.

(g) The Registration of Titles Act, Cap. 230

This legislation governs land acquisition and leasing of registered land. The seller or lessor of land must be in possession of a certificate of title. A certificate of title in the names of a party is conclusive proof of ownership of the land in question as provided for under the RTA.

(h) National Environment Act, Cap. 153

The National Environment Management Act, Cap 153 provides for sustainable management of the environment, including through the establishment of the National Environment Management Authority (NEMA) to coordinate, monitor and supervise all activities in the field of the environment. One of the key functions of the Authority, as stipulated in Clause 6(b) of the Act, is “to ensure the integration of environmental concerns in overall national planning through coordination with the relevant ministries, departments and agencies of government”. Therefore, urban development planning must relate to this Act by incorporating environmental concerns. This law is important for open space planning because it reasserts the need for cooperation across departments and levels of government, and also of the need to protect ecologically sensitive and valuable areas.

Part VII, sections 34 to 56 of the Act outline all relevant environmental management mandates of NEMA in collaboration with the central and local governments. Section 48 concerns land use planning and stipulates that NEMA, in consultation with the lead agency, is responsible for the preparation of the national land use plan, as well as for advising on land use planning at the district and local levels. NEMA is also responsible, together with the district and local environment committees, for monitoring the implementation of land use plans.

A Presidential directive of 10th November 2008 provides for the promotion and empowerment of vendors in the management and development of markets. The Ministry of Local Government prepared policy directives to this effect. This has however not been translated into law posing enforceability challenges. These directives and policies need to be translated into legal provisions if they are to be enforceable and achieve the desired effect. According to the policy guidelines for the management and control of rural market facilities constructed under CAIIP-1¹³ and the Policy on sale of markets land, development and management of markets in the city, municipalities and towns¹⁴, other actors have been empowered to manage and control markets in special circumstances. These are sub-county and urban council officers and private companies or individual persons. However, these new guidelines are not explicitly provided for in the law.

(i) The Public Health Act (Statutory Instrument 281-1) – The Public Health Building Rules

This Act provides for duties of local authorities in section 55 to maintain cleanliness and prevent nuisances in public spaces. Furthermore in section 57 defines nuisance as any street, road or any part thereof, any stream, pool, ditch, gutter, watercourse, sink, water tank, cistern, water closet, earth closet, privy, urinal, cesspool, soakaway pit, septic tank, cesspit, soil pipe, wastepipe, drain, sewer, garbage receptacle, dust bin, dung pit, refuse pit, slop tank, ash pit or manure heap, so foul or in such a state or so situated or constructed as to be offensive or to be likely to be injurious or dangerous to health; any growth of weeds, long grass, trees, undergrowth, hedge, bush or vegetation of any kind which is injurious or dangerous to health, and any vegetable that of itself is dangerous to children or others either by its effluvia or through its leaves, seeds, fruits or any part of it being eaten. The act therefore emphasizes maintenance of public spaces and spells out penalties in case of defaulting.

(j) National Physical Planning Guidelines and Standards (2011)

The National Physical Planning Standards (NPSS) is a Government manual of criteria for determining the scale, location and site requirements of various land uses and facilities. The Physical Planning Act and National Planning Guidelines and Standards provide guidance on the use of open spaces including:

- a) Provides standards for space management in setting up of day centres and kindergartens, nursery schools, secondary schools and colleges. Other facilities considered include

¹³ Government Policy decision on Sell of Markets' Land, Development and Management of Markets in the City, Municipalities and Towns of 14th December, 2010; See also Policy Guidelines for the Management and Control of Rural Market facilities constructed under CAIIP-1 of 10th January, 2011. Supra..Pg. 18.

sanitary landfills, recreation facilities and community parks, among others (Guidelines Subsection 7.2)

- b) Guides on the use of urban open space. Open urban space is defined as smaller plazas that offer space for social gathering, landscaped open space between high-density or commercial areas, beautification areas, downtown performance space and public art and fountains (Guidelines Subsection 7.2.7 (d))
- c) Provides for setting up of a local planning committee of a LLG. One of the key functions of the committee is to ensure the preservation of all land planned for open spaces, parks, urban forests and green belts, environmental areas, social and physical infrastructure and other public facilities, in accordance with the approved physical development plan (The Physical Planning Act 2010-part v, section 32).
- d) Plot requirements for recreational facilities

Table 6: Minimum Standards and Guidelines for Public Space in Municipalities

Golf courses	<p>Golf courses are best situated in undulating terrain with gentle gradients. They should be surrounded by forest or light tree cover with natural features such as streams, lakes, sand, etc.). The size of the golf course depends on the number of ‘holes’ and their length (i.e. the distance from tee to hole). For a 9 hole course, an area of 5 - 10 ha is required with a population of 100,000 people within less than 30 minutes’ drive while for an 18 hole course, an area of 55 ha - 60 ha is sufficient.</p>
Neighborhood Recreation Parks	<p>Neighborhood parks provide close-to-home recreation opportunities primarily for non-supervised and non-organized recreation activities. Facilities found in neighborhood parks include: - children’s playgrounds, picnic areas, trails, tennis or basketball courts and sports practice fields. Typical users come from within a radius of 2 km and travel by foot or bicycles and visit for short time periods.</p> <p>The optimum size is 1.2 to 2.8 ha, but these parks may be larger if significant natural resource land is incorporated. The site should have at least 60 m of street frontage with on street parking. Larger sites shall reserve area for off street parking. Active and noise producing facilities, such as basketball courts, should be located at least 30 m from nearby homes or property zoned for residential use. They are often located next to elementary schools.</p>
Community parks	<p>These provide primarily active and structured recreation opportunities on sites designed to serve several neighborhoods. Typical developments may include sports fields, trail systems, group picnic areas, and are designed primarily as a “drive-to” park rather than a “walk-to” park.</p> <p>Typical users come from within a distance of 1.5 km to 3 km, travel by vehicle, bus, foot or cycle and visit the park for at least 1-3 hours. Site range from 8 to 30 ha in size, depending on the spatial requirements of the facilities provided and the amount of land dedicated to natural resource protection.</p> <p>The site should be visible from adjoining streets and have a minimum of 120 m of street frontage. Parking requirements should be based upon the facilities provided at the site. Generally, 50 off-street spaces per ball field are required, plus 5 spaces per acre of active use areas.</p>

City wide parks	They offer the most diverse and/or unique recreation opportunities in the park system. They are designed to serve the entire jurisdiction with features that are also intended to attract visitors to the city, generating substantial economic benefit. Citywide parks also are typically supported by nearby food services, lodging and other services necessary to accommodate extended use of the park by out-of-town guests. Because of the diverse and unique offerings, citywide parks typically contain more open space and support facilities. Users come from throughout the city, arriving by vehicles, bus, bicycles or foot and visit the park for 2 - 4 hours or more. The site size will generally exceed 20 ha and should be sufficient to accommodate the park's unique features and or amenities. Parking requirements should be based upon the facilities provided at the site. Generally, 50 offstreet spaces per ball field are required, plus 5 spaces per acre of active use areas.
Public library	The site for the library should be chosen to give a maximum of quiet environment and should be conveniently situated in relation to the population to be served. Good light and ample surrounding air space are essential and consequently sites congested by surrounding buildings should be avoided where possible. A minimum of 0.4 ha is adequate for this facility with basic facilities such as parking.
Cemeteries	<ul style="list-style-type: none"> a) These should be located away from environmental sensitive and commercial areas. If near wetland, an EIA should be conducted and should have a buffer distance of 200-300 m. b) In rural areas where land is available, cemeteries and morgues should be included in the area for hospitals. While in urban areas where land is scarce, the responsible local authority should acquire land for the same purpose outside or at the periphery of the urban area in question. c) Suitability of soils should be the main consideration. Firm and non-porous soils are recommended for grave yards. d) Should be located near residential areas preferably away from busy routes where funeral processions would not disturb normal traffic.
Recommended buffer distances	<p>Major River banks – 100 m</p> <p>Forests – 100 m, or the use of physical barriers such as a road is recommended.</p> <p>Minor rivers – 30 m</p> <p>Swamps – minimum 50 m depending on function</p>
Educational Institutions	All educational institutions should be integrated with major open spaces whenever possible to encourage the sharing of open spaces and play grounds with members of the public.

(k) The Market Act, Cap. 94

The Markets Act is the principal legal framework on markets in Uganda. It provides for establishment and management of markets. Detailed general and specific regulation of markets was left to be provided in the rules and bye-laws to be made under the Act. The Markets Act was enacted in 1942. Since then, several developments have taken place including increased urban population growth and the shift from subsistence to commercial agricultural production. This has led to the tremendous increase in the number of market vendors in all markets, resultantly overwhelming the capacity of the facilities and structures in these markets thus leading to the development of illegal roadside markets. Given the above listed developments, the Act has become inadequate in its content and therefore does not match up to the current needs of market development, management and administration. This greatly affects the administration and management of markets.

(l) The Public Partnership Act, 2015

The PPP Act applies to the design, construction, maintenance and operations of infrastructure services. The act regulates the procurement, implementation, maintenance, operation, management and monitoring of PPPs from project conception to conclusion. It elucidates on the core infrastructure areas for which PPP arrangements may be engaged, including but not limited to, transportation, water management, oil and gas pipelines, tourist infrastructure, sports and recreational facilities, mining, energy related facilities, social infrastructure etc. The nature and form of a PPP agreement is provided for under seven models, these are: a concession, operation and maintenance agreement,

lease develop and operate agreement, build, own and maintain agreement, build own operate and transfer agreement, design build finance and operate agreement and the build own and operate agreement which is pertinent for public spaces in municipalities. For this reason, municipalities will need to mainstream the PPP into their operations as a way of enhancing of service delivery.

(m) The Guideline for Establishing, Licensing and Registration of Private Schools (April 2013)

The guidelines provide the minimum requirements in terms of space being enough land for expansion, playgrounds, school garden and physical education. At least 5 acres of land located within a safe and secure environment. (Urban areas can be given special consideration) but classroom size (floor area) should not be below 5.8m by 8.8m (51.04 m²) or 5.8m by 7.8m (45.24m).

(n) The Historical Monuments Act Cap 46

This law allows a minister to declare any object of archaeological, ethnological, traditional or historical interest to be a preserved or historical object, and to acquire any land necessary for preserving it on behalf of the Uganda Land Commission. It also provides protection of historical sites in development. The Department of Monuments and Museums in the Ministry of Tourism, Wildlife and Heritage (MoTWH) states that physical cultural heritage in Uganda has not been surveyed adequately and that potential monuments and other cultural resources may exist which are not known, implying that this is an area requiring further consideration in the USMID sub-project screening process to assist MEOs in recognizing potential resources.

(o) The National Forestry and Tree Planting Act (2003)

This law provides for the conservation, sustainable management and development of forests and establishes the National Forestry Authority (NFA). It defines forest reserves and specifies what actions can and cannot be carried out in them. The Act commits government to protect and sustainably manage the Permanent Forest Estate (PFE), set aside permanently for conservation of biodiversity and environmental services and sustainable production of forest produce. The Land Act of 1998 recognizes Central Forest Reserves (CFRs) as it prohibits their leasing or alienation and requires all landowners to manage and utilize their land in accordance with the Forests Act and other relevant laws. The PFE lands are set aside permanently for the conservation of biodiversity, the protection of environmental services, and the sustainable production of domestic and commercial forest produce. The CFRs are held in trust for the people of Uganda and managed by the National Forestry Authority (NFA). EIA is required for projects that may have a significant impact on any forest. This Act has not been enforced adequately with regard to municipal peri-urban forests which are heavily encroached or de-gazetted.

(p) National Environment (Waste Management) Regulations, 1999

This law aims to prevent waste from being generated or minimize that fraction that is likely to be generated. They also address the issues of effective storage, transportation and general handling of waste once it has been generated. Regulation 15(1) states that an EIA is required before a license can be issued for operation of a waste treatment plant or disposal site. As no new sites are envisaged, it is unlikely that any of the planned sub-projects will need an EIA, but the MEO should ensure that the regulations are adhered to in project contracts for the rehabilitation of existing sites and compliance is monitored on an ongoing basis.

(q) The National Environment (Wetlands, River Banks and Lake Shores Management) Regulations, 2000

These regulations highlight the importance of wetlands and other water bodies in the maintenance of a healthy ecosystem and state that they should be protected from the negative effects of development projects. Under Regulation 5, EIA is mandatory for all activities in wetlands that could have an adverse impact. Regulation 8 provides for declaration of certain wetlands as fully protected wetlands because of national or international importance for biodiversity, ecology, natural heritage or tourism, and it prohibits all activities in such wetlands except for research, tourism, or restoration or enhancement. Various of the regulations require protection zones of between 30 and 200 meters along riverbanks and lake shores and state that no activity shall be permitted in the protection zones without the approval of the NEMA Executive Director. Local government environmental officers have a duty to assist in implementation of the regulations. It should be noted that many of the wetland areas within municipalities are said to be in a degraded state and may need provision for restoration to be included in plans, not just protection, in order to comply with these regulations.

Table 7: Summary of Key Legislation and their Relevance for Public Spaces and Land in Gulu and Mbale Municipality

Legislation, policies and guidelines	Public space acquisition	Public space development	Public space management	Public space standards	Natural areas	Conservation and heritage	Recreational opportunity	Utilities and services	Ecological quality	Environmental education	Land ownership	Land acquisition	Land management	Urban and land Use planning	Community Development	Transportation enhancement	Economic development	Contract Management	General Management
Constitution of the Republic of Uganda (1995)					↓						↓		↓		↓		↓		↓
Uganda Vision 2040																	↓		↓
National Development Plan 2015/16 – 2019/2020		↓												↓			↓		↓
Uganda Green Growth Development Strategy 2017/18		↓			↓	↓				↓				↓			↓		↓
National Urban Policy (2017)			↓	↓	↓	↓	↓				↓		↓	↓			↓		↓
National Housing Policy (2016)			↓	↓			↓		↓		↓		↓	↓			↓		↓
National Land Use Policy (2013)			↓	↓	↓									↓	↓		↓		↓
National Land Policy (2013)									↓		↓		↓	↓			↓		↓
National Land Policy (2013)														↓	↓		↓		↓
Local Economic Development Strategy 2013								↓									↓		↓
National Local Economic Development Policy (2013)																	↓		↓

General Management							↓					
Contract Management	↓		↓	↓								
Economic development		↓		↓		↓	↓	↓	↓		↓	↓
Transportation enhancement				↓			↓				↓	
Community Development				↓		↓		↓	↓		↓	
Urban and land Use planning			↓	↓		↓	↓	↓			↓	
Land management		↓				↓					↓	↓
Land acquisition					↓		↓	↓				
Land ownership					↓	↓	↓					
Environmental education								↓		↓	↓	
Ecological quality				↓	↓	↓		↓			↓	
Utilities and services			↓	↓			↓	↓				
Recreational opportunity			↓	↓						↓	↓	
Conservation and heritage				↓		↓		↓		↓	↓	
Natural areas				↓		↓		↓			↓	
Public space standards				↓								↓
Public space management		↓	↓	↓					↓		↓	
Public space development			↓	↓		↓			↓		↓	
Public space acquisition					↓	↓	↓	↓			↓	
Legislation, policies and guidelines	The Public – Private Partnership Framework Policy of Uganda 2010	National Population Policy 2008	Local Government Sector Strategic Plan 2013-2023	Local Government Act, Cap. 243	The Registration of Titles Act, Cap. 230	Land Act, Cap. 227	Land Acquisition Act, Cap. 226	National Environment Act, Cap. 153	The Markets Act, Cap. 94	Forestry Act	National Physical Planning Act, 2010	National Physical Planning Guidelines and Standards 2011

General Management		↓					
Contract Management		↓	↓	↓	↓		
Economic development		↓	↓		↓		
Transportation enhancement		↓	↓		↓		
Community Development	↓	↓	↓		↓	↓	
Urban and land Use planning					↓		
Land management					↓		
Land acquisition				↓			
Land ownership					↓		
Environmental education					↓	↓	
Ecological quality					↓	↓	↓
Utilities and services	↓						
Recreational opportunity	↓	↓	↓	↓	↓	↓	
Conservation and heritage					↓		
Natural areas	↓				↓	↓	↓
Public space standards	↓			↓			
Public space management	↓	↓	↓			↓	
Public space development	↓	↓	↓	↓	↓	↓	
Public space acquisition				↓			
Legislation, policies and guidelines	The Public Health Act (Statutory Instrument 281-1) – The Public Health Building Rules	The Public – Private Partnership Act 2015	Public Private Partnership Guidelines for Local Governments	Guidelines for establishing, licensing, registering and classification of private schools/institutions in Uganda	Mbale Municipal Council Physical Planning Strategy	Gulu Green Growth Action Plan	Nature Conservation Policy, Principles and Strategies for GMC

3.7 Conclusion

The preceding laws and policies are the governing documents for developing and managing public space and land. All these legal, policy, strategic frameworks and all other efforts have been provided to catalyse and address public space and Land Management in the country. A summary of the policies and laws and how relevant they are for public spaces and land management is given in Table 7. However, the inability of the municipalities to prepare, implement, monitor, and enforce their development plans has resulted in several deficiencies in the management of public spaces and land as follows:

- a) Rampart grabbing and encroachments on public spaces by private developers
- b) Lack of spatial strategy to guide efficient investment in infrastructure and economic development,
- c) Poor basic infrastructure and social services
- d) Inefficient use of land resources
- e) Inequality in resource allocation leading to neglect of women, youth and other vulnerable groups and
- f) Environmental degradation characterised by irresponsible garbage disposal, destruction of forests, wetlands, and loss of biodiversity.

Most of the policies and laws are national in character. Nothing at municipal level has been put in place to protect public spaces and land. These national policies and law, as it will be revealed in Chapter Five, may not be able to handle the specific public space and land management challenges in Mbale and Gulu Municipality.

The main issues arising from the above policy and legal framework is the over-riding importance of ensuring that relevant laws and policies that impact on public space and land management in the country are adequately rationalized and harmonized, in order to support well-functioning of service delivery in the municipalities. The value of public spaces is often overlooked or underestimated by decision makers, policy makers, leaders and developers. There are a number of reasons for this, such as the lack of resources, understanding or capacity to use the possibilities of public space as a complete, multi-functional urban system. Often the lack of enforcement of appropriate enabling frameworks, weak political will and the absence of the means for public engagement compound the situation. In recent years, however, we have observed a remarkable rise in the number of cities in Asia, China, that have managed to use public space as a key lever for urban development. Municipalities can use public space to improve mobility and access to basic services, making their environment safer and crime-free, stimulating economic activity and investment, preserving historical and cultural assets or facilitating urban renewal and inclusiveness.

Chapter Four - Situation Analysis and Mapping of Public Space(s) and Land Management in Mbale and Gulu Municipalities

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4.1 Introduction

This chapter presents the types of public spaces available in both Gulu and Mbale Municipalities. The chapter examines public space provision in both municipalities using two measures qualitative and quantitative assessment of public spaces in both municipalities. The qualitative measures consider diversity (the range of different public spaces and functions within each municipality) and quality of public spaces (the functionality of the public space considering the condition of infrastructure/amenities and the value of the functions that the public space provides). The quantitative measures consider their distribution (arrangement of, and access of public spaces across the municipalities) and supply (amount of public space). We use three types of standards given by Sutton (2008) by which public space can be judged and reviewed: quality, quantity and accessibility.

4.2 Qualitative Assessment of Public Spaces

4.2.1 Diversity of Public Spaces in Mbale and Gulu Municipalities

This section addresses the types of public spaces in Mbale and Gulu Municipalities. Public spaces are a defining feature of the two municipalities early history, heritage, urban character and quality of life. At the time of their establishment as dominant urban centres in Uganda during colonial times, the two municipalities have a long and proud history of recognizing the essential role of public spaces in shaping a healthy, vibrant and liveable community.

Our audit revealed that both Mbale and Gulu boast vital, diverse and extensive public spaces albeit in different ways. Our count and systematic observation showed that Mbale and Gulu Municipalities are a host to 41 and 34 public spaces respectively (Figures 14 and 15). Records obtained from the Natural Resources Office in Mbale Municipality, however, indicated that the municipality was in the past endowed with about 15 public open green spaces of different sizes. This may point to the different interpretations of what public spaces are. However, over the years, the number of these spaces have disappeared, most of them have been encroached on and the land use has changed, and very few now remain. In particular, the Central Forest Reserve, Golf Course, Lions Children's Park, Rugby Grounds, Mbale Municipal Stadium, Cricket Grounds, market centres, the Cemetery and several community and school grounds are the mix of landscapes that form the foundation of the municipal-wide public space network for Mbale Municipality. On the other hand, Kaunda Grounds, Pece War Memorial Stadium, Boma Grounds and the range of market centres, provide the core public spaces in Gulu Municipality (Appendix 1). These range from small parks and urban greenspaces to neighbourhood and community parks, public library, market areas to major sports stadia to an array of natural areas including forest reserves. Many of the public spaces in the two municipalities, as this is detailed in Chapter Five have great historic interest and amenity value and they have long been part of the municipalities' history and character.

Figure 14: The Location of Public Spaces in Mbale Municipality

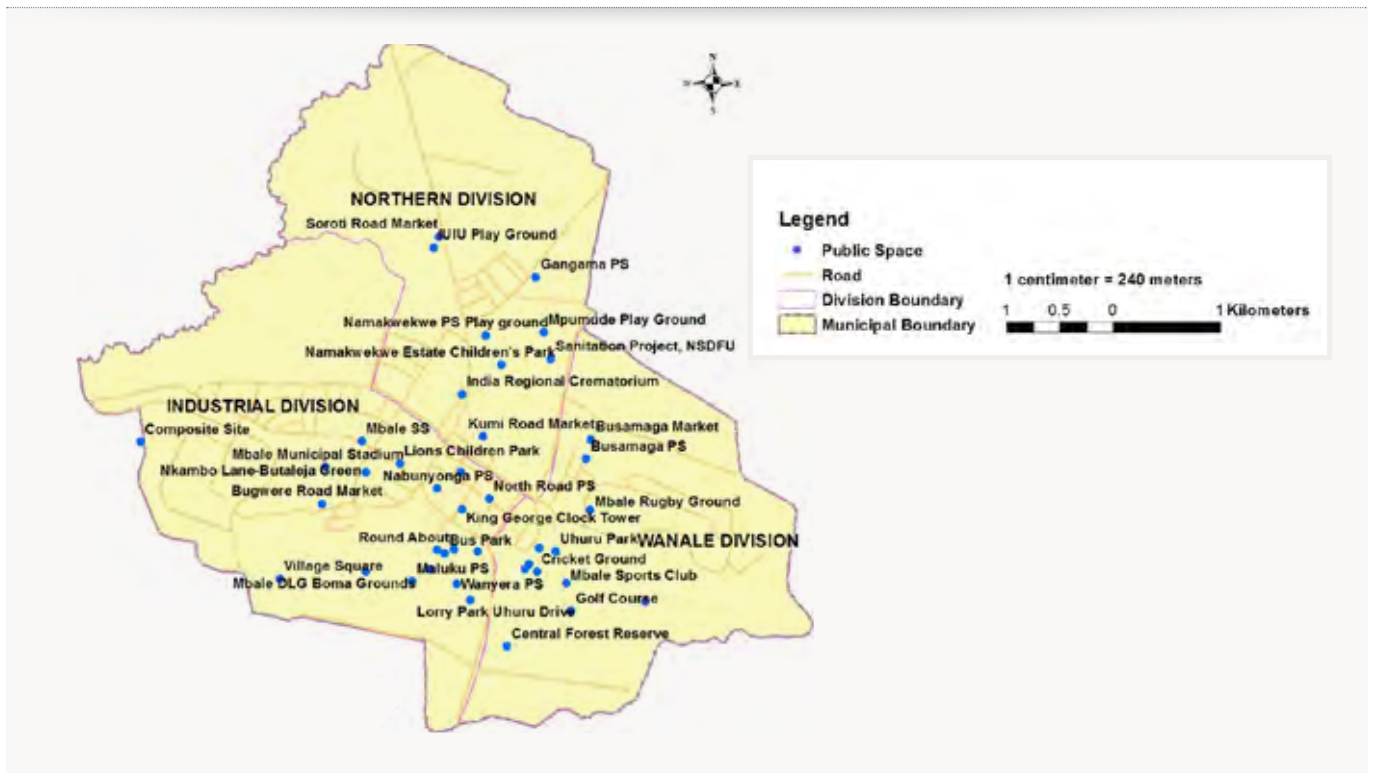
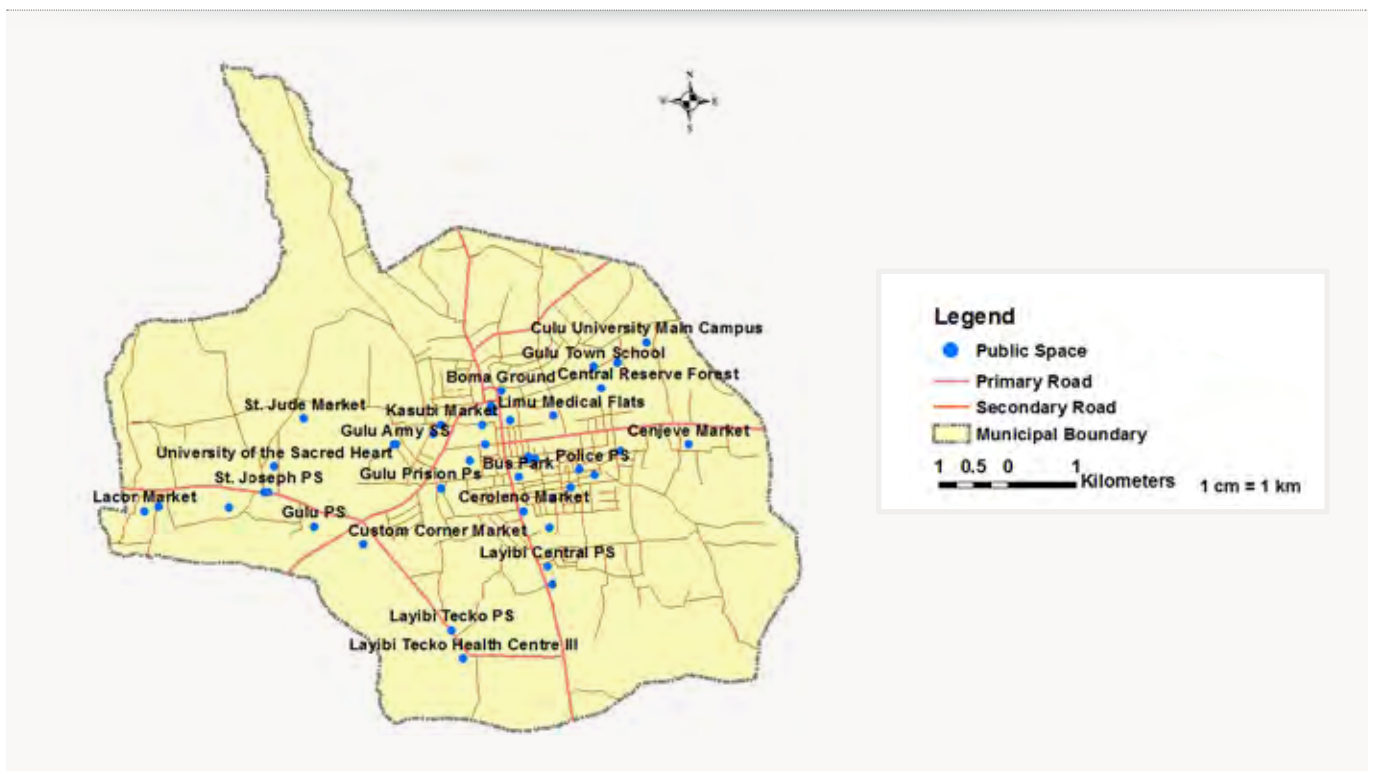


Figure 15: The Location of Public Spaces in Gulu Municipality



Cemeteries provide parkland opportunities, for walking, outdoor contemplation, bird watching, nature appreciation, community gardens and other uses. Mbale Municipality operates two cemeteries which can provide a mix of opportunities at Mbale Indian Regional Crematorium, Nabuyonga Cemetery and the Muslim Cemetery, while Gulu Municipality operates a cemetery at Nakasero Village (Pece Division). There is also a private cemetery operated by a large Indian Community in Mbale Municipality along Nabuyonga road. These cemeteries are expensive landscape to maintain and as the next section describing the quality of spaces will indicate, they have occasionally been plagued by vandalism and abandonment.

There are several educational institutions across the two municipalities and many of them, especially long established government aided schools provide a significant portion of the public space system since they have their own playgrounds and provide spaces and sport facilities to the immediate neighbourhoods and surrounding area residents. Many school grounds are in good locations to serve the local neighbourhood and municipality populations. In some older communities, school grounds are the primary source of parkland and green space, thus adding value, aesthetics, and increasing the overall vitality of the community. In some divisions, such as Northern Division in Mbale Municipality, the existing schools provide the only sports field facilities for the division residents. It is recognized that school facilities are intended for their students and that primary access by the student population is priority. However, there are opportunities to facilitate community access that could ultimately reduce the need for additional community-developed facilities in the area. While much of the venues support a growing student population in terms of both program and non-programmed recreational activities, the spaces are easily accessible to Mbale and Gulu residents, particularly those living in the immediate areas. It should be emphasized that the largest number of private schools don't have their individual playgrounds and they have therefore entered into sharing and mutual agreements with government schools to use their facilities. The agreements outline the conditions of joint -use and provide for the creation of Site Specific Joint -Use Agreements for some schools. The intent of the joint -use agreements is to facilitate their integrated use by all school going children in the municipalities and eliminate the duplication of facilities.

The public spaces are vast resources that provide many environmental, economic and social benefits and are a vital part of the municipality's infrastructure. Traditionally, the value of parks, particularly their economic value, is not quantified or documented as a basis for investment like it has been for other forms of public infrastructure such as streets and buildings, bridges, transit, water and wastewater systems. All of these assets require sustained investment in maintenance and renewal or they will deteriorate. Public spaces are no exception.

International research has shown that when the economic benefits of public spaces are fully considered and quantified, they are significantly undervalued based on the resources allocated to public spaces and the high return on investment they provide. In developing countries, this is an area where additional research would be valuable in informing the understanding of the role that green space plays in sustaining vibrant urban economies and local economic development. A study completed in Australia concluded that without access to the public parks, it was estimated that community service groups would incur an additional \$10.6 to \$14.6 million in program costs per year in the Greater Sydney Region¹⁴. A recent study in Philadelphia¹⁵ concluded that the city's 10,000 acres of parkland provide the following economic benefits including \$18 million in added property tax revenue; \$689 million in increased equity for homeowners near parks; \$40 million in tourist revenue; savings of \$70 million in medical expenses; \$7 million worth of storm water and air pollution control each year; and \$1.1 billion in direct use and health values.

¹⁴ SUPER Group. 2001. The value of public open space for community service provision. Sydney Urban Parks Education and Research (SUPER) Group, Sydney.

¹⁵ The Trust for Public Land for the Philadelphia Parks Alliance. 2008. How Much Value Does the City of Philadelphia Receive from its Park and Recreation System? The economic benefits attributed to Philadelphia's parks were estimated at a time when the parks were characterized as badly underfunded and deteriorating. As noted in the study, appropriate levels of funding for parks management, maintenance and rehabilitation would only increase the economic contributions and other benefits of the parks system.

4.2.2 User Perceptions and Qualitative Assessment of Public Spaces in Gulu and Mbale Municipalities

(a) Uses to which public spaces are put

Apart from the transportation systems and built environment, the most important aspect of a city are the open public spaces that are green, inviting and well spread that can be freely accessed by the people. These spaces serve as ‘breathing areas’ for the city. They are also important for recreational needs and activities. Every town and city in Uganda should aspire to have them. Even if it means spending more resources to buy these spaces by urban authorities, because they mean much more to every urban area now and in future (Mutabazi, 2017).

It is important to recognize that in both municipalities; the public space system is more than simply a collection of parks. It is a comprehensive and interrelated system of parks (open spaces or green areas), playgrounds, natural areas, streets, cemeteries, libraries, markets, and pathways that provide residents of both municipalities access to a diverse range of recreational activities. It should be pointed out that there is demand for public spaces in both municipalities. The user survey revealed that most persons consider the public spaces very important. The user perception survey indicated that most users consider public spaces to be areas where they can obtain foodstuffs especially from the existing markets. The use of public spaces for leisure and sporting activities (Figure 16) was extremely important. It was also observed that many people enjoy the public spaces either actively such as playing football and netball or passively, for example, groups of young men mentioned the importance of sitting, either on grass or the available pavilion (where these existed) and also mentioned the use of public spaces as one way of spending ones’ free time to mix with peers.

Table 8: Use of Selected Public Spaces in Mbale Municipality

Public spaces	Name	Owner	Current Use
Stadium	Mbale Municipal Stadium	MMC	Kataka FC ¹⁶ , Holding animals, cultivation, religious functions, exhibitions and trade fairs, and social and cultural events.
	Mbale Golf Course	Mbale Golf Club	Golf
Playgrounds	Mbale Cricket Grounds	Sports Club	Multiple uses – Political meetings, Eastern Corporate Club playground, national celebrations.
	Mbale Rugby Ground	Sports Club	Appeared abandoned – but community football and acting as a meeting point dominates.
	Malukhu Primary School playground	MMC	It appears not in use and the southern section is cultivated and grazing land. Protection of playground is difficult because of frequent uprooting by local residents. Part of the school land has been encroached on by Hamdani Girls Primary School.
	Gangama Primary School playground	Catholic Church	The school playground it is dotted with pedestrian, bicycle and motorcycle paths. Frequently used for animal grazing and vehicle drivers under instruction.
	North Road P/S Playground	MMC	Playground for school children and surrounding communities and secondary schools. Frequently used as a wedding reception venue.

¹⁶ The stadium, in its current state is home to five football teams who train daily at different intervals. FUFA Big league side, CRO and regional outfits, Mbale Heroes, Kataka F.C, CRO Junior and Kataka Junior football clubs all train at Mbale Stadium (Isabirye, 2014).

Playgrounds	Mbale Police (Wanyera) Primary School playground	MMC	School playground but also used by the police barracks. The northern section used as parking yard for vehicles.
	Mbale SSS playground	Mbale SSS	Events and sports activities. The playground is shared with Nkoma SSS and Mbale High School.
	Namakwekwe P/S playground	MMC	School sports ground shared with other surrounding schools and the community.
	Busamaga P/S playground	MMC	School playground
Green/ Open spaces	Mbale Sports Club Tennis Courts	Mbale Sports Club	Largely used exclusively for tennis
	Mbale DLG Boma Grounds	DLG	Gazetted for political functions and ceremonies. Frequently acting as a grazing land for animals and ground for football matches.
	Mayors Gardens – Mbale	MMC	Multiple uses – public events (free) and private events (paid for)
	Mbale/Wanale Green (Rotary)	MMC	Social and cultural events
	Gymkhana ¹⁷ Asian Community Park	Asian Community	Multiple uses – Public and private events and playground for school children.
	Lions Childrens Park	MMC	Play area for children
	Namakwekwe Estate Children’s Park	Community	Children’s playground, building site, wastes dumping site and cultivated land.
	Village Square – Malukhu	Community	Community meeting ground, polling station and playground for Winners Primary School.
	Mpumudde Playground	MMC	Children playground, grazing area, dumping site and used for prayer meetings on Sunday by Prophet Fred.
Cemetery	Mbale Muslim Cemetery	Uganda Muslim Council	Abandoned and it has become an animal grazing area.
	Indian Regional Crematorium	Indian Community	Dominantly a crematorium

¹⁷ Gymkhana is an Indian term which originally referred to a place of assembly. The meaning then altered to denote a place where skill based contests were held. The word is probably an alteration of the Hindi “gedkhana,” which describes a ball- playing area similar to a racket ball court, with the first syllable influenced by our word gymnasium. In Mbale, the same meaning applies given that it is an Indian social and sporting club, around which the informal associational life of Indian residents in the municipality coalesces.

Natural areas	Mbale Municipal Council Central Forest Reserve ¹⁸	NFA	Recreation in the forest reserve is of secondary importance and it has been largely conserved as a forest reserve.
	River banks and waterfronts along Nabuyonga and Namatala ¹⁹	MMC	Encroached on by residential properties and cultivated land. Developers in Mbale are draining sewerage refuse directly into river Nabuyonga which is a source of water to hundreds of slum dwellers. Several homes constructed by developers on the banks of River Nabuyonga, have no soak pits and instead drain refuse into river Nabuyonga, using sewerage pipes.
Streets	Bishop Wasike Round About	MMC	Commercial advertising
	Flower Islands between roads	MMC	Beautification of the municipality
	All road reserves within MMC	MMC	Partial advertising
Markets	Mbale Central Market	MMC	Market area
	Bugwere Road Market	MMC	Market area
	Busamaga Market	MMC	Market area
	Soroti Road Market	MMC	Market area
	Kumi Road Market	MMC	Market area
Library	Bosco Uganda Library	Private	Exclusively a public library

¹⁸ Mbale Central Forest Reserve and Gulu Central Forest Reserve are under threat and it had been earmarked for de-gazetting in the revised municipal development strategy. Mbale and Gulu are some of the urban councils including Ibanda, Nebbi, Mbarara, Kalangala, Entebbe, and Arua whose forest reserve are candidates to be de-gazetted.

¹⁹ All river banks and forest reserves are defined in national laws and regulations. A number of policy and strategic direction documents prepared at national level make reference to river banks and forest areas and provide some direction as to their acquisition, development, management planning, management and stewardship of natural areas.

Table 9: Use of Selected Public Spaces in Gulu Municipality

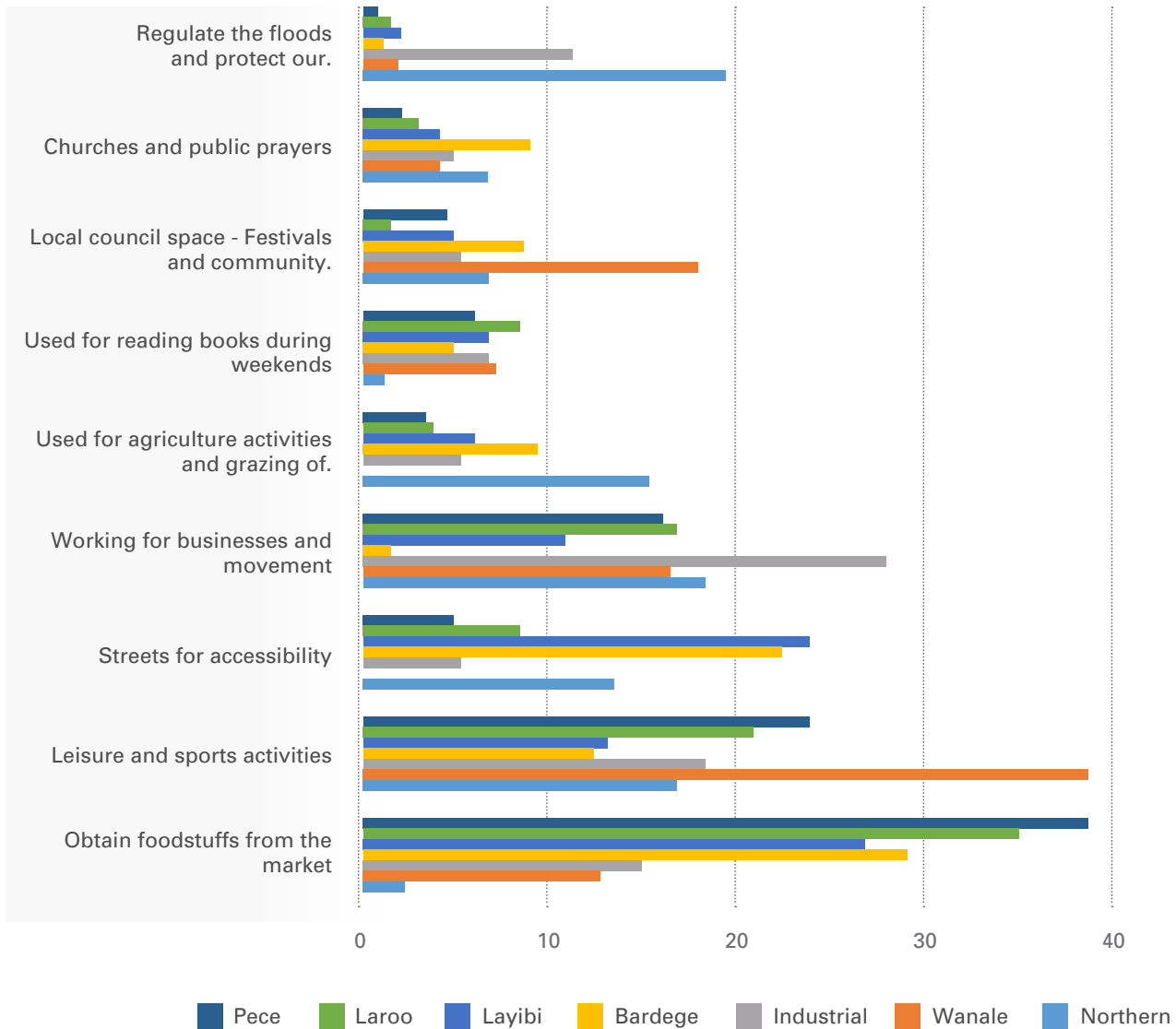
Division	Name	Owner	Current Use
Stadium	Pece War Memorial Stadium	Gulu DLG	Used for sports and social events
Playgrounds	Sacred Heart PS/SS	Gulu Roman Catholic Archdiocese	Playground for school children and surrounding communities and secondary schools
	St. Joseph PS	GMC	Playground for school children and surrounding communities
	Gulu PS	GMC	Playground for school children and surrounding communities
	Kasubi Army PS	GMC	Playground for school children and surrounding communities
	Gulu Army SS	GMC	Playground for school children and surrounding communities and secondary school
	University of the Sacred Heart	Gulu Roman Catholic Archdiocese	Compound for the students and playground for students
	Pece PS/SS	GMC	Playground for school children and surrounding communities
	Gulu Town School	GMC	Playground for school children and surrounding communities
	Gulu University Playground	Gulu University	Playground for university students and surrounding communities
	Gulu Prison PS	GMC	Playground for school children and surrounding communities
	Layibi Tecko PS	GMC	Playground for school children and surrounding communities
	Layibi Central PS	GMC	Playground for school children and surrounding communities
	Police PS	GMC	Playground for school children and surrounding communities

Green/ open spaces	Boma Grounds	GMC	Frequently acting as a grazing land for animals and ground for football matches. Now planned for a regional blood bank project
	Kaunda Grounds	GMC	Community, national and international events and functions. Has facilities for basketball and sometimes used as a playground for Gulu SSS. Parts of the ground are used for a temporary market.
	Open Space behind Unifant PS	GMC	Now a bush but the space is already planned. There is a request by World Embrace to design the area into a children's park
	Open Space between Unifant PS and Airfield Road	GMC	There is a plan for beautification of the place.
	Olaya-Gilbert, John-Oniri Open Space	Private individuals	Recognised in the GMC planning document but the space doesn't exist. The land is owned by individuals and there is a need for compensation if GMC decides to acquire and secure it as an open space.
	Open Space between Aganach close and Golf Course road	Individuals	It appears as a bush but plans indicate that it would be secured (when the individual owner is compensated) as an open space in future
	Open space between Tank Road and Alex Ojera Road	Kibera and other individuals	This is owned by an individual referred to as Kibera and several other persons but planning documents from the municipality indicate that it is a planned open space
	Gulu Municipal Yard	GMC	Parking for machinery and plant and municipal offices
	Acholi Cultural (Paramount Chief Rwot) Gardens	His Royal Highness the Paramount Chief Rwot	Exclusively reserved as a cultural ground for the people of Acholi region
	St. Mary's Lacor Hospital	Gulu Roman Catholic Archdiocese	Social and public events
Custom Corner Open Space	Private individuals	Doesn't exist although the planning documents speak about it. The land belong to private individuals and there is a need for compensation once GMC decides to declare it officially as an open space.	

Natural areas	Gulu Central Forest Reserve	NFA	This faces serious threats of encroachment and has also been earmarked for de-gazettment, just like Mbale Municipal Central Forest Reserve. Already, parts of the forest reserve (28 hectares) have been given to Gulu University for expansion.
Markets	Gulu Central market	GMC	Dominantly a market centre
	Cereleno market	GMC	Dominantly a market centre
Library	Bosco Uganda Library	Private	Exclusively a public library

Football is a popular sport in Uganda and one would see it dominating among the sporting activities for most of the users of public spaces. In Mbale Municipality, for example, cricket and rugby in Cricket and Rugby grounds only appear in name, given that these grounds are dominated by football. The Cricket Grounds were exclusively designed for the large Indian Community that lived in Mbale town immediately during and immediately after colonial rule. With the departure of this community from major urban centres across the country, most of these grounds have been converted to other leisure activities, especially footballs and other corporate activities. For several years now, there has been no cricket that has been played at the grounds. This is the same with what looks like an abandoned rugby grounds in Wanale Division. While most public spaces perform multiple functions as indicated in Table 8; a large number of the public space, as this will be tackled in Section 4.2.3 don't show appropriate functional qualities.

Figure 16: Uses to which the public spaces are put



(a) Frequency of visitation and use of public spaces

It is not possible to estimate the number of people that patronise the public spaces given that accurate information is hard to access from the municipal authorities; but most importantly, there are no specific entry and exit points to conduct the counting of users. Across all types of users, the survey revealed that most of them visited public spaces on a daily basis with less people reporting weekly or once in a month. Figures 17 and 18 show that overall, over 57 percent of the municipality residents visit the public spaces daily. When looked at by municipality, 61 percent of the municipality residents in Gulu visit public spaces daily and this is higher by 10 percentage points than that of Mbale Municipality. Looked at by division, Wanale Division in Mbale Municipality shows the lowest daily patronage of public spaces while Pece Division in Gulu Municipality, shows the highest level of daily patronage at 75 percent. We can only speculate but the residents of the municipalities that infrequently used public spaces had less actual experiences of using the identified spaces and their perceptions of the importance of public may be different.

Figure 17: Frequency of Visitation and use (percentage) of Public Spaces in Mbale Municipality

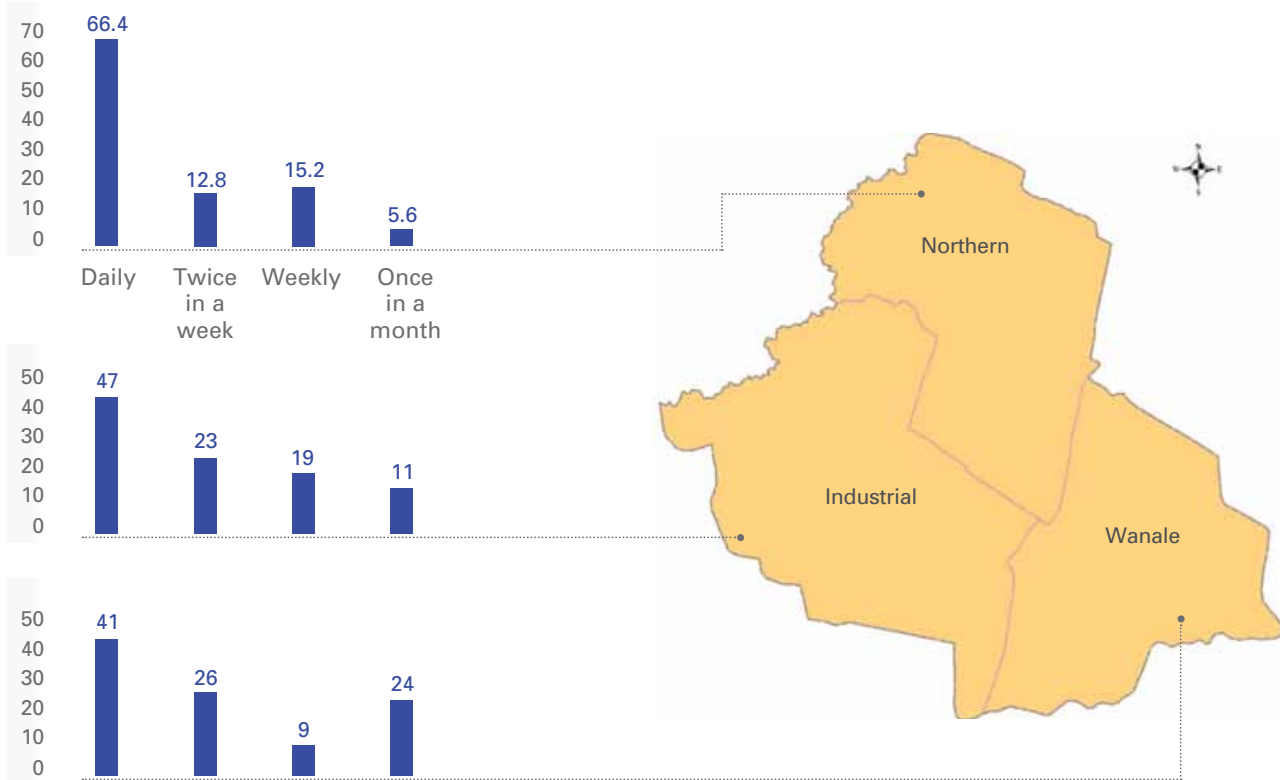
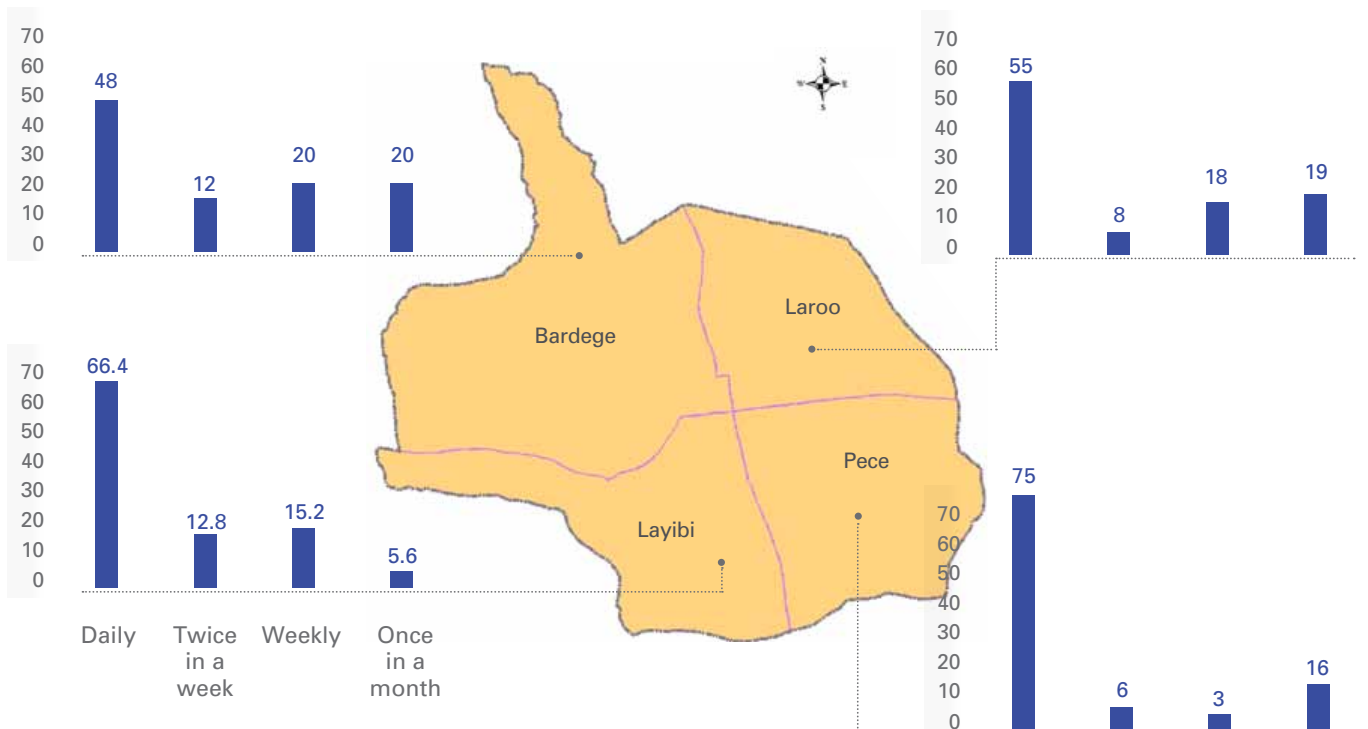


Figure 18: Frequency of Visitation and use (percentage) of Public Spaces in Gulu Municipality



(b) Challenges faced in public space users

The perception that someone has of an urban green space can significantly affect whether they use that space, contribute to the collective opinion that a community has of such a space and shape the wider community's image of urban green spaces (Dunnent, et al., 2002). What becomes very obvious from the municipal-wide comparison was the fact that the majority of the people who were interviewed were not satisfied with the current situation of public spaces in both municipalities. There is still a deep concern that problems remain and to many people, public spaces are simply what they used to be. The survey also showed quite plainly that there was a demand for more public spaces. A number of key messages arose out of the user survey and the following were important:

1. The level of importance and the value held by municipal residents for public spaces is very high. They are seen as significantly important to the quality of life at both neighbourhood and broader community levels and most important as an indicator of the state of development of the municipalities. The potential and range of uses of the public spaces in the municipalities is immense.
2. There are contested meaning of the term public spaces. To a large majority of persons, reference was made to public spaces as open spaces to mean 'vacant', 'free', 'empty', 'idle' and this may explain why they continue to be neglected and mismanaged. Many important public spaces and land continue to be encroached upon and in other cases have been appropriated. Sports facilities, namely football fields, although available at the majority of parks, were also in such poor condition that it would be difficult for local residents to use the facilities safely. For example, Kaunda grounds in Gulu Municipality has dilapidated houses right in the middle of it, non-functional toilet facilities, non-functional sports facilities, and a bare ground instead of a green environment. While Gulu District councillors demanded the immediate halt in the construction of a US-funded regional blood bank at Boma grounds, in the ensuing discussion, multiple interpretations of public lands were revealed, thus:

Let the town breath. Many plots are meant to have been de-gazetted as residential areas in this town. It is not proper for a town of this nature without open breathing spaces. But Mr. Mapenduzi rubbished the accusations, saying giving out Boma grounds for construction of the regional blood bank is in line with the previous council's resolution after they failed to identify another suitable place for the project. The area has not been utilised for long and its development is also for the good of the district (Okumu, 2011).
3. The submissions from the focus group discussions were also consistent with the results from the user survey and in no particular order of importance, a number of challenges were identified as influencing public space use across the two municipalities (Figure 19). These challenges included: -

Inaccessibility to public spaces – Several accessibility indices regarding public spaces are addressed in greater detail in Section 4.4 but a new report released by Plan International. Titled 'Digital and Urban Frontiers: Girls in a Changing Landscape', presents new research and analysis of the threats and opportunities that girls face in the world's growing cities and through information and communications technologies. The report states that girls in Uganda are increasingly feeling unsafe in open spaces that once served as recreational areas. Risking rape should they dare to venture outside at night (Plan International, nd). Observations made by members of one FGD in Limu Flats indicated:

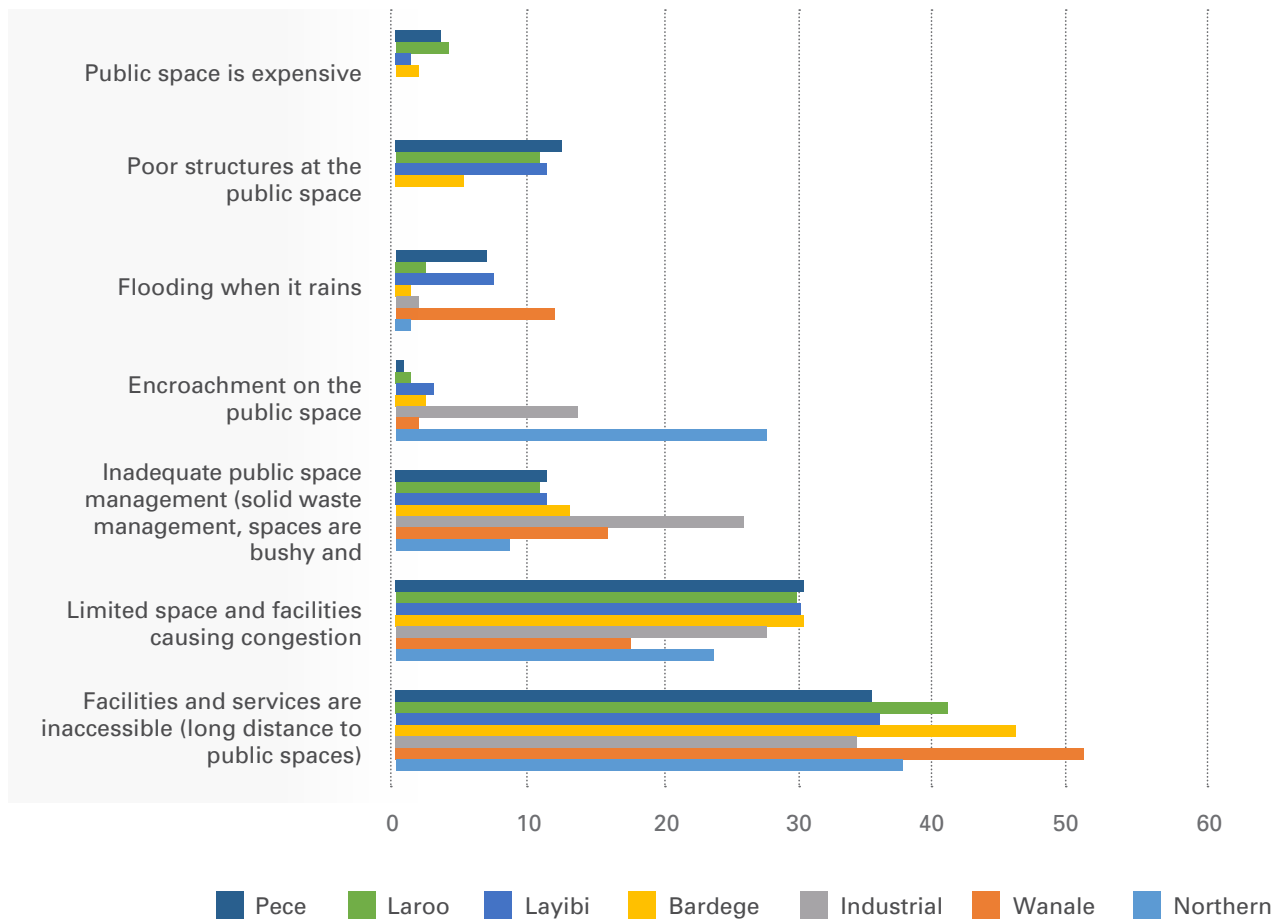
We use facilities like markets and hospitals. We use public toilets at the division offices and bus park. Our leaders have not done much for our people in Limu. Government has a plan to grab land from us the people of Limu. Why is government silent yet houses are being destroyed and many are disappearing. For us the people in Limu, we don't know anything about open spaces. Our children go to play at Gulu University playground which is over 1.5km away.

In the Gulu Central Market case, a key informant observed that:

The market has outstanding challenges. It is a new market, where lots of money were spent but access to particular sections of it, is problematic. The market is sealed on its southern section we only have two entrances instead of the four, at the bare minimum.

The functionality of the market is another double challenge given that access to one section of the market is not possible, it is totally dark on one side of the market and we have failed to operate the generator in such circumstances.

Figure 19: Challenges of using Public Spaces in Mbale and Gulu Municipalities



Limited number of space causing congestion and lack of, or the poor condition of, facilities – including play for children. Gulu and Mbale Municipality street hierarchy of widths established as part of their original town planning are about 20 metres depending on their importance and location. Over time their role as infrastructure to make traffic run smoothly has become more and more dominant, eliminating a number of other functions which streets are also used for, such as recreation, trading, informal meeting places, waiting for transport and cycling. The increasing demand for more road space to deal with traffic, for example, Republic Street in Mbale Municipality has resulted in a gradual deterioration of the streets. Today they primarily serve as traffic corridors with often poor conditions for walking or cycling. Gradually the individual streets have lost their own specific character and now appear more or less the same.

Encroachment of public spaces - The encroachment by several restaurants, food vendors, advertising billboards, and other activities on sidewalks and sanitary/service lanes is a great impediment to pedestrian movements and this is dominant in the central part of both Mbale and Gulu Municipality. The scale of encroachment of public spaces is addressed in greater depth in Chapter Five.

Flooding of public spaces - The condition of the roads in both municipalities is generally very poor, with high percentage being gravel and/or unimproved roads, except for the recently paved USMID roads. The roads are also not well designed and lack planned road parking and have poor drainage. During rainy seasons it is not uncommon for sewer pipes to burst open in Mbale Municipality, sending sewer flowing into the streets. The few paved roads have also suffered inadequate attention on operation and maintenance leaving most of it having a lot of potholes. The development in the road sectors also doesn't match the rapid increase in traffic.

Poor structures and vandalism of facilities in public spaces - The resultant effect has been the significant destruction and vandalism facilities in the public spaces by the local people and their conversion into dump sites. In Gulu for instance, no sooner had the municipality planted trees and grass in beautification along the newly USMID constructed roads than it witnessed stray animals eating up the plants.

Public spaces are very expensive – This is a challenge that is particularly faced by private educational institutions especially in Mbale Municipality. For those schools without playgrounds and other facilities for their children, they seek alternative sites with neighbouring schools or privately- managed grounds such as Gymkhana Grounds (Figure 20). For one school in Mbale Municipality, one of their teachers observed that:

It is very expensive for us as a school, given that access to Gymkhana Asian Community Park was paid for at a rate of 30,000 UGX per month while access to the Cricket ground is at 120,000 UGX per month, so that's the main reason the school uses the former ground instead. It is sometimes bushy and we have to pay for maintenance when those in charge haven't done the maintenance as expected.

Inadequate public space management - In almost all public spaces, we observed litter/waste, graffiti, open urination, defecation and vandalism. Most public spaces accommodate grass pitches and these are heavily used, allowing no recovery time for the pitch surfaces. In Mbale Municipality, we observed animals grazing in the stadium, lending credence to several assertions that some powerful political plays in the municipality use it as their holding ground for cattle. Stray animals were clearly visible in most public spaces and these have become a menace to the public and if left to loiter in public spaces; they become health hazard too because they are disease carrying agents. One of the head teachers for Bright Parents Junior School observed that:

The Gymkhana ground is poorly maintained, and at times our school children have to compete with other users for the space. The ground is small so the school brings the children in shifts since all classes (P.1 to P.7) cannot be accommodated at the same time.

Figure 20: Children Playing in a Hired Public Space (Gymkhana Playgrounds)



4.2.3 Quality of Public Spaces in Gulu and Mbale Municipalities

The state of development and management of some of the existing public spaces is appalling. Most residents were surprised by the state of neglect of public spaces. Some public spaces have been turned into a nuisance while a large number suffer from non-maintenance or poor maintenance. The beauty of, for example, the Mbale golf course is now a distant memory as it has fallen into disrepair and only recently have efforts been made to save it from encroaching developers. Mbale's case is not unique, it is just one example of many cases all over the country where developers and municipal authorities are attempting to parcel out golf course land for redevelopment (NTV, 2016).

Mbale Municipality does not have adequate waste management facilities. Waste is normally dumped on land in the outskirts of the town, in open spaces, drainage lines, and ditches (UN-Habitat, 2011). Garbage collection is very poor due to lack of a well-established garbage collection and management system, and lack of funds by the Municipality to purchase and maintain the refuse trucks and pay the contractors needed to carry out the garbage collection. Further, illegal street vendors and illegal stalls situated in various parts of the Municipality and which produce a lot of garbage have further worsened the garbage problem in the country (UN-Habitat, 2011). In one of the FGD sessions in Northern Division, it was observed that:

Kikindu local market, Nkoma and a periodic market are the other markets in the municipality which are especially affected during the rainy season, they become muddy, drainage is poor and this makes operating in them very difficult. All public toilets were divested or sold off by the municipal council, so where do all the many boda-boda operators in the town go? On Sundays and Thursdays, the population of the town swells, where do all these people go if we don't have public sanitation facilities?

Because of poor management, most of the public spaces have degenerated beyond expectations. While some seemingly appear abandoned, such as Mbale Municipal Stadium (Figure 21) and Gulu Cemetery (Figure 22); for the most part, a large number are in a state of neglect and disrepair. Some are used for purposes they were not planned for. The most obvious and visible show of neglect of municipal assets is, however, revealed by Mbale Municipal Stadium. Its state of condition is best described by Isabirye (2014) in Box 2. The stadium has partially been converted into a holding ground for cattle and the southern part of the stadium is now cultivated.

Figure 21: Aerial View of Mbale Municipal Stadium



(Observe the surface characteristics and the lower part being used for cultivation)

Figure 22: Gulu Cemetery that is Under Threat for Relocation



Source: Owiny, 2016

In her recent visit to Mbale Municipal Stadium, Among (2017) reported that it was littered with faeces in some of the booking rooms and in the covered standards, and this is most done by persons who patronise it for over-night prayers and trade shows. One observer and frequent visitors to the different public spaces in the municipality indicated that:

The youths across Mbale Municipality don't have space so they look to the existing school playgrounds. They come after 4pm to utilise school playgrounds, sometimes they vandalise school property, dispose-off used condoms etc.

Box 2: The State of Mbale Municipal Stadium

Bare ground:

The current state of the stadium is rather appalling as the all green playing surface has eroded paving way for a bare ground – exposing players to high likelihood of bruises when they fall down.

Mbale Stadium Limited grass

The little grass that has remained is on the side lines and is fodder to cattle and goats of the Municipality.

Dirty Dressing Rooms

The once glittering dressing rooms are decimated by uncollected waste and are a safe haven for the wasps and webs. The internal perimeter fencing has on one occasion too many tempted the mushrooming scrap scavengers who cut the poles and iron wire mesh for quick money from the scrap buyers in Mbale, Jinja and Kampala.

Smelly and Dirty toilets

The stadium places of convenience are a 'no-go-zone'. One is left with two options than use the Mbale stadium toilets. (There is no running water). You either 'postpone the act' to a future date or rush out at lightening pace to the nearby building structures outside the stadium.

Shaky, Weakened Perimeter Wall Fencing

Since the 1950's the wall has duly served its intended purpose and it has long outlived its usefulness. Cracks, holes decimated the once porous perimeter fence and unless something urgent is done, a calamity in Mbale looms.









Mbale Stadium Seating

The sitting stands too like the wall are 'tired' and moreover a section at the main stadium is unfinished. So are the exit and entry gates that lie rusted with many no longer opened – thus exposing the spectators to risks of stampedes if the unfortunate but much expected riots come by.

Isabirye (2014)



Figure 23: Quality of Selected Public Spaces in Mbale and Gulu Municipalities

Gulu Municipality	Mbale Municipality
 <p data-bbox="301 752 620 779">Pece War Memorial Stadium</p>	 <p data-bbox="1000 752 1286 779">Mbale Municipal Stadium</p>
 <p data-bbox="301 1173 620 1200">Pece War Memorial Stadium</p>	 <p data-bbox="1000 1173 1286 1200">Mbale Municipal Stadium</p>
 <p data-bbox="204 1588 716 1615">Incomplete section of Kaunda Parade Grounds</p>	 <p data-bbox="956 1588 1337 1615">Surface at Mpumudde playground</p>
 <p data-bbox="314 2013 608 2040">Surface at Cerelino market</p>	 <p data-bbox="911 2013 1378 2072">Eastern Corporate Club activities at Cricket Ground</p>

Gulu Municipality



Open space behind Unifat



New refurbished road surfaces



Pece Primary School in Pece Division,
Gulu Municipality



Basket Ball Court at Kaunda Grounds

Mbale Municipality



Surface at Rugby Grounds



Surface at Mbale Green/Rotary Park



Animal Grazing in the Municipal Stadium



Surface at Namakwekwe Childrens Park

The quality of a selected set of public spaces across the two municipalities is given in Figure 23 but this was followed by a qualitative evaluation of the public space using the evaluation form given in Appendix 4. The evaluation form employs a common set of factors and values and this was used to assign scores to each public space. A scoring system was employed (Table 10): Scores of 5 or less were considered poor; scores of 6-10 were considered fair; scores of 11-15 were considered good. Those sites that were rated good were considered to be of acceptable quality. Sites rated fair or poor were considered to be unacceptable. Overall quality scores were derived for each space assessed. The results of the qualitative assessment reveals that there was a marked variation in quality of open space across the two municipalities. The number of public selected public spaces rated as poor, average quality and good in Mbale Municipality were 7, 8 and 7 respectively. In Gulu Municipality, the number of selected public spaces rated as poor, average quality and good were 1, 7 and 2 respectively. It should be noted that the municipalities should have a routine assessment and evaluation of public spaces. From the quality assessment, most public spaces respectively are strong candidate for reinvestment, restoration and upgrading. The qualitative score for the public spaces and the municipalities priorities for upgrading may change as a result of more current and routine assessments and evaluations.

Figure 24: Mayors Gardens – Rated as Good - Connected to Gymkhana Playground (in the background) in Mbale Municipality



Table 10: Quality Indicators for Selected Open Spaces in Mbale Municipality

Broad indicators	Breakdown of quality Indicators	Mbale Municipal Stadium	Cricket Grounds	Lions Childrens Park	Rugby Grounds	DLG Boma Grounds	Village Square	Namakweke Childrens Park	Mayors Gardens	Mpumunde Grounds	B. Wasike Roundabout	IUIU Playground	Namakweke P/S Playground	Mbale SSS	Mbale Green	Golf Course	Central Forest Reserve	Muslim Cemetery	Gangama Primary School	North Road Primary School	Indian Regional Crematorium	Malukhu Primary School	Gymkhana Indian Community
Protection	Space character and safety - Protection against crime and violence (feeling secure, good lighting etc.)	0	1	1	0	0	0	0	1	0	1	1	1	1	1	1	0	0	0	1	1	0	1
	Protection against traffic, accidents and other accidents – Feeling safe	1	1	0	1	1	1	0	1	0	0	1	1	1	1	1	1	1	0	1	1	1	1
	Protection against unpleasant sensory experiences – wind, rain, heat, dust, noise, pollutants	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1	1	0	0	1	0	0	0
Comfort	Opportunities for walking – room for walking, good surfaces, no obstacles, etc.	0	0	1	0	0	0	0	1	0	0	1	0	1	1	0	1	0	0	1	0	0	1
	Opportunities for standing/staying – attractive edges	0	0	1	0	0	0	0	0	0	0	1	1	1	1	0	0	0	0	0	0	0	0
	Opportunities for sitting – zones for sitting, benches for resting, good places to sit, etc.	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Opportunities to see (unhindered views, lighting when dark, interesting views etc.)	0	0	1	0	0	0	0	1	0	1	0	1	1	1	1	1	1	0	0	1	1	1

Comfort	Opportunities to talk and listen for hearing/talking – low noise levels	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1				
	Opportunities for play/exercise /unfolding / activities	0	1	1	1	1	0	1	1	1	1	1	1	1	0	1	1	1	1	0	1	1	0	1	1			
	Human scale – buildings and spaces designed to human scale	0	1	0	0	0	0	0	1	0	0	1	0	1	1	0	1	1	1	1	0	1	1	1	1	1		
	Opportunities to enjoy the positive aspects of climate – sun/shade, heat/coolness, shelter from wind/breeze	0	1	0	0	0	0	0	1	0	1	1	1	1	1	1	1	1	1	1	0	1	1	0	1	1		
	Positive sensory experience – good design and detailing, good materials, fine views, trees/plants/water	0	1	1	0	0	0	0	1	0	1	1	1	1	1	1	1	1	1	1	0	0	0	1	0	0		
	Part of public space network – connected to pedestrian flows, destinations, functions and other public places; easily accessible	1	1	1	1	0	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1		
	Part of public place hierarchy – strong identity, understanding of character and reflects intended use	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	0	1	1	1	1		
	Sense of place – Relation to context, respect for historic aspects, etc.	1	1	1	1	0	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1		
	Total	5	10	11	5	5	5	4	11	5	5	4	11	5	6	9	11	13	12	12	12	10	9	4	11	8	9	11
	Quality	Poor	Average	Good	Poor	Poor	Poor	Poor	Good	Poor	Good	Good	Good	Good	Good	Good	Good	Good	Good	Good	Good	Average	Average	Poor	Good	Average	Average	Good

Table 11: Quality Indicators for Selected Open Spaces in Gulu Municipality

Broad indicators		Pece War Memorial Stadium	Kaunda Grounds	Central Forest Reserve	Boma Grounds	Gulu Municipal Yard	Gulu Central Forest Reserve	St. Marys Lacor Hospital	Btn Unifant P/S and Airfield Rd	Acholi Cultural Leadership	Holy Rosary Catholic Church
Protection	Space character and safety - Protection against crime and violence (feeling secure, good lighting etc.)	1	1	0	0	1	0	1	0	1	1
	Protection against traffic, accidents and other accidents – Feeling safe	1	1	1	1	1	0	1	1	1	1
	Protection against unpleasant sensory experiences – wind, rain, heat, dust, noise, pollutants	0	0	0	1	1	0	1	0	0	0
Comfort	Opportunities for walking – room for walking, good surfaces, no obstacles, etc.	1	0	0	0	0	0	1	1	1	1
	Opportunities for standing/staying – attractive edges	1	0	0	0	0	1	0	1	1	0
	Opportunities for sitting – zones for sitting, benches for resting, good places to sit, etc.	0	0	0	0	0	1	0	0	1	1
	Opportunities to see (unhindered views, lighting when dark, interesting views etc.)	1	1	0	0	0	1	0	1	1	0
	Opportunities to talk and listen for hearing/talking – low noise levels	1	1	1	1	0	0	1	1	1	0
	Opportunities for play/ exercise / unfolding/ activities	1	1	0	1	0	1	0	0	1	1
Delight	Human scale – buildings and spaces designed to human scale	1	0	0	1	1	0	1	0	0	0
	Opportunities to enjoy the positive aspects of climate – sun/shade, heat/ coolness, shelter from wind/breeze	1	0	1	1	1	1	1	1	1	1
	Positive sensory experience – good design and detailing, good materials, fine views, trees/plants/water	1	0	1	0	0	0	1	0	1	1
Place	Part of public space network – connected to pedestrian flows, destinations, functions and other public places; easily accessible	1	1	0	1	0	1	0	1	0	1
	Part of public place hierarchy – strong identity, understanding of character and reflects intended use	1	1	1	0	0	0	0	1	1	1

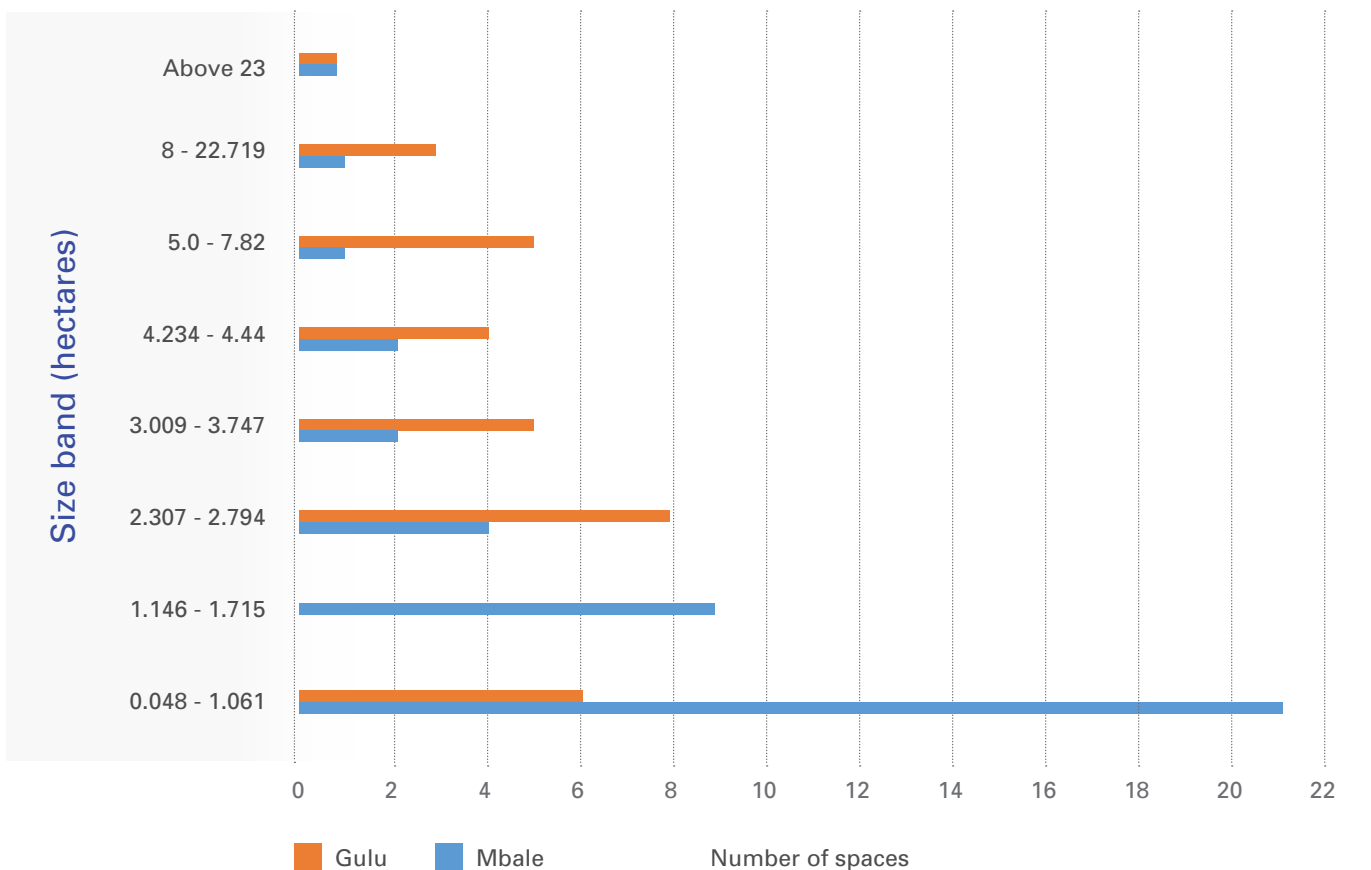
Place	Sense of place – Relation to context, respect for historic aspects, etc.	1	1	1	1	0	0	0	1	1	1
Total		13	8	6	8	5	6	8	9	12	10
Quality		Good	Average	Average	Average	Poor	Average	Average	Average	Good	Average

4.3 Quantitative Assessment of Public Spaces in Mbale and Gulu Municipalities

4.3.1 Supply of Public Spaces

Municipal public space contains unique or specialized features and recreational activities that are determined by need and affordability and not by a guideline. Our public space inventory for Mbale and Gulu municipalities revealed that they boast of over 41 and 34 designated public spaces comprising 298.68 and 138.16 hectares respectively. The average size of public spaces in Gulu Municipality is 4.063 ha while that in Mbale Municipality is 7.285 ha, including the forest reserve. When the forest reserve is excluded in Mbale municipality, it reduces to 1.865 ha (Appendix 1). As Figure 25 shows, approximately 50% and 18% of the public space sites within Mbale and Gulu, respectively are less than 1 hectare in size.

Figure 25: Size of Public Spaces in Mbale and Gulu Municipality



The distribution of public spaces (Figures 27 and 28) in the two municipalities is based on historical, environmental, and social significance rather than quantitative standards. The preferred and requisite amount of municipal open space cannot be determined by a guideline because of the diverse nature and function of these open spaces. The prime factors in determining the demand for open space according to the City of Regina (2007) are need and affordability; where need is considered as the amount of open space required to satisfy the recreational city-wide needs of user groups. It is a reflection of the actual or projected registration of participants in various sporting activities. Affordability is what any urban area can realistically afford to provide and it is a reflection of budgetary constraints (City of Regina, 2007). The amount of public space in Mbale and Gulu Municipality varies widely, with Mbale having twice the amount of public spaces (in fact 2.162 times) than Gulu Municipality (Table 12). However, this is not an appropriate indicator of public space provision across the two municipalities. The City of Regina's (2007) guideline for the preferred/requisite amount of public space was applied to both municipalities to determine whether they had surpluses or deficits. It is recommended that if a community association had less than 1.2 ha/1,000 people of open space a deficit existed. If it had in excess of 1.6 ha/1,000 people, a surplus existed.

Figure 26: Open Spaces in Mbale Municipality

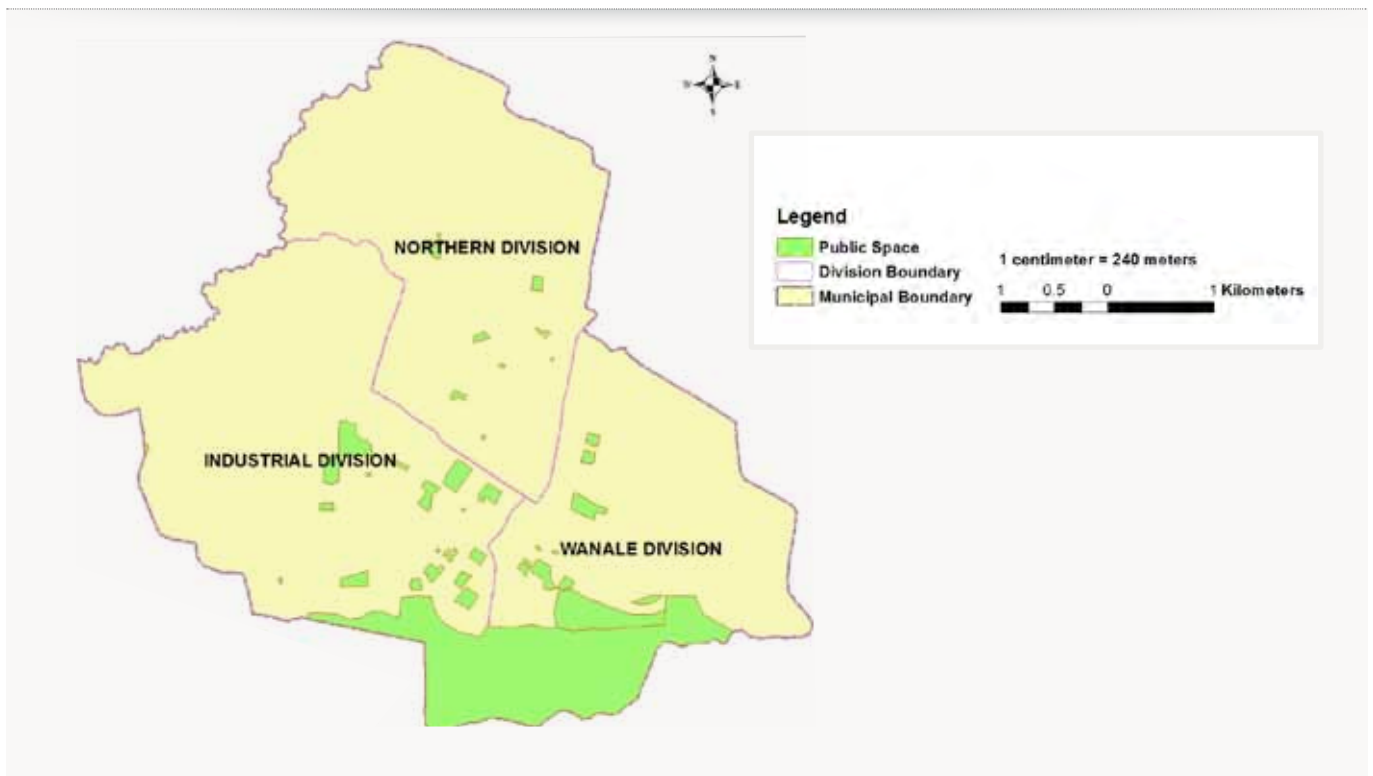


Figure 27: Open Spaces in Gulu Municipality

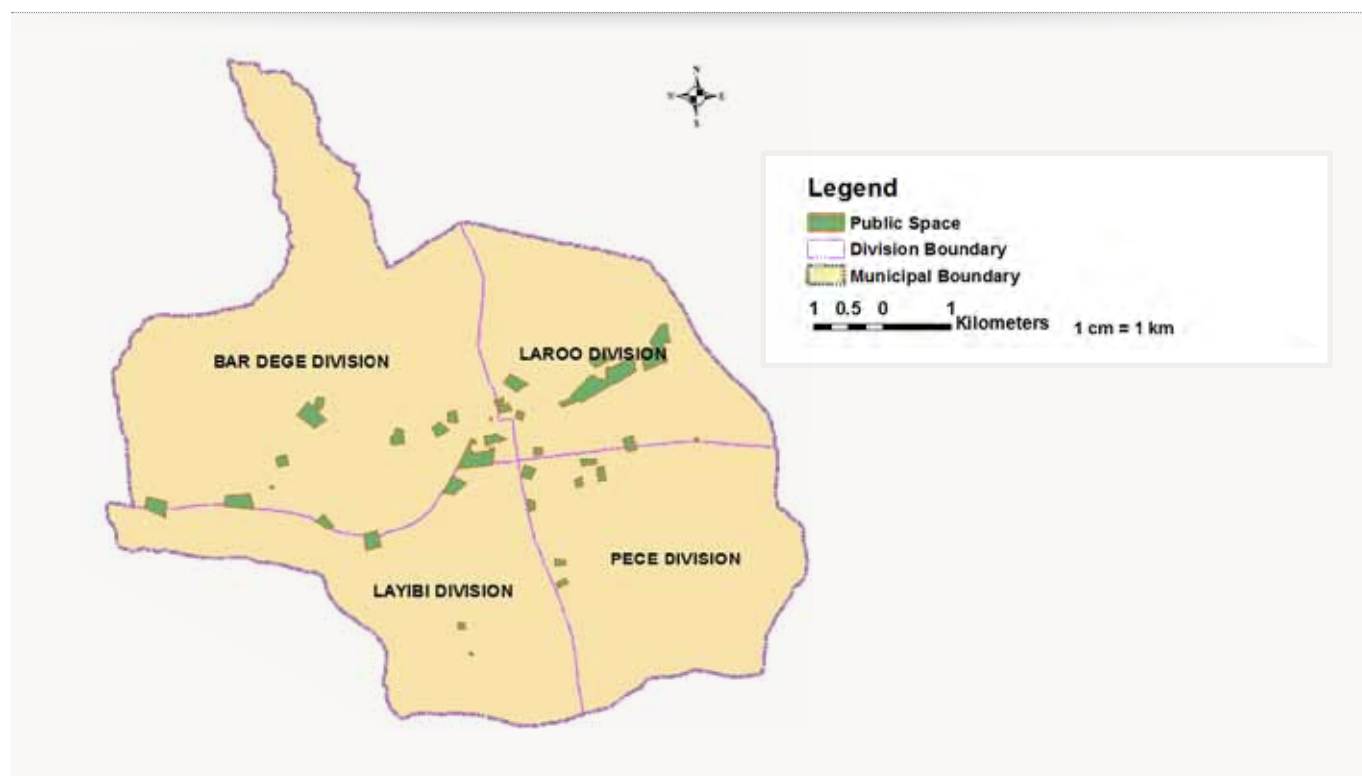


Table 12: Size of Public Spaces by Classification in Mbale and Gulu Municipality

	Mbale Municipality		Gulu Municipality	
	#sites	Hectares	#sites	Hectares
Stadium	1	3.5481	1	2.413 - 2.4125
Green/ Open Spaces	11	41.074	10	31.0345
Playgrounds	12	6.656	1	15.9728
Markets	5	3.834	10	30.4682
School grounds	8	18.234	11	33.189
Natural areas (Central Forest reserve)	1	222.575 ²⁰	1	25.077
Cemetery	2	2.6351	0	0
Library	1	0.1271	1	0
Total	41	298.683	34	138.1537
Size of urban land devoted to public spaces				

²⁰ In the calculation of public space provision (ha/1,000 residents), this was dropped from the analysis for two reasons. One is that in its current state, not much of the forest reserve is undertaken by municipal residents. Secondly, and most importantly, attempts have been made in the revised municipal development strategy to de-gazette the forest reserve. It is unclear in the revised municipal land use map how much land has been reserve as open space. In fact, Kazungu (2016) reports that the NFA has entered into a Memorandum of Understanding with the municipality to that effect; in which it has achieved 90 per cent of the requirements NFA asked and as a result, we have agreed in principle that they take over the forest but pending Cabinet and Parliament approval

The amount of public space (hectares) can also be used to determine the public space dedication rates by existing municipality planning processes. The survey results indicate that 13.09 and 2.67 percent of the urban land is dedicated for public spaces in Mbale and Gulu Municipality. As Figures 28 and 29 indicate, there is variability in the public dedication rates in the municipal divisions. Wanale division in Mbale Municipality has three and nine times more public spaces than Industrial and Northern Division respectively. In Gulu Municipality, Laroo Division has 6.722 percent of its land area dedicated to public space. This a value which dwarfs what is available in Layibi division 21 times.

Overall, we observed that residents of the two municipalities are not well served with public spaces. In Mbale and Gulu Municipalities, the current provision level of public space per 1,000 residents was 0.8518 and 0.91915 hectares respectively. This state of provisioning public spaces tells us that Mbale and Gulu Municipalities in general are deficient given the international standard recommended provision for public space. When the provisioning of public spaces is considered by division, it ranges from 0.585ha/1,000 in Industrial Division to 3.181ha/1,000 in the less populated Wanale Division in Mbale Municipality. On the other hand, the provisioning in Gulu Municipality ranges from 0.10188ha/1,000 residents in Layibi Division to 1.35667ha/1,000 residents in Bardege Division. Table 13 tells us that it is only Bardege and Wanale Divisions in Gulu and Mbale Municipality respectively that have a surplus of public spaces for every 1000 residents. Their level of provisioning stands at 1.357 and 3.181 hectares per 1000 residents. Among the seven divisions, it is also evident that Layibi Division in Gulu Municipality reveals exceptionally low levels of provision of public space. Regardless of which standard is applied, both municipalities fare badly.

Figure 28: Public Space Dedication Rates in the Divisions in Mbale Municipality

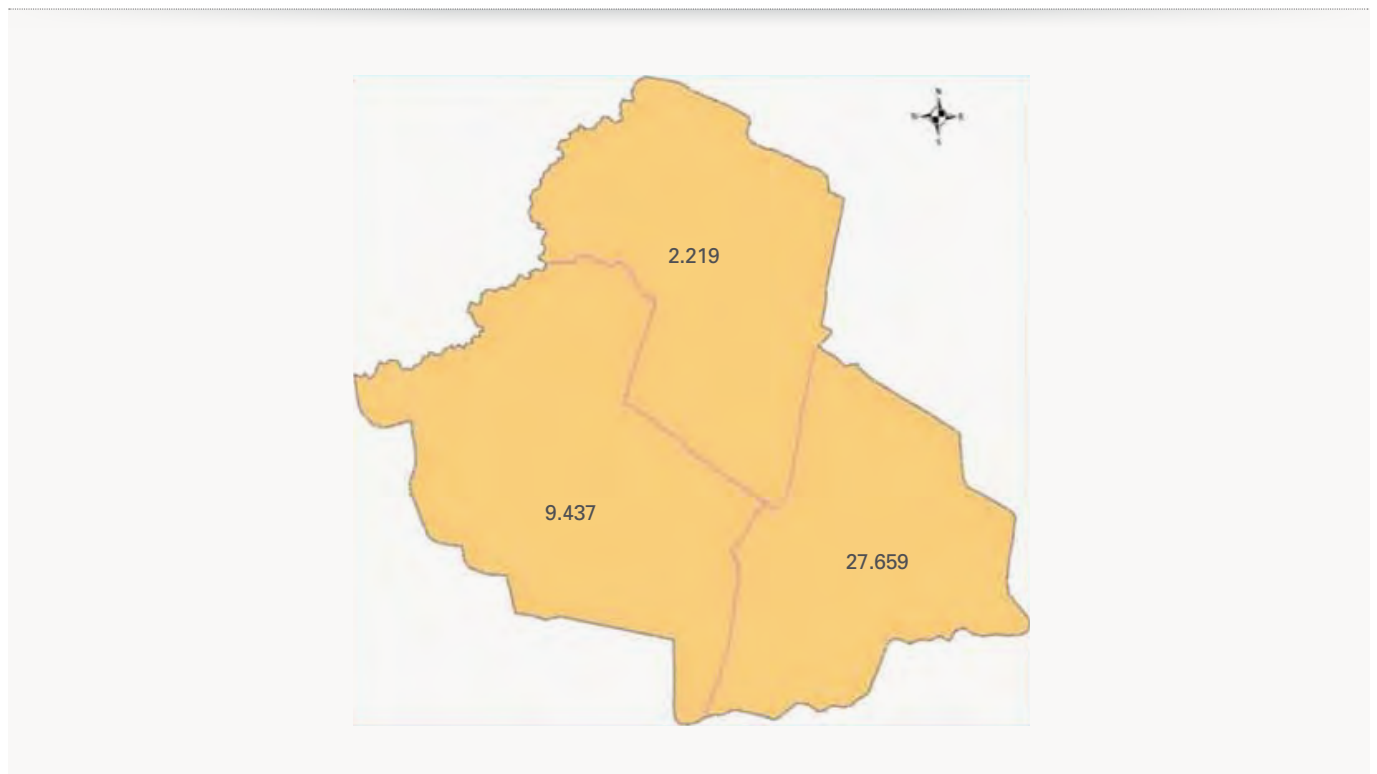


Figure 29: Public Space Dedication Rates in the Divisions in Gulu Municipality

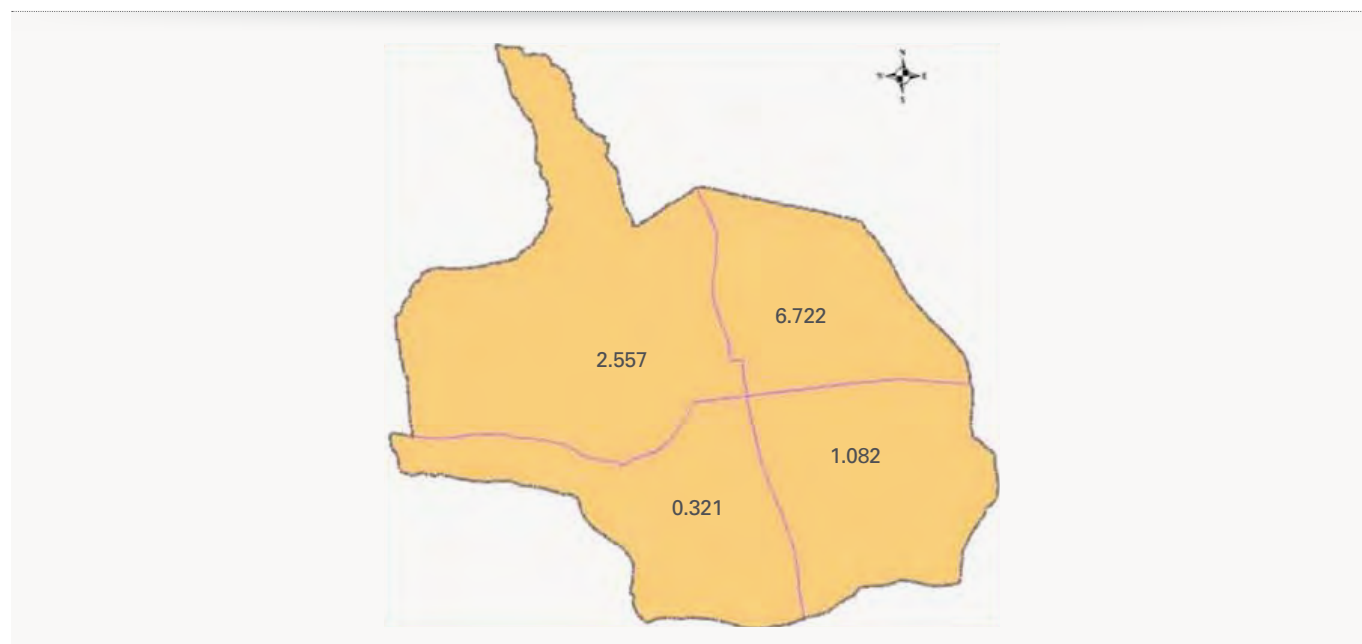


Table 13: Public Space Provision in Mbale and Gulu Municipality

Division/Municipality	Population 2014	Available space provision			Required (Preferred) Public Space Provision					
		2017			2017		Projected future public space needs (Size/ha)			
		Size (ha)	000's	ha/1,000 residents	Size (ha)	Deficit/Surplus (ha)	2030	2050		
Gulu	Bar-Dege	40322	54.704	40.322	1.3567	48.3864	6.3171	Surplus	245.16	319.21
	Laroo	27313	66.707	27.313	2.4423	32.7756	33.9309	Surplus		
	Pece	45466	12.953	45.466	0.2849	54.5592	-41.6061	Deficit		
	Layibi	37205	3.7906	37.205	0.1019	44.646	-40.85539	Deficit		
	Total – Gulu Municipality	150306	138.154	150.31	0.9191	180.367	-42.2135	Deficit		
Mbale	Northern	37908	17.329	37.908	0.4571	45.4896	-28.1611	Deficit	212.96	481.82
	Wanale (with forest reserve)	11047	191.089	11.047	17.2978	13.2564	177.8325	Surplus		
	Wanale without forest reserve		35.144	11.047	3.1814	13.2564	21.888	Surplus		
	Industrial (with forest reserve)	40395	89.865	40.395	2.2247	48.474	41.391	Surplus		
	Industrial (without forest reserve)		23.637	40.395	0.5851	48.474	-24.8385	Deficit		
	Total Municipality - (with forest reserve)	40395	89.865	40.395	2.2247	48.474	41.391	Surplus		
	Total Municipality - (without forest reserve)		76.108	89.35	0.8518	107.22	-31.1116	Deficit		

How much public space is available and how much space is required by the two municipalities require is a complex issue to address. To quantify how much is available and that which is required, the gap analysis in Table 13 showed that currently the municipalities require 107.22 ha and 180.367 ha of public space for Mbale and Gulu Municipalities respectively. The current provisioning of public spaces in Mbale and Gulu Municipalities doesn't compare well with other mid-size urban areas such as London (Canada) (6.5 ha/1,000), Kitchener (9.2 ha/1,000), Barrie (8.9 ha/1,000) and St. Catharines (3.1 ha/1,000). Excluding Natural Areas, Kitchener's provision level is 3.7 ha/1,000, exceeding London (2.7 ha/1,000), Barrie (2.0 ha/1,000) and St. Catharines (2.5 ha/1,000). Although the two towns are clamouring to be upgraded to city status, there is little evidence that they have set any relevant targets with regard to meeting public space needs for their growing populations.'

Based on projected population increases (addressed in Chapter 5) future public space supply is estimated to drop substantially to 0.429ha/1,000 residents and 0.676ha/1,000 residents in Mbale and Gulu Municipality respectively by 2030, if the two respective authorities take no decisive action to reverse current trends. The proportion of public space could drop even further to 0.19ha/1,000 residents and 0.519ha/1,000 residents in both cases respectively under a business-as-usual scenario by 2050. These findings show that the municipalities are anticipated to remain deficient in the future with regards to public space supply.

It should also be noted that once proper planning is done in the two municipalities and given the current population growth rates, the projected futures public space needs by 2030 would amount to 212.96 ha and 245.16 ha for Mbale and Gulu municipalities respectively. This would increase to 482.82 ha and 319.21 ha by 2050 for the two municipalities respectively. Unless there are decisive and proactive actions are taken to provide more public space and enforcement mechanisms to protect and maintenance of existing public spaces, both municipalities and especially those areas with the highest level of population growth will experience increasing levels of deficiency compared to the monitoring standard used in this report. Our observations also showed that the deficiency in public spaces in both municipalities couldn't be offset by proximity to other acceptable public spaces in neighbouring and emerging urban centres.

The municipalities, through their Natural Resources or Environment Unit and the government schools, are the most important public space providers. They also have their spaces distributed at multiple levels across the municipalities, i.e.: ward, division as well as municipal-wide service levels. Some have complete public accessibility while others are more selective or may be associated with an organization and only its membership. However, the range of spaces proffered by these different providers contribute to the urban form of the two municipalities, adding visible public space within the urban environment, and have various levels of use that support a wide range of both passive and active recreational activities.

The assessment method employed herein, that is available public space in terms of hectares per thousand residents doesn't take into account the transient population of workers, weekend students and visitors who also use the public spaces in the two municipalities. For example, it is on record in Mbale Municipal Council Officers that the municipality is a tourist hotspot and hosts a number of campuses for several higher institutions of learning in Uganda and corporate bodies who make use of local public spaces such as cricket grounds and school playgrounds, adding to the demand, wear and tear on in-demand spaces. This should be an issue for consideration when planning for future provision of public spaces across both municipalities. It is in fact, the emerging towns and centres, as Chapter five, indicates that will put extra pressure on public spaces in Mbale and Gulu Municipality.

4.4 Accessibility to Public Spaces in Mbale and Gulu Municipalities

The quantity of public space is only a limited measure of determining the level of accessible public spaces. In this section, we consider the level of accessibility to public spaces in the two municipalities. Several studies have confirmed that the level of public spaces usage increases with growing levels of access – people with good access will more likely use them on a regular basis which among other things can significantly improve human health. Here, we used the term accessibility to refer to the ease with which a site or service may be reached or obtained; it can thus be said to measure the relative opportunity for interaction or contact with a given phenomenon such as a park (Gregory, 1986). Pred (1977) specifically relates the quality of life within a city to the accessibility of its inhabitants to nature and extensive recreational open space opportunities. It is, therefore, important to identify the social and economic dimensions of accessibility as they relate to users.

The distribution of public spaces and related accessibility doesn't come by itself. It has to be grounded in deliberate planning. For the purposes of calculating neighbourhood entitlements to public spaces, we went ahead to identify serviced and underserved areas across the two municipalities. Figures 30 to 43 help us to identify underserved areas relative to municipal public spaces and what opportunities may be available in the short and/or long term to service these areas and overcome the public space deficiencies.

The guideline for a reasonable walking distance to a public space (1.5 – 3km) given in the Uganda National Physical Planning Guidelines and Standards 2011 was used to identify areas within the two municipalities that did not have reasonable access to a public space. This guideline was applied to all neighbourhoods in Mbale and Gulu regardless of whether they had a surplus or deficit of open space. These guidelines were used to determine the quantitative deficiencies of public space. The results of the analysis are shown in the next sections.

To determine accessibility to public spaces in both municipalities, we mapped the catchment areas for selected public spaces using the 'simple radius method (catchment buffering)' and network analyses. We observed that large parts of both municipalities are underserved by public spaces. Comparing these facts with the Public Space standards in Section 2.4.3, this report identified the level of service each municipality has. The following section employs gap analysis catchment buffers for various types of public spaces across the two municipalities to illustrate this.

4.4.1 Simple Radius (Catchment Buffering) of Public Spaces

We conducted a simple radius (catchment buffering) of the three dominant and most active public spaces in Gulu Municipality; i.e. Pece War Memorial Stadium, Boma and Kaunda Grounds. Employing the recommendations of the National Physical Planning Standards and Guidelines, our survey showed that 70.12 percent of the municipality is within 1.5 – 3 kilometres walking distance to the public spaces. When a stricter distance indicator of 500 metres is used, results present a rather precarious situation with only 4.27 percent of the municipality falling within an acceptable distance from the three public spaces. Again, as Figure 30 shows, these three public spaces are strictly found in the central parts of the municipality which excludes a large number of persons from the peripheries. When the same indicators were applied to the existing markets in the municipality, the analysis reveals that 95.67 and 12.25 percent of the municipality is within 1.5 – 3 km and 500 metres respectively (Figure 31). Again, this is not surprising that the zones closest to the public spaces are the most accessible.

Figure 30: Euclidean Buffer and Public Spaces Accessibility in Gulu Municipality

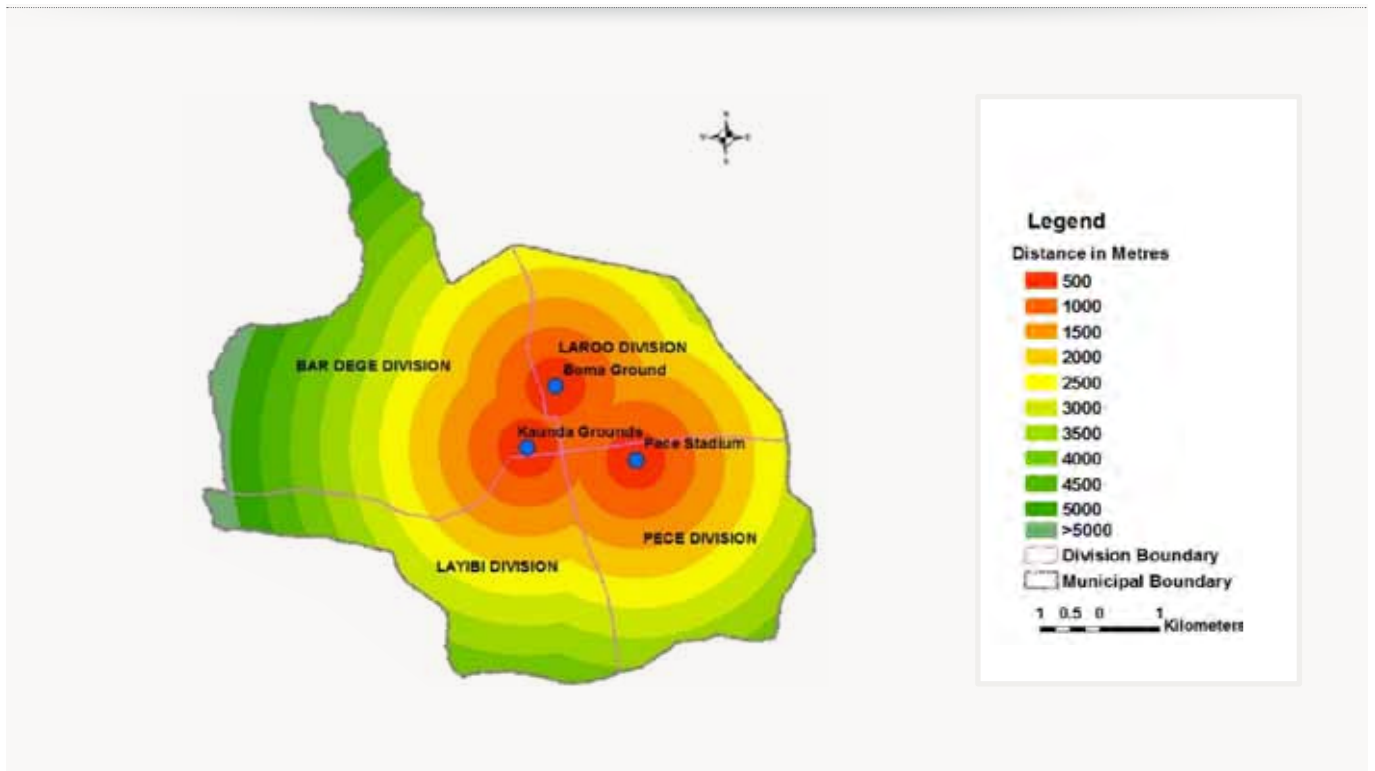
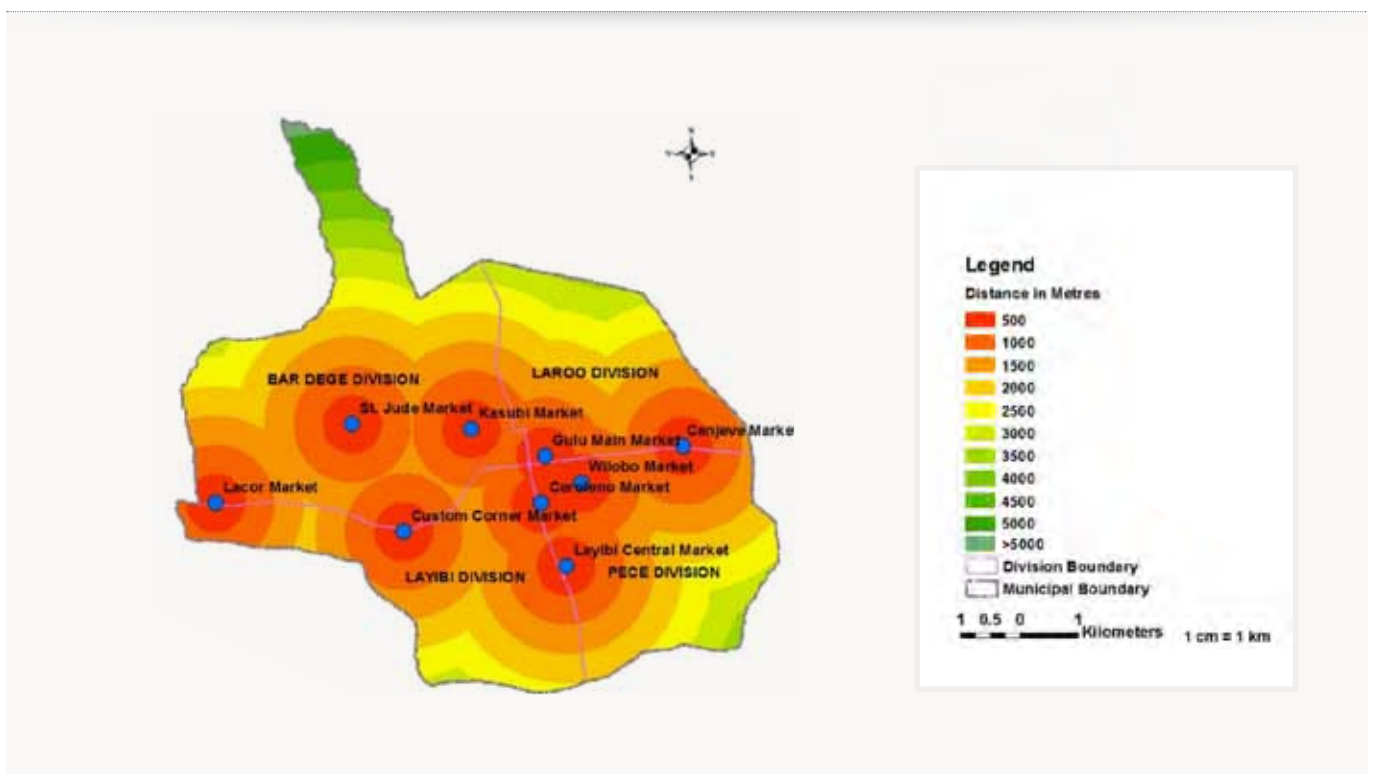


Figure 31: Euclidean Buffer and Market Accessibility in Gulu Municipality



For Mbale Municipality, access to open spaces showed that 95.77 percent of the municipality is within 1.5 – 3 kilometres walking distance to the selected open spaces. When a stricter distance indicator of 500 metres is used, results present a rather precarious situation with only 25.78 percent of the municipality falling within an acceptable distance from the public spaces (Figure 32). When one considers accessibility to markets, our analysis shows that 96.68 percent of the municipality is within the 1.5 – 3 kilometres walking distance recommended by the Uganda National Physical Planning Standards and Guidelines 2011. When, the stricter distance measure of 200 metres was used, the area of the municipality within this walking distance is 3.93 square kilometres and this represents 16.2 percent of the total land area of the municipality (Figure 33).

Figure 32: Euclidean Buffer and Public Spaces Accessibility in Mbale Municipality

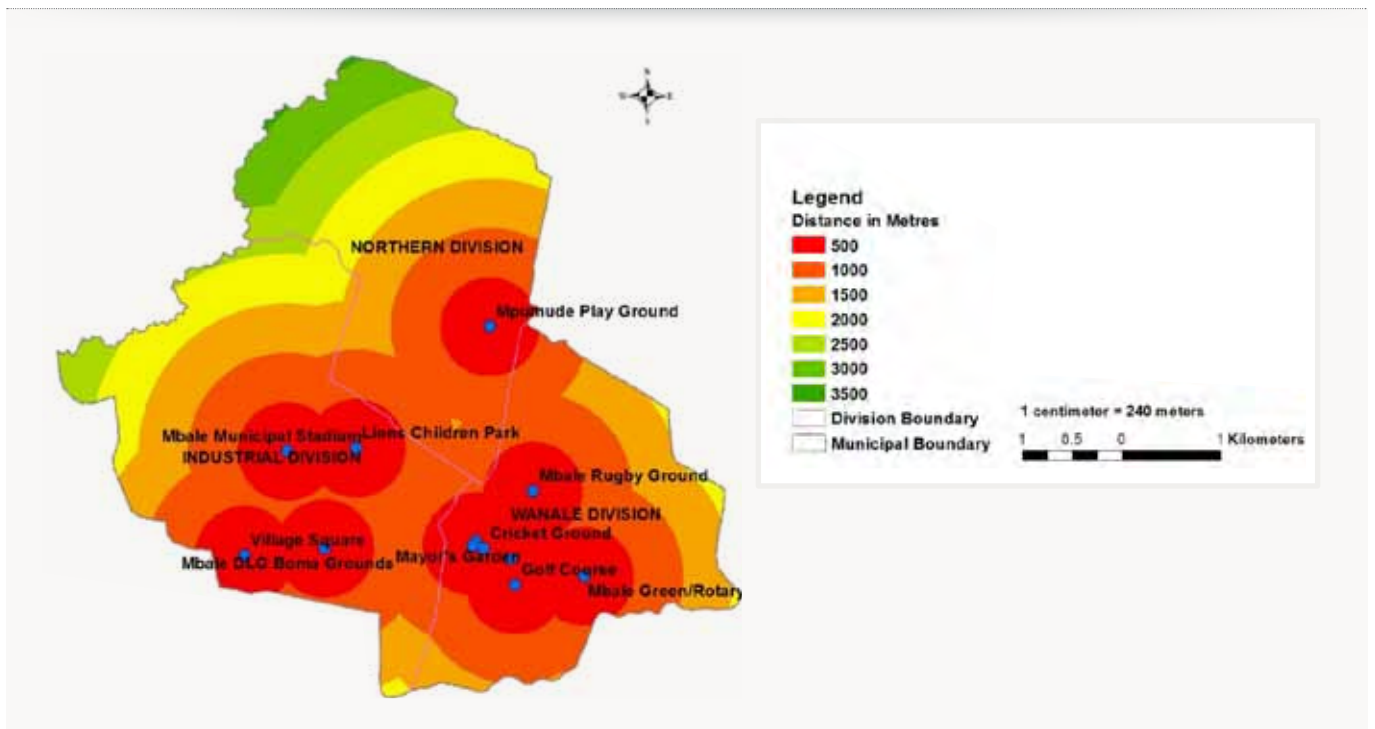
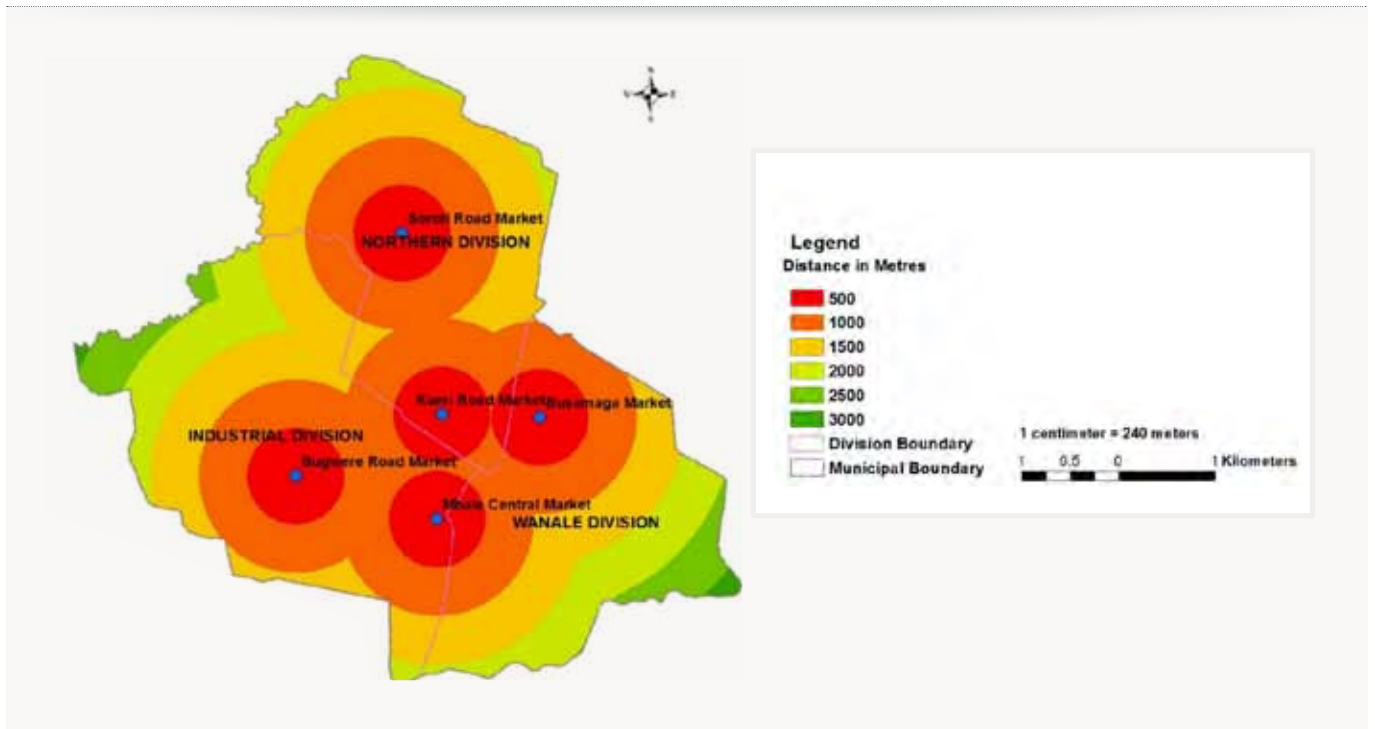


Figure 33: Euclidean Buffer and Market Accessibility in Mbale Municipality



4.4.2 Network Analysis of Accessibility of Public Spaces

A network analysis of the three dominant and most active open spaces in Gulu Municipality; i.e. Pece War Memorial Stadium, Boma and Kaunda Grounds was conducted. Our survey showed that 28.87 percent of the municipality is within 1.5 – 3 kilometres walking distance to the public spaces. When a stricter distance indicator of 500 metres is used, results present a rather precarious situation with only 0.62 percent of the municipality falling within an acceptable distance from the three public spaces (Figure 34). Accessibility in terms of time (minutes) using a standard indicator of 10 minutes showed that only 2.16 percent of the area of the municipality falls within the acceptable walking distance (Figure 35).

Figure 34: Network Analysis of Open Space Accessibility in Gulu Municipality

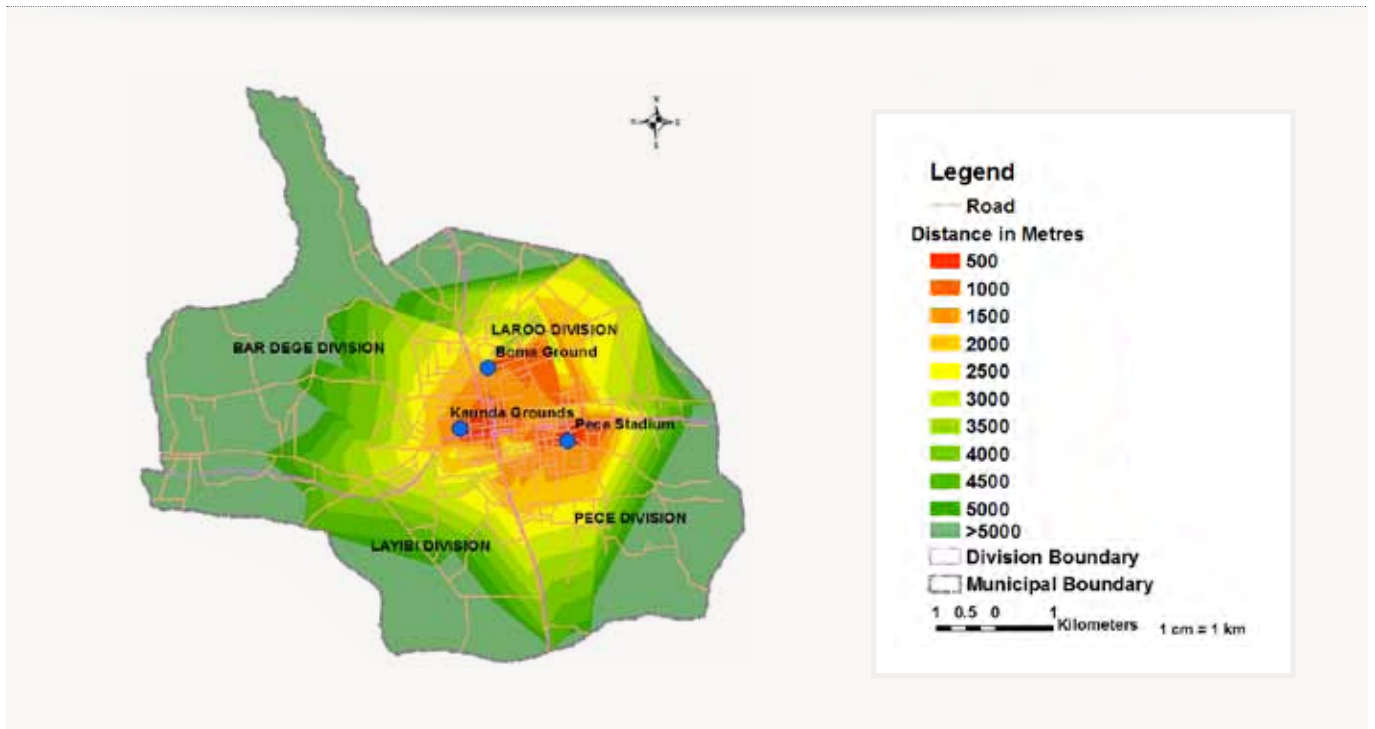
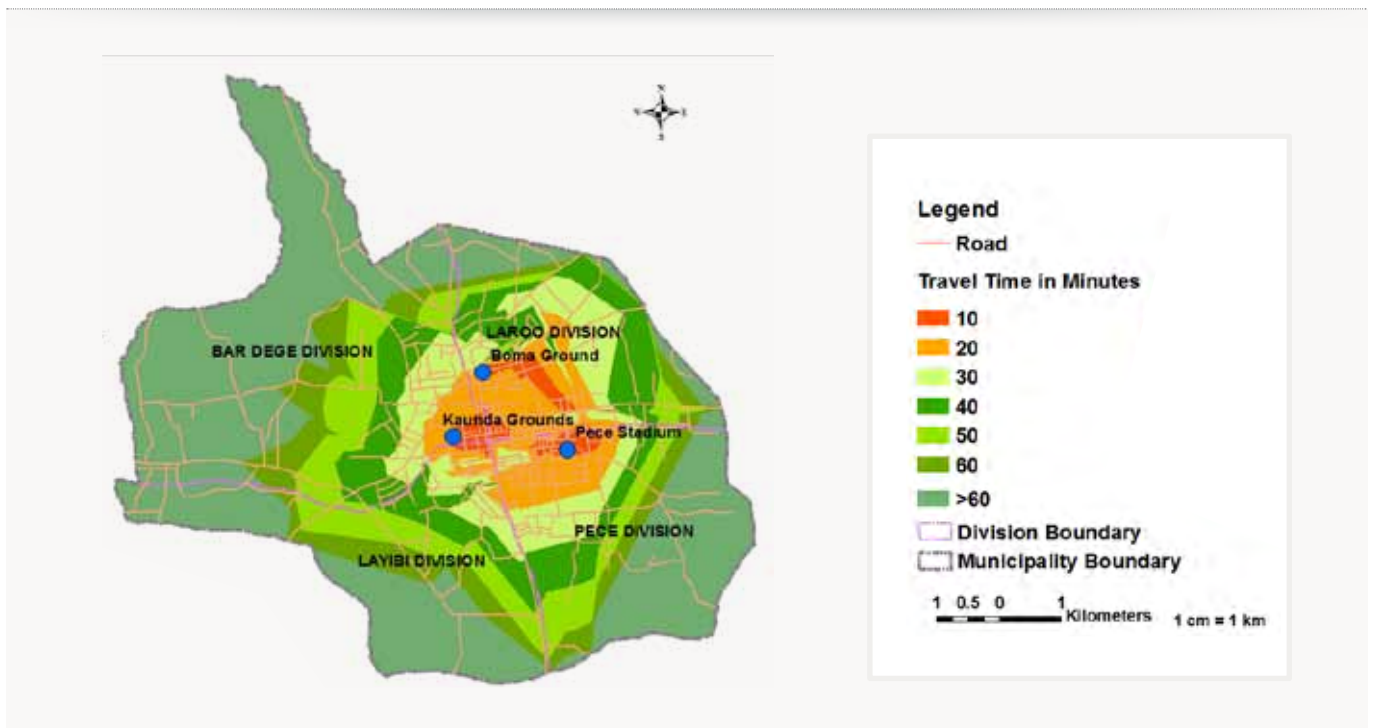


Figure 35: Network Analysis of Open Space Accessibility in Gulu Municipality



Network accessibility indicators of existing markets in Gulu Municipality showed that 61.8 percent of the municipality is within 1.5 – 3 kilometres walking distance to the public spaces. When a stricter distance indicator of 500 metres is used, results present a rather precarious situation with only 3.26 percent of the municipality falling within an acceptable distance from the three public spaces (Figure 36). Accessibility in terms of time (minutes) using a standard indicator of 10 minutes showed that only 10.48 percent of the area of the municipality falls within the acceptable walking distance (Figure 37).

Figure 36: Network Analysis of Market Accessibility in Gulu Municipality

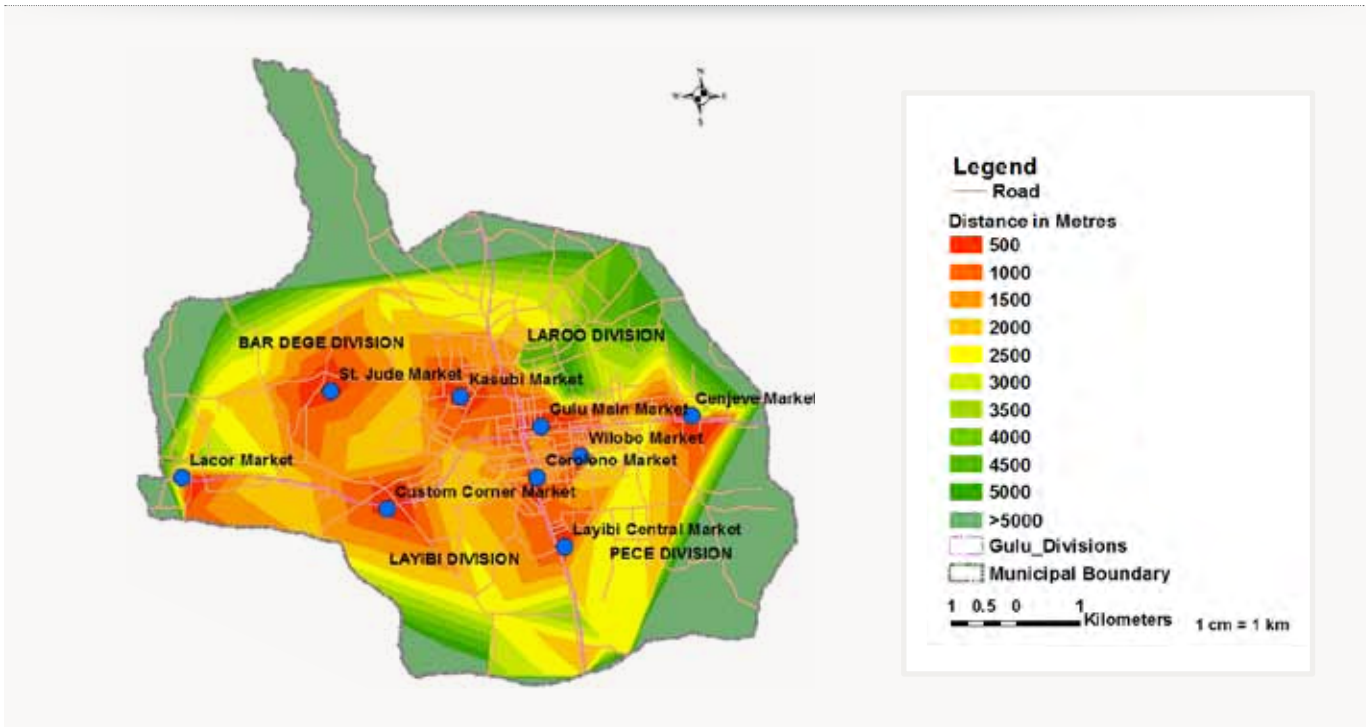
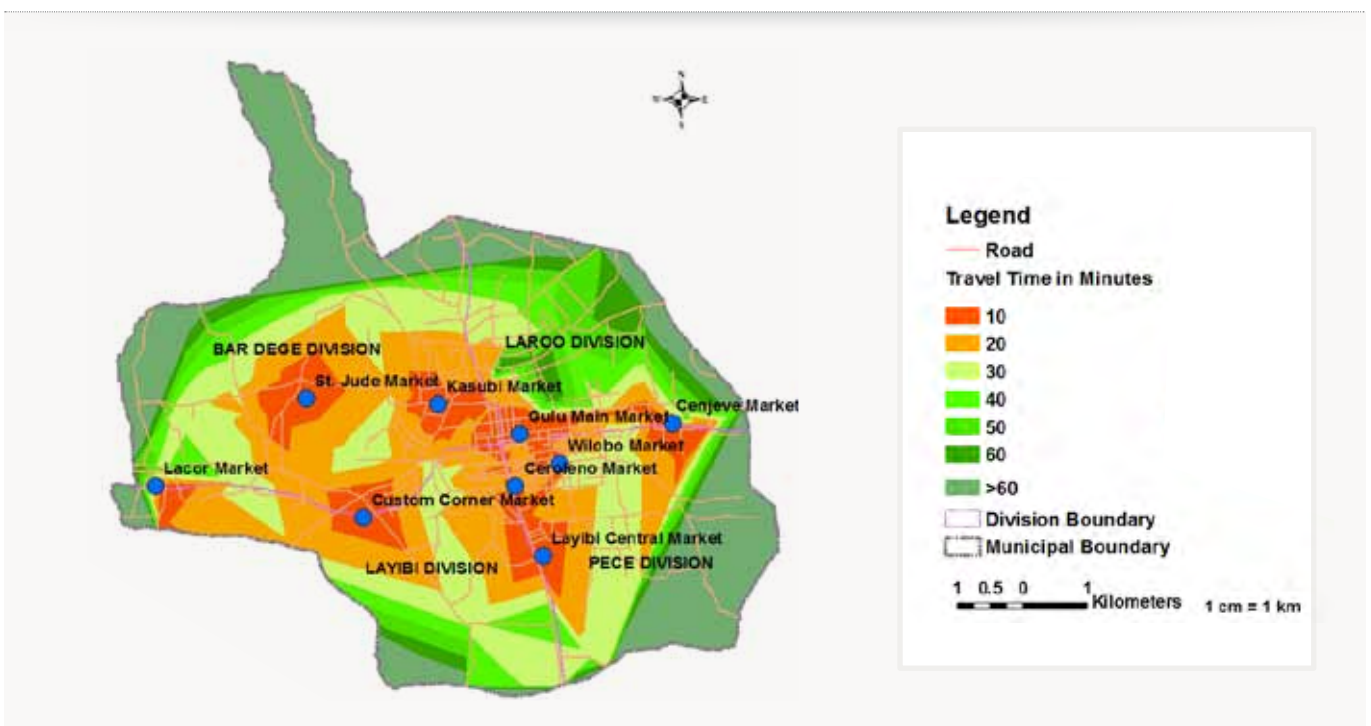


Figure 37: Network Analysis of Market Accessibility in Gulu Municipality



The analysis of accessibility of the open spaces in Mbale Municipality showed that 71.08 percent of the municipality is within 1.5 – 3 kilometres walking distance to the public spaces. When a stricter distance indicator of 500 metres is used, results present a rather precarious situation with only 16 percent of the municipality falling within an acceptable distance from the three public spaces (Figure 38). Accessibility in terms of time (minutes) using a standard indicator of 10 minutes showed that only 31.5 percent of the area of the municipality falls within the acceptable walking distance (Figure 39).

Figure 38: Network Analysis of Open Space Accessibility in Mbale Municipality

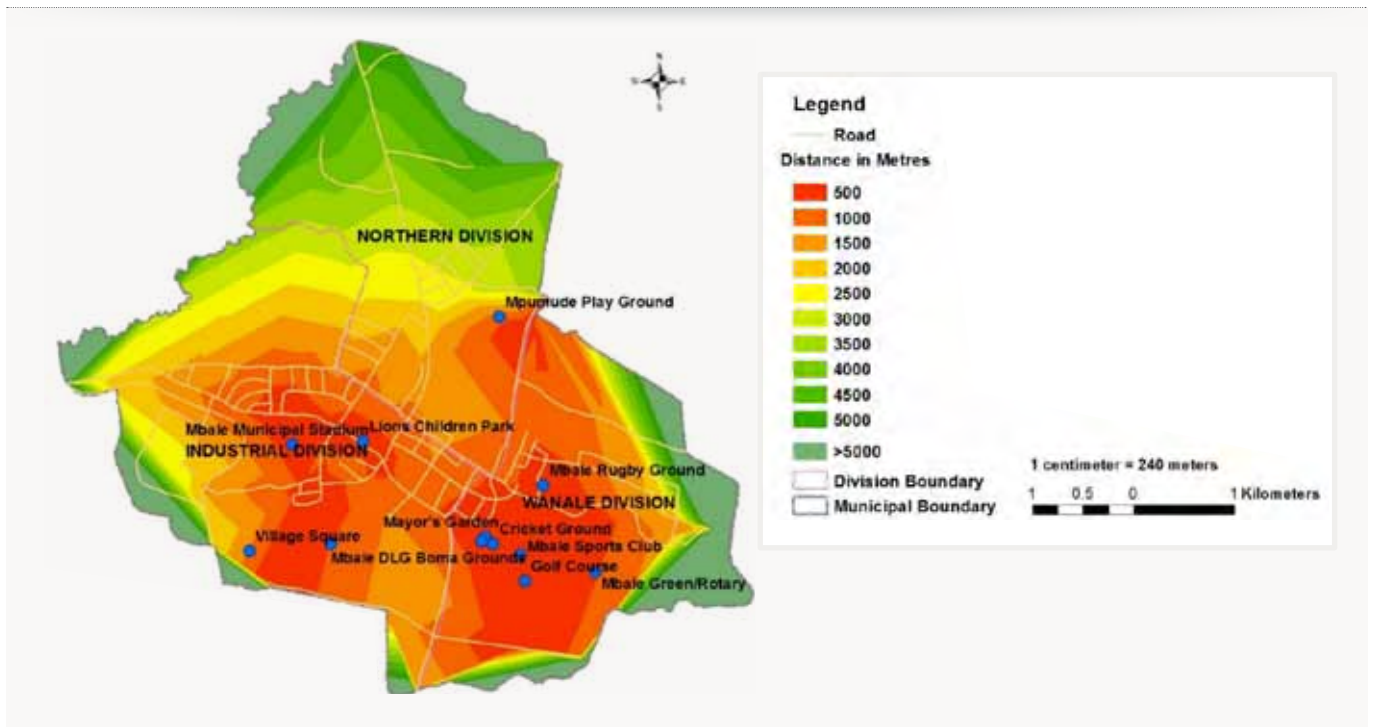
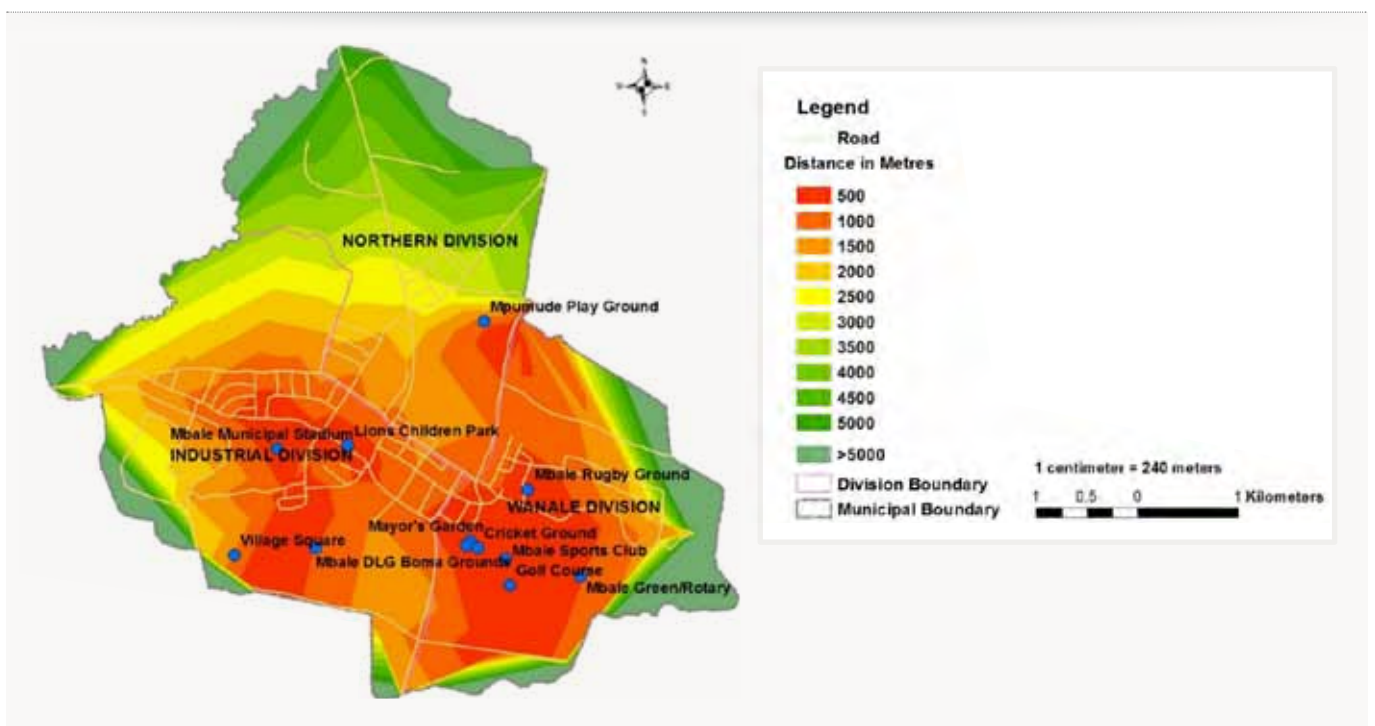


Figure 39: Open Space Road Network Analysis in Mbale Municipality



The analysis of accessibility of the existing markets in Mbale Municipality showed that 83.18 percent of the municipality is within 1.5 – 3 kilometres walking distance to the public spaces. When a stricter distance indicator of 500 metres is used, results present a rather precarious situation with only 6.13 percent of the municipality falling within an acceptable distance from the three public spaces (Figure 40). Accessibility in terms of time (minutes) using a standard indicator of 10 minutes showed that only 18.23 percent of the area of the municipality falls within the acceptable walking distance (Figure 41). A summary of all accessibility indicators for all public spaces in the two municipalities are summarized in Table 14.

Figure 40: Network Analysis of Market Accessibility (minutes) in Mbale Municipality

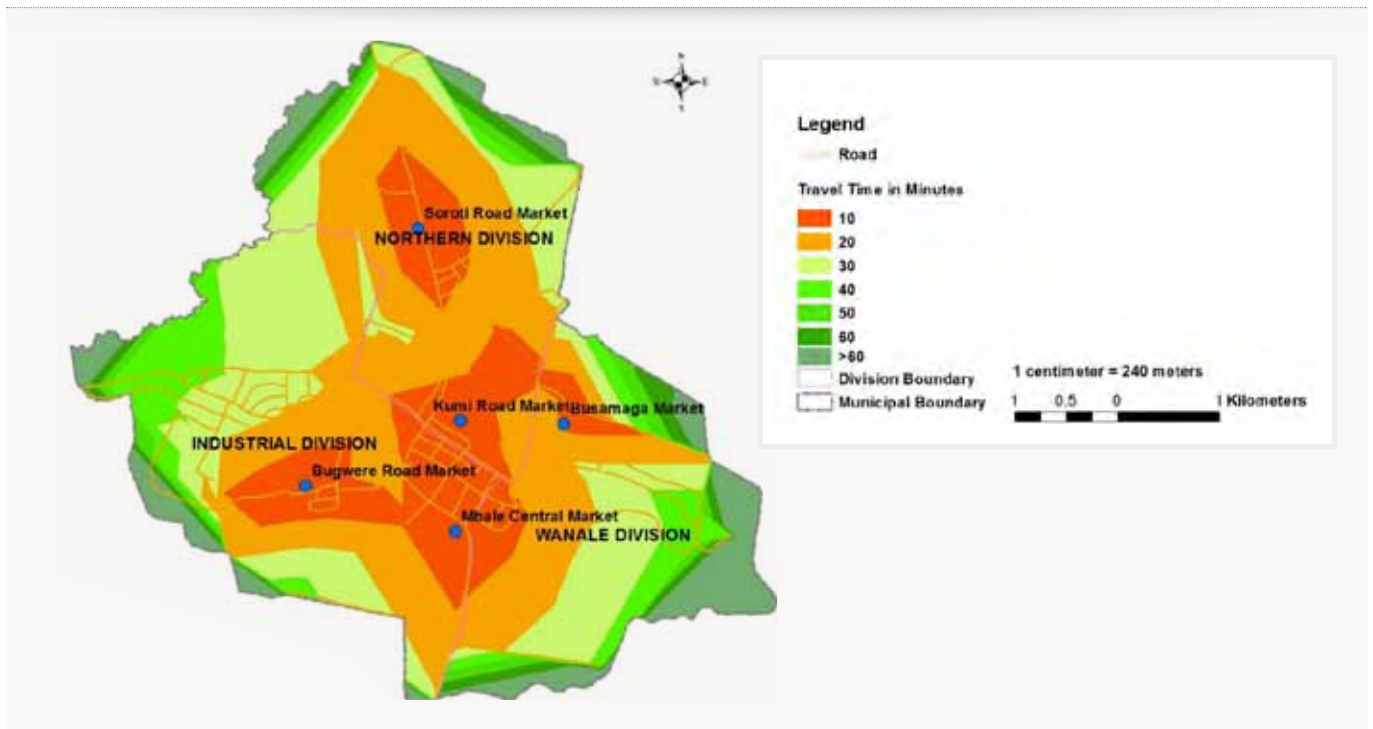


Figure 41: Network Analysis of Market Accessibility (distance) in Mbale Municipality

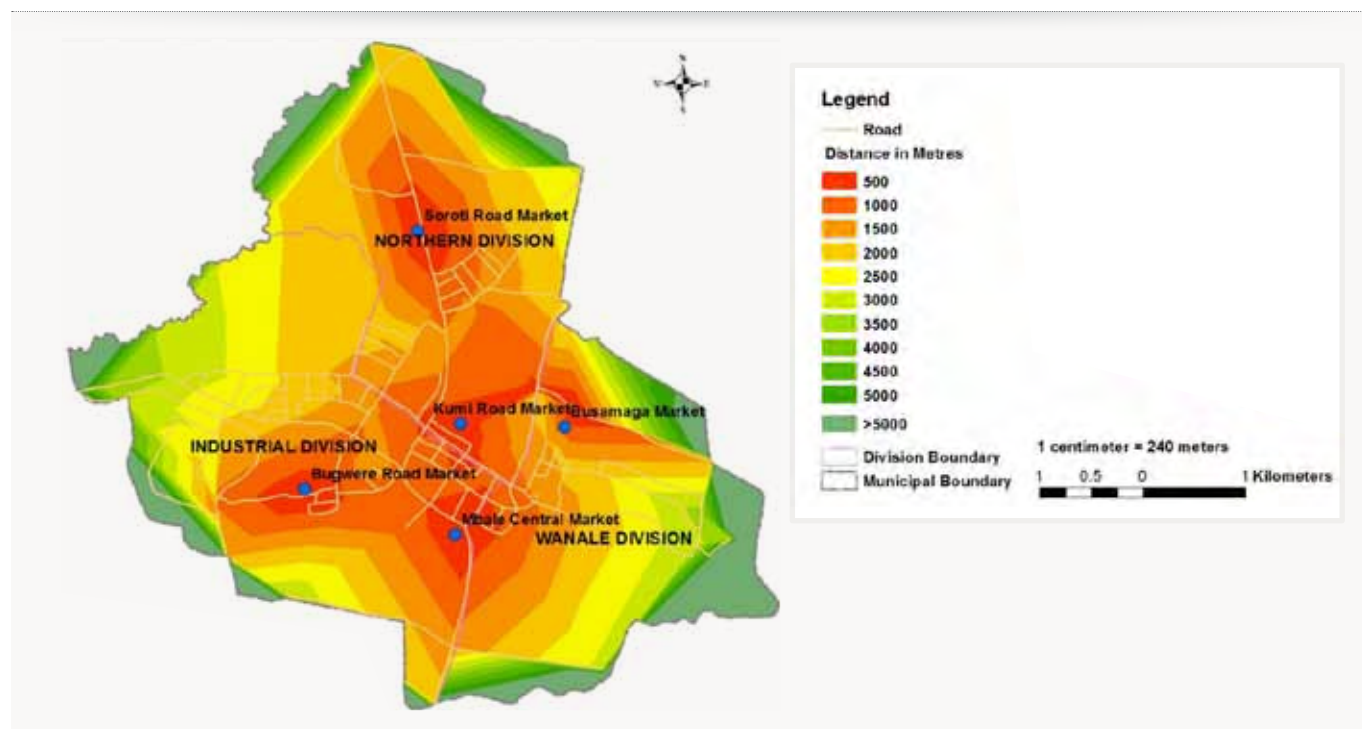


Table 14: Summary of Accessibility Indicators for Public Spaces in Mbale and Gulu Municipality

		Simple Radius Method (Catchment Buffering) (Max 3km)	Network Analysis		
			Distance		Time
			Max 3km	500 meters	Max 10 minutes
Mbale Municipality	Open spaces	95.77	71.08	16	31.5
	Markets	96.68	83.18	6.13	18.23
Gulu Municipality	Open Spaces	70.13	28.87	0.62	2.16
	Markets	72.4	61.84	3.26	10.48

Chapter Five

Factors, Systems and Structures related to Public Space and Land Management in Gulu and Mbale Municipality

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5.1 Introduction

The management of public spaces and land calls for a clear understanding of the factors, systems and structures in the two municipalities. This chapter explores the different factors, systems and processes governing public spaces and land management in Mbale and Gulu Municipalities. Emphasis is placed on the key challenges and opportunities available for public spaces and land management in the two municipalities. We argue in this chapter that the management of public spaces and land in the two municipalities revolves around five key related factors, systems and processes, thus: -

- (1) Demographic trends and processes of municipal urbanisation
- (2) Institutional structure and municipal planning for land and public spaces
- (3) Open space advocates and civic responsibility
- (4) Public space partnerships and coalitions
- (5) Multiple public space and land management actors
- (6) Existence of Powerful Land Cartels
- (7) Institutional dysfunctions and manipulation of legal regimes
- (8) Municipal Capacities to manage public spaces and land;
 - (a) Budgeting
 - (b) Adequacy of enforcement, staffing and human resource base.

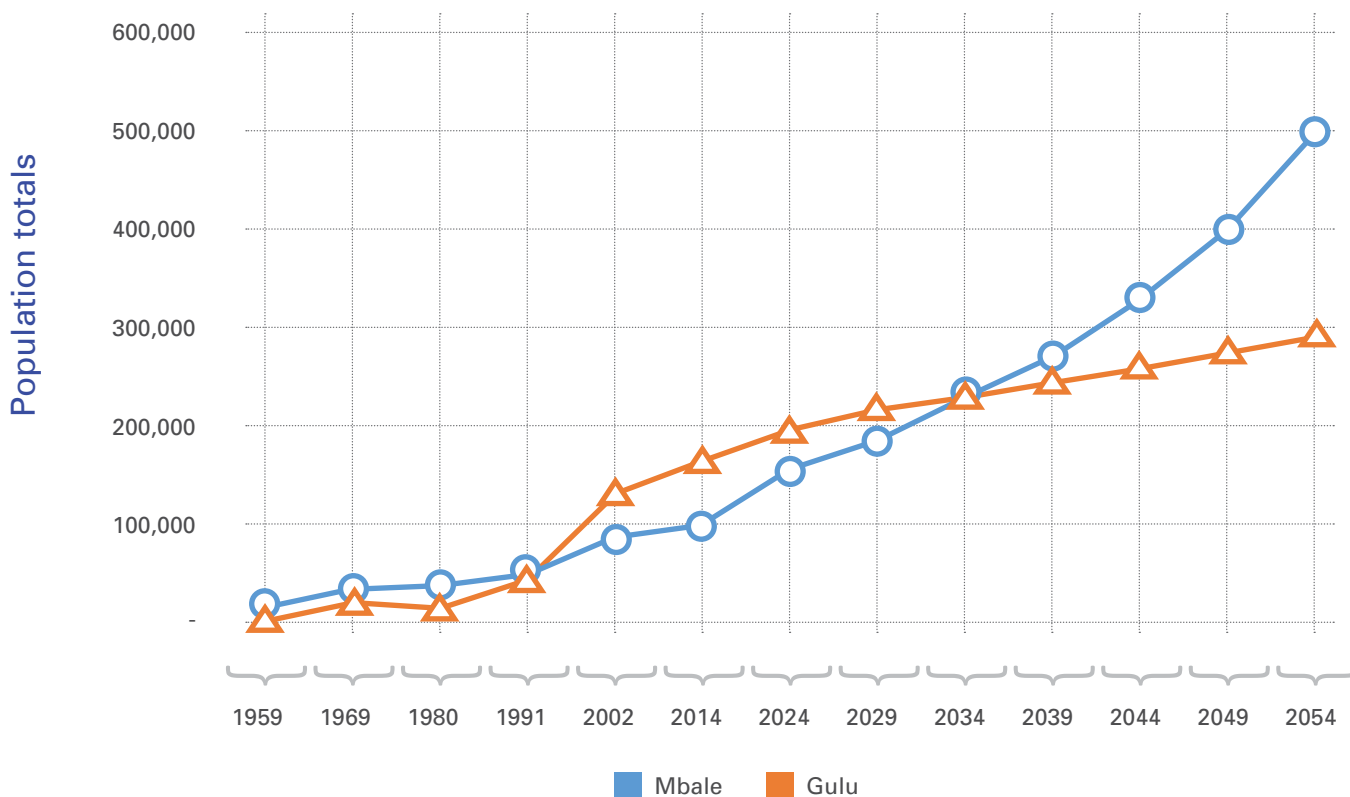
5.2 Demographic Trends and Processes of Municipal Urbanization

High urbanization is taking place in a haphazard manner in these municipalities with virtually no control to guide and regulate the process. The number of informal settlements in Gulu and Mbale has increased exponentially over the past three decades. With inadequate capacity to plan, guide and enforce development control, besides managing the present levels of urban growth, public space become more endangered as squatter settlements continue to proliferate on marginal lands such as wetlands, and forest reserves.

Since their establishment in 1906 and 1911 respectively, Mbale and Gulu Municipalities have experienced rapid population growth, but key infrastructure to support urbanisation and enhance the residents' quality of life, such as the provision of public open spaces, has not increased at comparable rates. After the independence period, the implementation of the physical development plans for the two municipalities was largely abandoned due to the political turmoil which the country descended into. Therefore, the same public spaces that were intended to serve 13,569 and 4,770 in Mbale and Gulu Municipalities in the 1950s, today serve over 160,000 and 96,000 people respectively (Figure 42).

Pressure from urbanization is considered as a unique driving force for degrading urban public space and the rates of urbanization is taking place in a haphazard manner in these municipalities with virtually no control to guide and regulate the process. Mbale and Gulu municipalities could be considered as population hotspots and like most other towns in Uganda, their public spaces face competition from other land uses. The two municipalities' growing populations have set in motion a process of land use competition, with increasing encroachment on public spaces and land on the rise as urban communities struggle to build meaningful livelihoods. Housing and agriculture rank highest among the emerging land uses that are fueling competition for land with public space in growing towns like Mbale and Gulu.

Figure 42: Historical and Projected Population for Mbale and Gulu Municipalities 1959-2054



The rapid growth of Gulu and Mbale municipality population, however, has not been matched with capacity to plan and manage the urban growth the Town Clerks’ of Gulu and Mbale. The extinction of public spaces has become a natural indicator of the process of the country’s urbanization. The situation in both municipalities has also been further complicated by the failure of both towns to build the requisite capacities to plan and manage urban growth. The systematic loss of public space and land is one of the key indicators of these emerging trends across the country.

The most rapid growth of Gulu Municipality took place after 1996. Following the war, a small town (Gulu) that had consisted of a few paved streets surrounded by widely spaced buildings and houses was thus swamped by dense clusters of grass-thatched mud huts built by the internally displaced persons. Entire new neighbourhoods of slums were created, as people from the same home areas would often stick together and create new settlements (Branch, 2011). From 1996 until 2006, as the government’s policy of forced displacement expanded to encompass the entire rural Acholi population, over a million people were affected, most of whom moved to camps, but many moved to Gulu town, which became a centre for the displaced from throughout Acholi land (UNOCHA, 2006). The so-called ‘night commuter’ phenomenon started in 2003, after the Uganda Army launched a military offensive against the LRA, leading to an increase in the level of violence in Northern Uganda. Since then, around 50,000 young people were walking several kilometres each evening to reach the safety of shelters, hospitals, schools and bus parks and public spaces in urban areas (Dupuy and Krijn, 2010). As a result, the town’s infrastructure was put under immense pressure (Odokonyero, 2013). As economic opportunity increased, the population of Gulu continued to swell as more people could settle in town permanently (Branch, 2011). Unlike Gulu, Mbale appears to have grown steadily up till around 2010. Even throughout the country’s tumultuous political history especially between the 1970s and early 1980s, it has enjoyed a relative level of stability. Its growth has largely been driven by its strategic location close to the Uganda-Kenya border, making it a regional commercial and trade hub.

We projected the population of the two municipalities up to 2050 (Figure 42) and our growth predictions indicated that for both towns, growing at 4.1% and 1.3% annually respectively, their populations will reach 492,546 and 281,844 by 2050 for Mbale and Gulu respectively. As a consequence, there are two likely effects of this growth: (1) very few lands will be available for public spaces and provision will decline substantially; as indicated in Section 4.3.1; and (2) arising out increasing awareness, exchange and access to important information about the value of physical fitness and other health related benefits of active and passive recreation; people will demand more public spaces.

Our field observation noted that high rates of urban expansion, high densities (Figures 43 and 44) and the growth of informal settlements have compromised public and green space within and at the periphery of Gulu and Mbale municipalities. In Mbale Municipality, this is very visible in Namatala informal settlement which has largely encroached on the potential open space; the water fronts or river banks of River Namatala. This intensification often exceeds the initial design capacity of the area, leading amongst others to a need for the widening of roads and utilisation of open spaces for non-compatible urban land uses. This is very visible in Mbale Municipality with the loss of Uhuru Park for other land uses and redesign of Republic Street into an exclusively motorable four-lane carriageway. As Figures 45 and 46 indicate, while the planning documents in Gulu Municipal Council indicate that public spaces exist at Limu Medical Flats and at Tank Road and Alex Ojera road, our observations and google images indicate that the two public spaces have been occupied by low income housing units.

Besides this, accelerated natural population increase in the two municipalities will definitely exert extra pressure on the existing network of public space to accommodate higher numbers of users. Our field observation revealed that this process is already underway, with the vitality of many existing spaces within and at the peripheries of both towns being compromised. Road widening, construction of new structures and the conduct of various illegal activities such as the extension of trading activities into public space were, among others, observed as some of the scenarios which characterise encroachment of existing public spaces in Mbale and Gulu municipalities. Republic Street, redesigned and reconstructed under the USMID programme, is now an exclusively motorable four-lane carriageway (Figures 47 and 48). The road's drainage system is incomplete, with gaping 1m deep channels on both sides. These incomplete drains have been incomplete for more than 3 years now, and pose serious risks for pedestrians and even motorists.

Figure 43: Population Density of Mbale Municipality

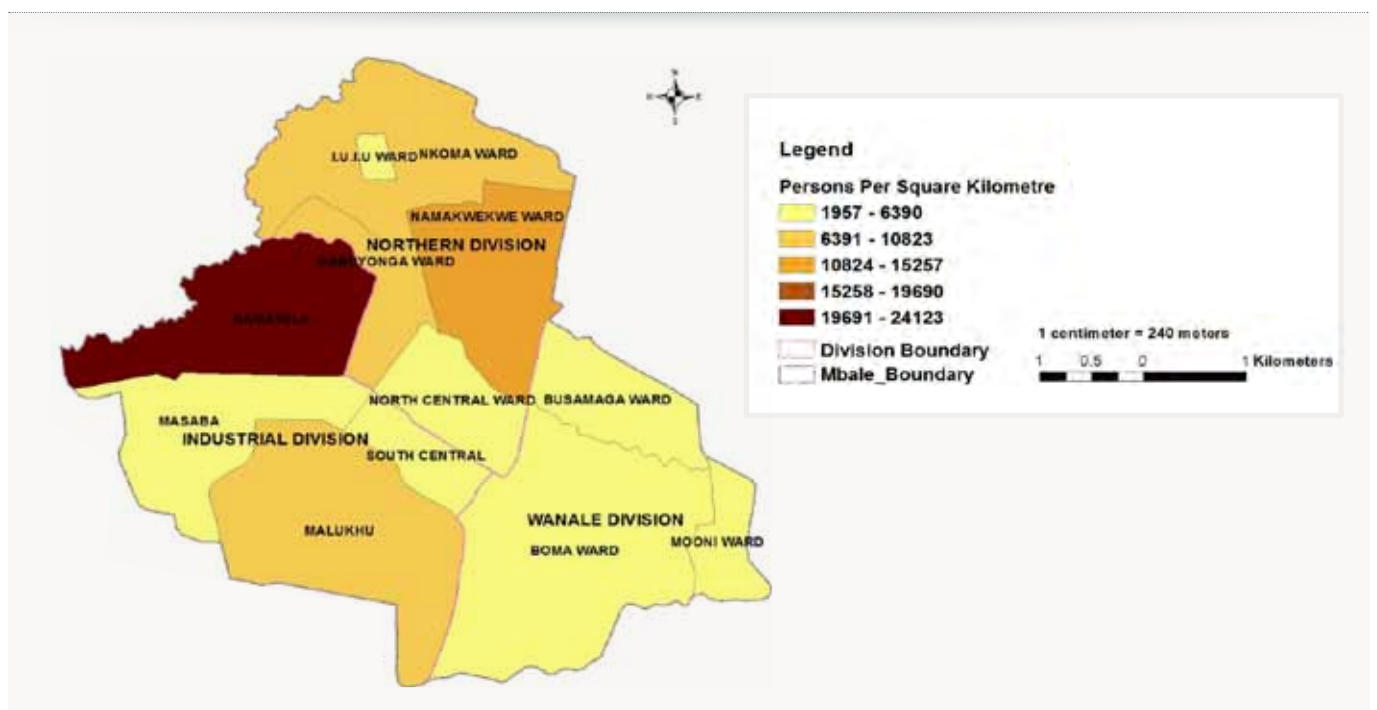
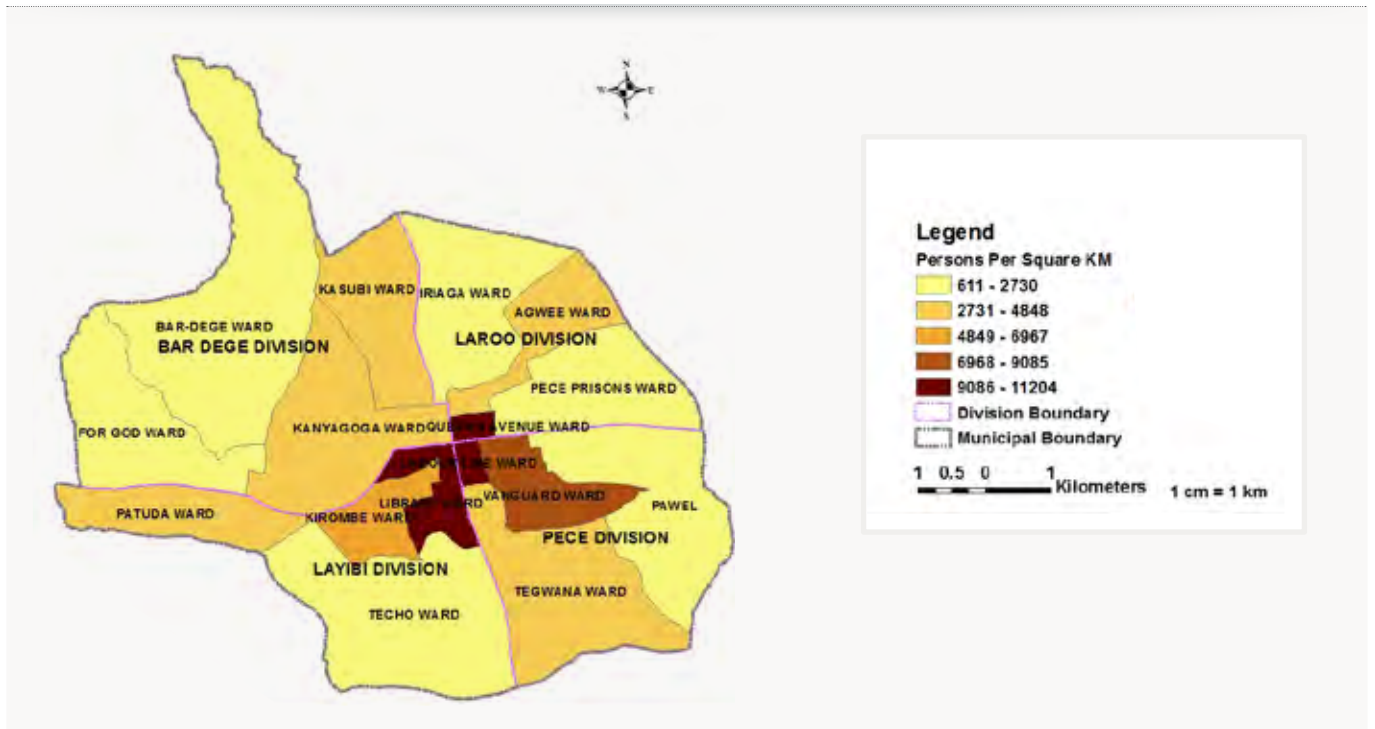


Figure 44: Population Density in Gulu Municipal Council



Data from UBOS, 2014

Figure 45: Limu Medical Flats Open Space now Taken over by an Informal Settlement in Gulu Municipality



Figure 46: Tank Road and Alex Ojera Open Space now Taken over by an Informal Settlement in Gulu Municipality



Figure 47: Republic Street before the Redevelopment



Source: <http://www.tripmondo.com/uganda/easter-region/mbale/>

Figure 48: The Re-developed Republic Street



Source: Mbale Municipal Council. Available online: <http://mbalemunicipalcouncil.go.ug/hello-world/>

As the demographic characteristics of both towns evolves over time, so will the public space needs, which are most likely to become even more pronounced. Although the frequency of active recreation generally declines with increasing age, in contrast more passive activities, such as walking, picnicking, sitting and socializing remain universal activities regardless of age. It is therefore important to design public spaces which respond to the complex demands wrought by highly dynamic and evolving urban population demographics. Below are some of the critical factors identified during the study which will require careful consideration by the authorities and other relevant actors to develop comprehensive and realistic public space and land management plans:

- 1) The size of the youthful population (below 30 years) according to the 2014 Uganda National Census was 76.1% and 79.2% in Mbale and Gulu Municipalities respectively. The same census states that 53.3% and 49.1% of the population was below 17 years. These categories and their influence on public space demands in the two municipalities including their influence on outdoor recreation facilities such as the needs for soccer/football pitches across the municipalities is substantial;
- 2) The size of the adult population (population aged 60 years and over) is very small, at about 4.6% and 2.6% in Mbale and Gulu respectively and therefore their needs for recreational activities and public spaces is relatively small. However, as the municipalities grow, their public space needs for walking and elite sports such as golf need to be planned for accordingly.
- 3) Increasing residential densities in the main growth areas which are not being matched with commensurate increases in open space.
- 4) Mbale Municipality also acts as a magnet on daily basis for a big commuting population from surrounding areas including the rapidly growing Nakaloke Town Council, Nabumali Town Council and Bugema urban centre; all within a radius of about 15 kilometres. Unless these growing urban centres establish their own public spaces, the demands on Mbale Municipality public spaces will inevitably increase substantially. The vision of Gulu Municipality as it clamours for city status is a sprawling city and after amalgamating parts of Patiko, Bungatira, Unyama and Koch-ongako, its population would increase to

more than 290,000 people (Owiny, 2017). This will expand the boundaries of the municipality from 8.5 square kilometres to 13.7 square kilometres (Chowoo, 2015) and ultimately create extra demands for public spaces unless attempts are made to establish public spaces in the rural sub-counties.

- 5) The two municipalities are host to several higher educational institutions. In the two municipalities, for example, institutions such as Islamic University in Uganda, Mbale School of Hygiene and Clinical Officers (Busitema University Faculty of Health Sciences), Livingstone International University, and hosting resident university campuses for: Uganda Management Institute, Uganda Martyrs University, Uganda Christian University (Mbale Campus) and Gulu University create extra demands for plan and provide for extra public spaces.
- 6) The two towns' economies and the impact of the corporate working class dominated by banking institutions, mobile telecommunication companies, fuel companies and other specialised firms given their specific demands for recreational facilities.

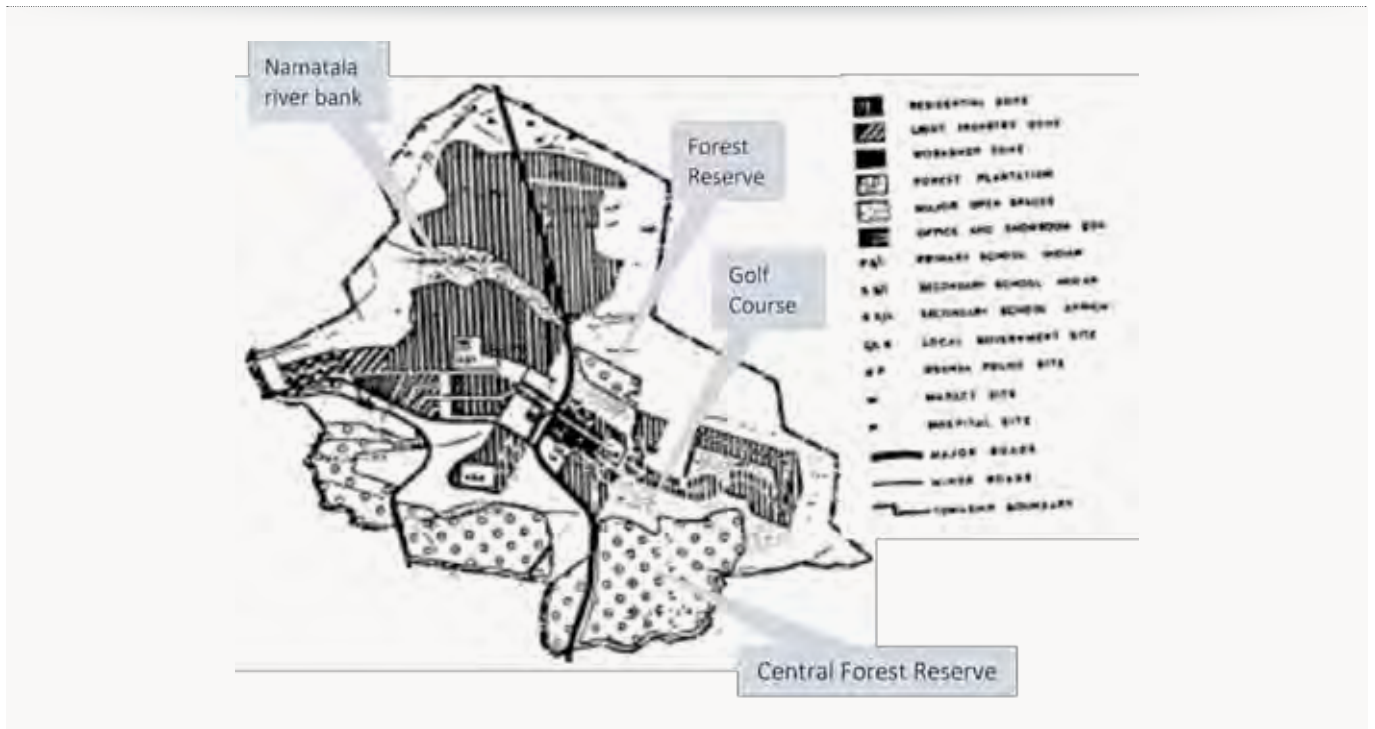
5.3 Institutional Structure and Municipal Planning for Land and Public Spaces

Early planning of the two municipalities was built on the neighbourhood principle with ample provision of public spaces. Mbale Municipality was dictated by ample and historically open space plans including Uhuru Park, Golf Course, Cricket Grounds, Children's Park, Rugby Grounds, Mbale Central Forest Reserve, Namakwekwe Childrens Park, Mpumudde Playground and several other neighbourhood parks and school playgrounds spread across the municipality. Similarly, in Gulu Municipality, ample open spaces were planned for. These included Pece War Memorial Stadium, the Golf Course, Boma Grounds, Kaunda Grounds and Gulu Central Forest Reserve as the most dominant. The early planning processes are given in Table 15 while Figures 49 and 50 illustrate the earlier importance attached to public spaces in the two municipalities. However, existential realities have far surpassed the capacities of these spaces which were planned more than 50 years ago.

Table 15: Dates of City Incorporation, Influential Historic Open Space Plans, and Contemporary Municipality Open Space Plan

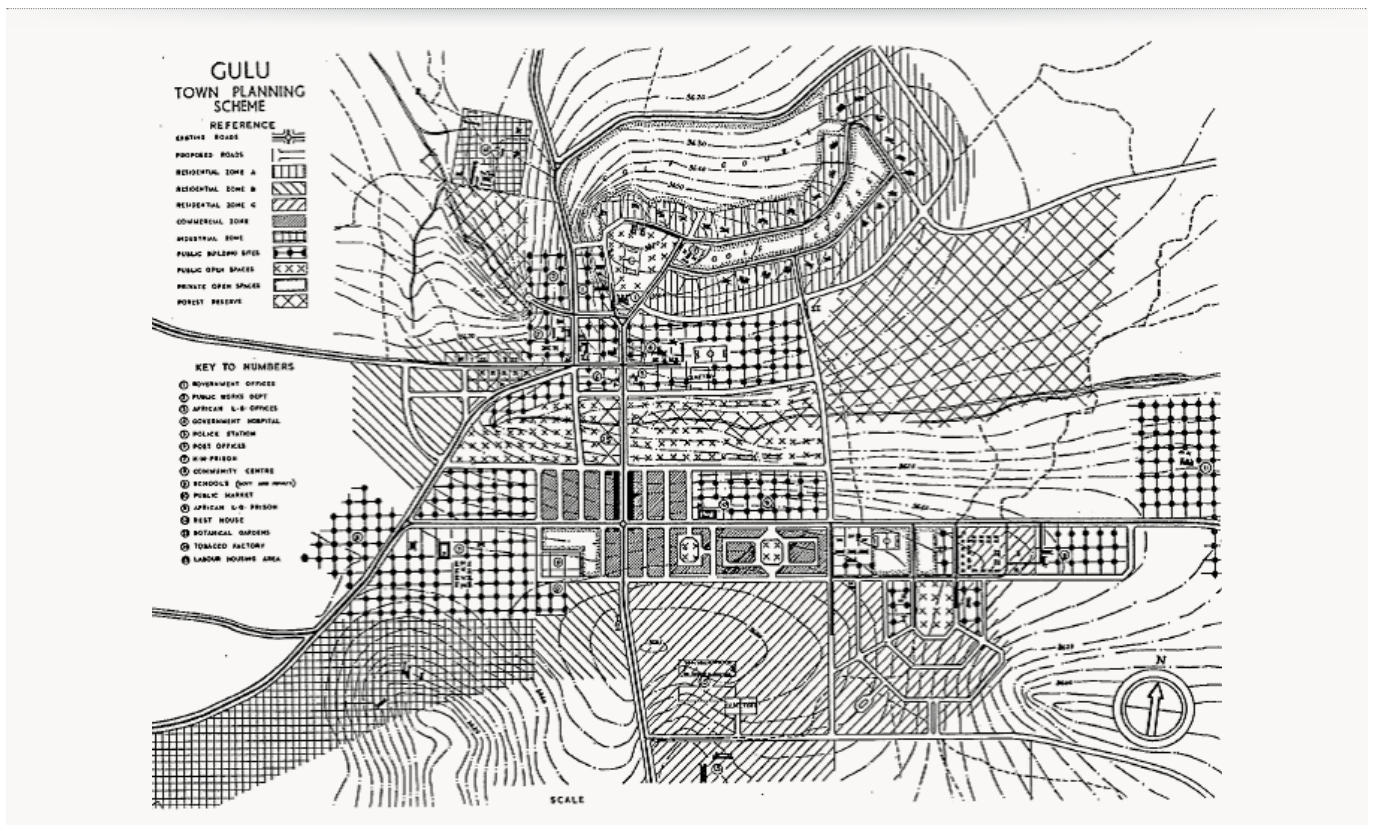
	Municipality	
	Gulu	Mbale
Date of origin	1910	1902
Declaration as a township	1911	1906
Year planning area was declared	1956	1952
Declared as municipality	1963	1962
Year when outline scheme was approved	1959	1960
Influential historic open space plan	Gulu Outline Scheme 1959	Mbale Outline Scheme 1954/9
Primary contemporary open space plan	Gulu Municipality Physical Development Plan 2013-2033	Mbale Municipality Physical Development Plan 2016 - 2026

Figure 49: Open Spaces in the 1954 Mbale Outline Scheme



Source: Malinowski, 1989

Figure 50: Open spaces in the Gulu Town Planning Scheme



Source: Malinowski, 1989

The extent and character of public space is greatly influenced by physical planning. In Mbale and Gulu Municipalities, the local administrative authorities are directly responsible for the provision, delivery and maintenance of public spaces in their respective jurisdictions. Currently, the existing physical development plans for the two municipalities lack detailed and clear protocols or standard guidelines on how they (plan to) manage public spaces, let alone an existing inventory or understanding of the public agencies involved in public space. In Uganda's case, while the municipalities are clearly mandated to as the lead bodies charged with overseeing the management of public spaces, the existence of other actors and agencies, coupled with the absence of streamlined mechanisms for integrating these actors under the former's leadership, has created serious coordination problems.

One of the structural influences on public space and land management within each municipality, is that public spaces and land matters don't fall in a single department (Table 16) which makes it hard to measure them and manage. They are by their nature cross cutting themes in the municipalities such that it is difficult to tell to which department they should and must fall. Do they fall under the Municipal Engineers' Office, Community Development Office, Natural Resources Office, Education Office or broadly in the Town Clerks Office? But they also attract a lot of attention from outsiders!! Whichever office or department that they lie, they essentially raise questions of differentiated power sources which ultimately influence the outcomes of use and management styles that we see in the municipalities. By and large, open spaces and cemeteries fall under the Natural Resources Office, Public Libraries fall under the Community Development Office, Street Space falls under the Municipal Engineers Office, and land matters are the responsibility of the Physical Planning Office while School lands are under the Education Office.

This fragmentation of responsibility for overseeing the management of public space and land across different departments within each municipality is a barrier to coordinated, efficient and effective action, as well as optimal community inclusion and participation. The Physical Planning Committee would be considered as the coordinating arm for the management of public spaces and land across each municipality, in conjunction with the different departments that have a say in the matter. Needless to say, therefore, there is no elaborate effort to coordinate public space and land management activities in conjunction with all the other departments, within the overall policies, strategies and resourcing undertaken by the municipalities across all its services. The integration of these actors within the overall policy, institutional and legal framework is urgently needed if strategies and interventions to be undertaken by the municipalities in future are to make a positive impact on public space and land management.

Table 16: Responsible Department/unit for Public Spaces in Mbale and Gulu Municipality

Spaces	Mbale Municipality		Gulu Municipality	
	Public space	Responsible department	Public space	Responsible department
Stadium	Municipal Stadium	Town Clerk Office	Pece War Memorial Stadium	Gulu DLG
Playgrounds	Mbale Golf Course	Private	N/A	N/A
	Mbale Sports Club Tennis Courts	Private	N/A	N/A
	Mbale Cricket Grounds	Environment	N/A	N/A
	Mbale Rugby Ground	Environment	N/A	N/A
	School playgrounds	Education	School playgrounds	Education
Green/Open spaces	Mbale DLG Boma Grounds	CAO Mbale DLG	Kaunda Grounds	Gulu DLG
	Mayors Gardens – Mbale	Town Clerk	Open Space behind Uni-fant PS	Physical Planning
	Mbale/Wanale Green (Rotary)	Environment	Open Space between Uni-fant PS and Airfield Road	Physical Planning
	Gymkhana Asian Community Park	Private	Olaya-Gilbert, John-Oniri Open Space	Physical Planning
	Lions Childrens Park	Environment	Boma Grounds	Gulu DLG
	Namakwekwe Estate Children’s Park	Environment	Open Space between Aganach close and Golf Course road	Physical Planning
	Village Square – Malukhu	Environment	Open space between Tank Road and Alex Ojera Road	Physical Planning
	Mpumudde Playground	Environment	Gulu Municipal Yard	Town Clerk
			Acholi Cultural Leadership	Paramount Chief
			St. Mary’s Lacor Hospital	Gulu Catholic Archdiocese
Cemetery	Mbale Muslim Cemetery	Muslim Community	N/A	N/A
	Indian Regional Crematorium	Indian Community	N/A	N/A
Natural areas	Mbale Municipal Council Central Forest Reserve	NFA	Gulu Central Forest Reserve	NFA
	River banks and waterfronts along Nabuyonga and Namatala	Environment	N/A	N/A
Streets		Works	Streets	Works
Markets		Finance and Planning	Markets	Finance and Planning
Library	Municipal Library	Community based services	Bosco Library	BOSCO

We argue in this report that fragmentation of ownership, maintenance, development and general management of different public space, either across the respective municipal authorities but often with a single public, is a major barrier to efficiency but also contributes significantly to public dissatisfaction. A typical example of this fragmentation was revealed in our meeting with the current stadium manager, Mbale Municipal Stadium. While giving a long history of the evolution of Mbale Municipal Stadium and how its management has change through time, he observed that:

The fragmentation of functions goes to the heart of the municipal council. There is no coordination between Industrial Division Offices and the Municipal Town Clerk's officer over the management of the stadium. Apart from seeing the stadium degenerate rapidly in the last two decades, no deliberate effort has been made on the part of each administration to revive and restore and most importantly improve the stadium. There is no office that is trying to get anything done and the municipality residents are frustrated by the rapid degeneration of the stadium.

Section 12(a) of the Physical Planning Act 2010 requires urban physical planning committees to detail the physical development plans. The detailed plans operationalize the provisions of the main PDPs. Physical development plans are detailed in order to come up with smaller, integrated plans which are implementable in a shorter time in order to realize the long term objectives of the main physical development plans. Interviews with Municipal physical planners and review of activity reports for the detailing processes revealed that although the five urban authorities visited had undertaken some activities relating to the process of detailing their approved development plans, for example sensitization, data collection, none of the municipalities had fully detailed their physical development plans (OAG, 2015). Although it may not be feasible to detail 100% of the planning area, the two municipalities had detailed less than 20% of the planning area under their jurisdiction Table 17 shows the level of detailing of the physical development plans by the two municipalities.

Presently, Mbale and Gulu Municipal Council have developed five-year development plans 2015/16-2019/20 with functional Technical Planning Committees (TPC). The Development Plan for Gulu Municipal Council for the period 2015/16-2019/20 represents a continued commitment of the municipal leadership in joining hands with the Central Government for social services delivery including public spaces. MMC has developed a Municipal Development Strategy (MMS) which should guide strategic physical and economic development in the period 2016-2040. This is embodied in the municipality vision of a *transformed sprawling industrial and commercial city for Northern Uganda* (Gulu Municipal Council 2015b). Both municipalities also have a 10-year physical development plan. MMC has the (2008-2018) plan while GMC has the 20-year 2015-2035 physical development plan. At the time of this exercise these plans were undergoing review. There are also Municipal detailed physical plans. Currently, there is no deliberate effort to acquire land for public spaces. As we will observe in the next sections, it emerged that there is a systematic process driven by 'invisible' actors to take advantage of the lacuna around public space and land management in these urban centres to seize, re(allocate) and capture whatever public space and land that remains and turn it into private hands.

The absence of detailed plans also means that development decisions are largely subjected to the discretion of individual planners and are thus contentious and could be easily challenged. Enforcement proves even more difficult without the clear legal backing of detailed plans. Table 17 further shows that although a number of roads were planned for opening and labelling during the development of the PDPs, some of the roads remained unopened, and this exposes them to grabbing. As we will observe in the next sections, all actions in the municipalities point to efforts to seize, re(allocate) and capture what is public and turn it into private hands.

In fact, the Government of Uganda recommends the integration of public spaces in all development plans. The Directorate of Housing in the Ministry of Lands, Housing and urban Development, emphasizes that regulators and municipal governments should emphasize the allocation of public spaces in all development plans before they are approved. The Mbale physical development plan (2016-2026) broadly makes a strong case for public spaces including play grounds, sports grounds, and public open spaces make up the municipal green spaces, used for leisure, interaction, and recreation for the population. The most significant ones include Mbale stadium, the golf course, Mbale sports club, and the Mutoto circumcision grounds.

Table 17: Status of Detailed Planning in Mbale and Gulu Municipalities

	Mbale	Gulu
Total number of wards	12	16
Number of wards fully detailed	2	11
% of PDP fully detailed	17	69
Total planned roads (km)	121.2	170
Total opened roads (km)	94.3	72
Unopened roads (km)	26.9	98
Percentage of unopened/ planned roads	22.2	57.6

Source: OAG, 2015

The proposed standards for social services that are included in the Gulu Municipality Physical Development Plan 2013-2033 (Table 18) requires that the municipality reviews its public space needs and plans for them accordingly. Our observations, however, revealed that there were serious contradictions between the provisions of the existing municipal development plans and what is actually being implemented on the ground. There is no map that integrates public space corridors, environmental corridors and other open space connections into overall visions for municipal public spaces. For example, parts of the central forest reserve in Gulu Municipality has been allocated to Gulu University. The exact sizes, exact locations, ownership, and management of public spaces are not clearly well known by municipal authorities. Where they are known, the existing planning and accessibility standards and guidelines have not been followed. Further, actions to acquire and protect public spaces and land in the two municipalities were given less consideration including the development of infrastructure (e.g. signage, pathways, fencing etc.), management planning, management activities (e.g. maintenance, restoration, garbage removal, etc.) and stewardship of these assets, leading to concerns over the sustainability of the public spaces.

Source: Gulu Municipality Physical Development Plan 2013-2033

Table 18: Proposed Standards for Social Services in Gulu Municipality

Facility	Standards				
	Catchments (000s)	Walking distance	Land requirements (ha)	Location	Distribution
Nursery	2.5	300-500m	0.1-0.25	Zone	1 per zone
Primary	4-5	1-1.5km	1-3	Parish	1-2 per parish
Secondary	8 -10	1-3km	4-6	Parish	1-2 per parish
Tertiary	District/ National	n/a	Varies	District	District
Cemetery	50 - 750	n/a	1-2	Sub-county	3-5 per sub county
Community centre	10-15	n/a	0.25-0.5	Parish	1 per parish
Play ground	Variable	n/a	1	Parish	1 per parish
Market	2	2.5 km	2.0	Parish	Neighbourhood

The inadequate coordination of physical planning activities within the municipalities has resulted in the unpleasant and unattractive quality of open spaces. There are no regulations available to the Municipal Council for the use of public or open space and no proposal has been fronted to address this issue, despite the continued growth of informal sector businesses in Gulu Municipality (Cities Alliance, 2017). In one of the FGD sessions, a concerned Mbale Municipality resident observed that:

Originally Mbale was well-planned, and named as King George Town, we had many open spaces. The first stadium in the town was named as King George Stadium, even the current stadium’s parking lot has been encroached upon, the lower end of the stadium should have had hostels, but all that land was sold off and developed.

Further, bureaucratic delays coupled with long and frustrating planning processes force developers and other individuals in municipalities to evade the required planning procedures, and to embark on land projects which are unauthorized. The resultant effect is the massive encroachment into green space environments by commercial and residential activities. However, one ardent supporter of proper municipal planning and development observed:

We must stop being lazy. The government has the resources and means to acquire and rezone areas that were not originally part of the urban areas. That acquisition must of course involve appropriate market compensation for the owners. These newly acquired spaces can then be planned properly and developed. Doling out greenbelts, because it is easy just won’t do!

Furthermore, the poor involvement of urban residents coupled with limited sensitization and awareness on the benefits of public spaces has been identified as another challenge within the Gulu and Mbale urban landscape. Some related planning characteristics of public spaces are given in Table 19. This has caused town residents to consider public spaces’ protection as the sole responsibility of municipal authorities. The resultant effect has been the significant destruction and vandalism facilities in the public spaces by the local people and their conversion into dump sites. In Gulu for instance, no sooner had the municipality planted trees and grass in beautification along the newly USMID constructed roads than it witnessed a stray animals eating up the plants. This

can largely be attributed to poor attitude towards government projects. Communities in NSDFU observed that:

We want the council to come down to the people to interact with the local communities, and also sensitize them about the development of the town but the community fears interacting with the municipality due to the culture of corruption, i.e. paying a bribe for assistance has made them hesitant to deal/work with the municipal council.”

The issue of mismanagement of urban space is mirrored in the poor enforcement of development controls. This is a recurrent urban planning defect in Gulu and Mbale municipalities. To solve this, a clear demarcation of the area followed by an enforcement of laws against encroachment of these competing activities is a logical step towards reversing the negative trend of events in the park space. Quoting a resident of Mbale resident, Ladu (2015) writes that:

It started in the early 1980s and by the 1990s, Mbale was a shadow of its former self. Potholes were all over the roads. Streetlights were not working. Nobody was maintaining the town gardens. People started putting up structures. Anything green was replaced with concrete.

Today, the physical plan of Mbale Municipality town has been grossly mismanaged with buildings haphazardly erected on road reserves, sewerage lines, in wetlands, street alleys, all in total disregard of the urban authorities’ laws and regulations. Heaps of garbage, human excreta in polythene bags damped in street alleys, old dilapidated buildings and poor sewerage system are all that is left. Mbale Municipality is a shadow of its own past. The Minister of Justice, Maj Gen Kahinda Otafiire, once said of Mbale municipality authorities as lacking in capacity to effectively handle the municipality’s physical planning and development after he discovered that gazetted spaces such as nursery beds, rugby grounds, Uhuru parks and public open areas had been fraudulently allocated to developers by municipality technical staff and politicians (Mafabi, 2013). Quoting the former speaker at Mbale municipal local government, Mafabi (2013) writes:

We mismanaged the town ourselves; look at the type of leaders we elect to the council and mayoral positions: hungry, greedy and would want to use any opportunity to make money for themselves. A number of Councillors just come to the municipal council to enrich themselves and go away without leaving any mark at all on ground. Even worse, they buy the votes to get there so they have to get their money back.

Table 19: Some Planning Characteristics of Public Spaces in Mbale Municipality

	Mbale Municipal Stadium	Cricket Grounds	Lions Childrens Park	Rugby Grounds	DLG Boma Grounds	Village Square	Namakweke Childrens Park	Mayors Gardens	Mpumunde Grounds	B. Wasike Roundabout	Namakweke P/S Playground	Mbale SSS	Mbale Green	Golf Course	Central Forest Reserve	Muslim Cemetery	Gangama Primary School	North Road Primary School	Indian Regional Crematorium	Malukhu Primary School	Gymkhana Indian Community
How the space caters for different needs	Access by gender	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	0	1	1
	Access by age	1	1	1	1	1	1	1	1	1	1	1	1	1	0	0	1	1	0	1	1
Long term perspective/sustainability	Long term/sustainable	1	1	1	1	1	1	1	1	1	1	1	1	1	0	0	1	1	1	1	0
	Medium term/sustainable with difficulties	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
	Short term/ not sustainable	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Public participation	Intensive public participation and active discussion	0	1	1	0	0	1	1	1	1	1	1	1	1	0	0	1	1	1	1	1
	Public informed but not actively encouraged to participate	0	1	1	0	1	1	1	1	0	1	1	1	1	0	1	1	1	1	1	1
	No participation whatsoever	0	1	1	1	0	1	1	1	0	1	1	1	1	0	0	1	1	0	1	1

Table 20: Some Planning Characteristics of Public Spaces in Gulu Municipality

	Peace War Memorial Stadium	Kaunda Grounds	Central Forest Reserve	Boma Grounds	Gulu Municipal Yard	Limu Medical Flats	Gulu Central Forest Reserve	St. Marys Lacor Hospital	Btn Tank Rd & Alex Ojera Rd	Btn Olaya Gilbert Lane & John Oniri	Btn Untant P/S and Airfield Rd	Achoil Cultural Leadership	Holy Rosary Catholic Church
How the space caters for different needs	Access by gender	1	1	1	1	1	1	1	1	1	1	1	1
	Access by age	0	0	1	0	0	1	0	1	0	0	0	0
Long term perspective/sustainability	Long term/sustainable	1	1	0	1	1	0	1	0	1	1	1	1
	Medium term/sustainable with difficulties	0	1	1	1	0	1	0	1	1	1	0	0
	Short term/ not sustainable	1	1	1	1	1	1	1	1	1	1	1	1
Public participation	Intensive public participation and active discussion	1	1	0	1	1	0	1	1	1	1	1	1
	Public informed but not actively encouraged to participate	1	1	0	1	1	0	1	1	1	1	1	1
	No participation whatsoever	1	1	0	1	1	0	1	1	1	1	1	1

The mismanagement of the land also affected the Golf Course (Figure 51) and one of the regular golfers was interviewed by Mwanguhya (2012) and he had this to say:

If you are planning to carry some clubs and ball in anticipation of a game of golf on your holiday in Gulu town, you can as well unpack, lest you play from the utterly grass-less Kaunda Grounds (named after Kenneth Kaunda, Zambia's former leader), one of which, together with Pece, authorities have rushed to protect from the encroachers. Ordinarily, your golf equipment would have served you better had you made your visit 30 years back when the Gulu Golf Course, located on the senior quarters and just near the Acholi Inn, was still in place. Around 1976-77, the then town clerk called Obwol (RIP) demarcated the entire area for development and in the early 80s, building on the site, unfortunately started. Unfortunately, the Municipality and country planning board then changed its user clause in the 90s into a residential area. The former course, just a kilometre outside the central business district, is now an affluent residential area covered with plush tiled buildings, while the erstwhile golf club house is now a leisure centre. The district had gazetted new land for a golf course at Tedam, about 4km from Gulu town, but there are squatters. There are many squatters that compensating them would be quite a task. The municipal allocated us the area near Pece River, a deep lying surface between town and the senior quarters but it was a swamp. The only hope now is that Gulu University is looking for land to establish a golf course. I hope they get it. The district had talked of the area at Gulu Airfield but that is where police do their shooting range from.

Figure 51: The Former Gulu Golf Course



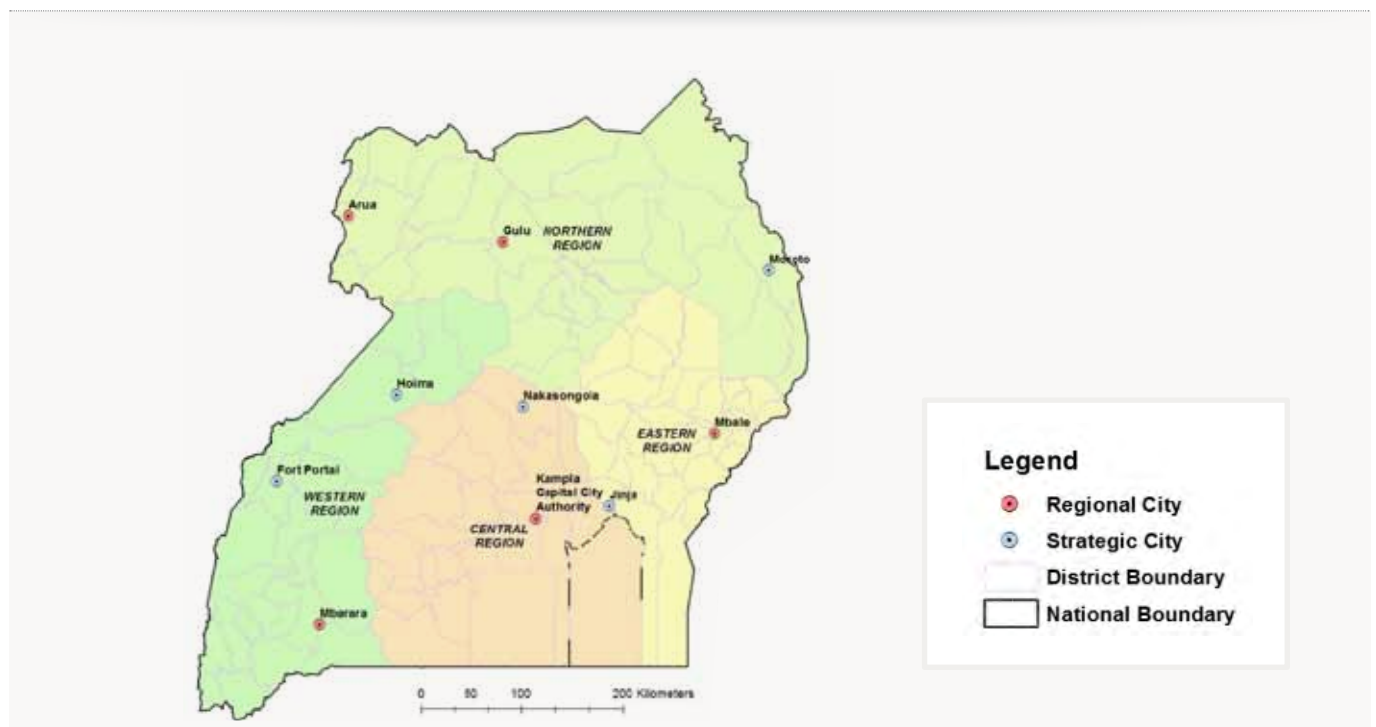
[Just a kilometre outside Gulu CBD, barely has green and is now a residential area, while the golf club house is now a leisure centre]

Source: Akena, 2012, In Mwanguhya, 2012b

There has been a recognized call by the central for all municipalities across the country to align their development priorities to the national development strategic planning. Indeed, Gulu and Mbale municipalities have been identified as strategic urban areas which are to be upgraded to city status under Uganda's Vision 2040. Intended as a strategy to address urban primacy, the government of Uganda approved to plan for and establish four (4) regional cities, which, aside from these two, also include Mbarara and Arua. In addition to the envisioned regional cities, five

strategic cities which include Hoima (oil), Nakasongola (industrial), Fort Portal (tourism), Moroto (mining) and Jinja (industrial) are also planned. The social, economic, political and environmental ramifications of such plans are immense. Upgrading these towns to city status will come with numerous challenges, including population growth, spatial expansion, need for provision of social services and infrastructure, employment, housing, energy, all of which in some way intersect with public space and land management. In order to meet these challenges, it is important that the leadership of the two municipalities develop and implement effective public space and land management strategies to facilitate planned urbanisation, infrastructure development and service provision to enhance productivity and human welfare. The spatial distribution of the regional and strategic cities is indicated in Figure 52.

Figure 52: Anticipated Regional and Strategic Cities in Uganda



5.4 Open Space Advocates and Civic Responsibility

We observe that there is growing civic responsibility in both municipalities to develop and protect public spaces and land. The participation of society in the decision-making process is considered essential for municipal environmental management and, more specifically, in the management of green areas. Braga (2001) highlights the importance of creating collegiate bodies at the local level such as the Municipal Environmental Councils (and other forums), providing the necessary structure for urban participatory management.

According to Gulu and Mbale Municipality officials, most land in the city is held under leasehold, with customary and freehold tenure coming second and third respectively. Most of the land that is currently freehold has been converted from customary tenure. The key people in land delivery are the customary landowners, who decide when to sell plots on a private arrangement. Interactions with local residents in Gulu Municipality revealed some interesting perspectives around social responsibility in relation to the development of public spaces and land. What stands out, for example, in Gulu municipality is that during the construction of the USMID roads, land owners

willingly accepted to release their private lands for road construction. Examples of roads in the municipality whose opening relied heavily on private land owners included: Tank road, Alex Ojera road and Opio Yereimiya roads. According to the surveys and interviews conducted in Mbale municipality, such a scenario of private landowners offering their land for road opening without compensation was most unlikely. From one, focus group discussions, residents intimated that:

There were negotiations with landowners over the renovation of the USMID roads. In fact, we are willing to offer our land for development. Let me be compensated, I would be willing to release more land for other public developments.

This signals the need to harness civic responsibility by engaging local communities more in genuinely participatory processes to ensure effective, efficient and sustainable public spaces and land management in these growing centres. During the just concluded East African Secondary Schools Game which attracted 7,000 participants to the once ruined Pece Stadium, in Gulu, it was observed that a larger part of the resources to refurbish the stadium were contributions from several thousands of people who once languished in government operated concentration camps in the Acholi region of Uganda (Okumu, 2017). While opening the games, the LCV Chairman, Gulu district noted that:

An 80-year-old man who walked 96 kilometres from Awere village in Omoro district to Gulu, just to contribute Uganda Shillings 1,200 money enough to buy twelve bricks towards construction of the stadium. He observed that this was just the beginning for Acholi community to fund for their own development projects, as we have constructed the sport stadium and the Olympic size swimming pool which is the second biggest in East Africa.

The local community in Gulu Municipality s played an important role in monitoring going road construction works which were funded under the USMID programme. The same community came out strongly to express their disappointment when the municipality delayed to complete rehabilitation works on the town's Ring Road. It is reported that the community threatened to close it down if no action was taken by the Municipal council authorities to finish the respective rehabilitation works. Tegwana Voluntary Social Accountability Committee (VSAC) together with community of Tegwana in Pece Division, Gulu Municipal on Saturday 21st July, 2012 mobilized themselves to block the road in Tegwana Parish due to its poor state and they vowed not to open the road until the Town Clark or Mayor gave an account as to why the works on that particular road had been delayed. The angry community reported that the Ring Road proposal for expansion and rehabilitation commenced way back in 2003. In the 2011/12, the municipality announced that works on the road would be completed before the end of the respective financial year. According to Tegwana VSAC member Mr. Julius Opobo, 89 Million UGX was allocated and released for the rehabilitation works but the community was surprised that the work on the Ring road had not started or finished according to the municipal plan. Tegwana VSAC and community of Tegwana decided to temporally close the Ring Road until they were assured by Gulu municipal council when the construction work would commence. The community used tree logs and branches, complete with a poster written 'Labeja road, we need other workers to complete Ring road. During the peaceful demonstration over the delay to complete works on the road, some community members especially women ferried their clothes for washing on the road, while others sat on the road sorting beans and pounding groundnuts shouting 'Omito gudu aleng, Labeja' (we need good roads). In the same week, two other roads in Gulu Municipal were also closed by local people (WOUNET, 2012).

A similar protest over delayed works on Republic Street, also funded under the USMID project, played out in Mbale municipality in 2014. Masa Musa, the LC III chairperson of Industrial Division and Safiyi Wakhayete, the chairperson of the Municipality Leaders Forum deployed huge stones and tree logs to block the road in question. Works on the road had delayed and there were complaints of dust which were hindering the operation of businesses. The business community in Mbale Municipality went up in arms against Plinth Technical Services, a Zambian based road construction firm, undertaking the rehabilitation of Republic Street and other roads in the municipality (Olaka, 2014). We must, however, emphasize that the aforementioned public space advocacy events, seemed to have been isolated and therefore lack the ability to be sustained.

5.5 Public Space Partnerships and Coalitions

As with many public spaces across the country, municipal authorities do not determine the utilization profiles for parks and outdoor facilities. Therefore, the directions and policies of the private sector through their activities and programmes have had a greater influence on public space management and the range of public space opportunities available to residents of both Mbale and Gulu Municipalities.

A number of ethno-cultural clubs have venues that have both indoor and outdoor recreation facilities. For example, the Indian Community owns and manages Gymkhana Asian Community Park used for multiple purposes including political events and cultural events while the Indian Regional Crematorium services take care of the needs of the Eastern and North-eastern region of Uganda. Some of these facilities have varying levels of access for the municipality residents. Secondly, non-profit agencies play central roles in open space planning and management in Mbale and Gulu Municipalities. The two municipalities serve as hosts to a number of non-profit organisations and charitable agencies which are intimately involved in designing, building, managing, restoring and maintaining natural and cultural resources in their respective communities. Four examples that, though they vary in composition and scope, stand out as prominent examples of this role by non-profit agencies in the two municipalities:

- 1) Rotary International has entered into a working partnership with Mbale Municipal Council to manage, 'Mbale Green.'
- 2) Mbale Sports Club is now managing the Golf Course and all its ancillary facilities, and is also making strong claims for managing the Rugby grounds.
- 3) World Embrace is another example of an active non-profit agency working in Gulu Municipality, where it's now engaged in innovative planning work on part of the 9.4 ha tract of wetland behind Unifat Primary School (Figure 53). World Embrace is a Christian non-governmental organization (NGO) that focuses on promoting "Unity." The agency has partnered with Gulu Municipal Council to renovate Gulu Basketball Court and Pece War Memorial Stadium's facilities. The organisation has also invested more than 12 million Uganda Shillings in renovating the Basketball Courts at Kaunda Grounds and has also pledged to 35 million Uganda Shillings for the renovation of Pece War Memorial Stadium (Aliker, 2017). World Embrace has also received support from Engineering Ministries International with the layout and design of Gulu Community Champions Center²¹.

Figure 53: The Site for the Planned Community Champions Centre in Gulu Municipality



Source:

²¹The major goal of building the Champions Centre is to build a space that becomes the new community HUB of Gulu. The centre will house a museum, fitness centre, clinic, a 2000-seat auditorium, day care centre, basketball courts, tennis courts, football pitch and leisure park. It will sit on part of a 15-acre piece of land wedged between Unifat primary school and Kauna Grounds in Gulu town. Pece Channel, a stream that runs through the land, will be preserved, (Namugerwa, 2017 and Odokonyero, 2017). There will be the world's biggest hut; 35 metres wide with a roof of 26 metres high and "it will be as high as a six story building (Namugerwa, 2017). The Planned Community Champions Centre and planned projects can be found and followed up at <https://www.worldembrace.org/champions-centre> and http://emicanada.org/projects/projectprofile_10063.shtml

- 4) BOSCO-Uganda and community activities in Gulu Municipality. His Grace Odama linked up with good Samaritans from the United States and started the Battery Operated Systems for Community Out Reach (BOSCO-Uganda) to generate power using solar energy for usage in the internally Displaced Persons camps (IDPs). BOSCO Uganda is a non-profit organization which promotes education and computer literacy. BOSCO is also engaged in meeting Uganda's growing energy needs by installing and operating sustainable solar energy systems. Gulu continues to suffocate shock in darkness, with rampant outages, and BOSCO Uganda is spearheading its mission of providing solar energy. Apart from providing solar energy, BOSCO-Uganda has gone ahead to operate a public library for municipal residents.
- 5) Mbale Municipality hosts a number of recreation clubs and local sports leagues that focus on competitive and non-competitive recreational activities such as football, rugby, netball, golf, athletics, etc. and these demand for well-designed, secure and maintained public spaces. Several business agencies such those engaged in soft drinks manufacture and telecommunications coalesce themselves around what has come to be referred to as the Eastern Corporate Club. These leagues tend to expand, contract, appear and disappear, as funding and interest dictate.
- 6) Japan International Cooperation Agency (JICA) and road development in Gulu Municipality - More than ten roads within Gulu Municipality are to be improved thanks to a US\$25 million (83 billion Shillings) Grant extended to Uganda through Japan International Cooperation Agency (JICA). To improve up to 6.7 kilometers of municipal council roads in Gulu municipality that are currently in a sorry state. Most of these are murrum roads that attract vast dust during sunny seasons and mud during rainy seasons. Others have been impassable due to multitudes of potholes (Otto, 2016). Gulu Municipality is a hive of NGO activity and that of development partners such as World Bank and USMID roads²², European Union support to several schools. The 6-year Uganda Support to Municipal Infrastructure Development (USMID) project will expand urban infrastructure, and enhance the capacity of the 14 municipal local governments to generate own source revenues, improve urban planning, and strengthen financial management, procurement, environmental and social systems.
- 7) Gulu Municipality is one of the 14 recipients of the infrastructure development grant under the World Bank funded Uganda Support to Municipal Infrastructure Development (USMID). The USMID program is designed to enhance institutional performance of 14 Municipal Councils so as to improve urban service delivery. A summary of the USMID infrastructure across a selected set of municipalities is given in Table 21. Gulu Municipality received the biggest chunk of the funding to totalling to US\$27.3 million (shs97billion) and decided to work on its infrastructure especially the roads within the municipality. The project has unveiled a new look in Gulu, getting rid of gaping potholes from her streets as she strides towards becoming the regional city in 2019. More than 10 Kilometers of roads have been completed in Gulu municipality and the constructed roads include Lango Road, School road, Cemetery road, Acholi Lane and Alokolum road. Others are Lumumba Avenue, Commercial Road, Crane Avenue and Odur Min Odyek Road (Labeja, 2016). The two municipalities have also received funding from the African Development Bank under the Markets and Agricultural Trade Improvement Project to rebuild their main markets (Figures 54 and 55); which now stand out as major economic centres and public spaces for municipal residents.

²² To illustrate the impact that USMID has made to Gulu Municipality, a pictorial representation and visualization of the nature of roads arising out the project in the municipality can be found in Labeja (2017) at <https://ugandaradionetwork.com/story/pictorial-usmid-impact-road-network-in-gulu-municipality->

Table 21: Summary of USMID Infrastructure Investment in Selected Municipal Development Plans

Sector	Activity	Entebbe	Fort Portal	Hoima	Kabale	Lira	Masaka	Mbale	Mbarara	Gulu
Urban roads and associated infrastructure (rehabilitation and construction)	Tarmac roads	↓	↓	↓	↓	↓	↓	↓	↓	↓
	Gravel roads	↓	↓	↓	↓	↓	↓	↓		
	Road side drains	↓	↓	↓			↓	↓	↓	↓
	Culverts	↓	↓	↓						↓
	Paving for pedestrian walkways									↓
	Cycle lanes									↓
	Street lights		↓	↓	↓	↓	↓	↓	↓	↓
	Street furniture (seating platforms at bus stops)		↓							
	Street signage									↓
Urban solid and liquid waste management	Landfill rehabilitation				↓					
	Compost plant		↓			↓				
	Liquid/solid waste equipment		↓	↓	↓	↓	↓	↓	↓	↓
	Public sanitation points		↓				↓			
	Waste collection points									
Water and sewerage extension to peri-urban areas			↓					↓		
Urban local economic infrastructure	Markets	↓	↓	↓	↓	↓	↓			
	Slaughter houses		↓	↓	↓					
Urban transport	Bus parks/stops									
	Taxi parks		↓	↓						
	Lorry parks		↓							
	Public parks									
Urban beautification	Public parks									
	Playgrounds		↓							
	Urban landscaping		↓			↓		↓		↓
	Planting of trees on road verges					↓	↓	↓	↓	↓

Source: World Bank (2012) with additions from USMID Project Monitoring Office (Kampala)

Figure 54: Aerial View of Gulu Municipal Market



Figure 55: Aerial View of Mbale Municipal Market



Source: Ministry of Local Government. Available online: www.molg.go.ug (Accessed 12th January 2018)

5.6 Multiple Public Space and Land Management Actors

Under the Land Sector Strategic Plan (LSSP), 2001 – 2011, the delivery of land services including public spaces and land is primarily through decentralized structures and primarily falling to local governments. Land administration and management are the responsibility of districts through their councils, District Land Boards²³, and Land Officers and Area Land Committees. However, public spaces and land matters have attracted a myriad of actors and interest groups acting at different spatial scale; the national level, sub-national level such as district, municipal level and at the grassroots level. These are illustrated in Figure 56 One would expect that the interactions among the actors would produce objectives in public space and land management, and ultimately lead to equitable growth across both municipalities (Figure 57).

The amalgam of public, quasi-public, private and civil society agencies involved in one way or another in conceiving, formulating and implementing municipal physical development plans needs to be understood clearly. They all exhibit diverse interests, targets and mandates which creates different niches in the public space and land management ecosystem. The engagement of these different actors, working with varying capacities and at different scales, is underpinned by a complex web of institutional frameworks composed of a myriad of (in)formal laws, regulations, policies, procedure, norms and customs. With specific emphasis on public space and land management, the multiplicity of actors has created multiples meaning of what public spaces are and therefore affecting their management across the two municipalities. We present in the next sections the forms and types of actors that have been involved in the public space and land bonanza.

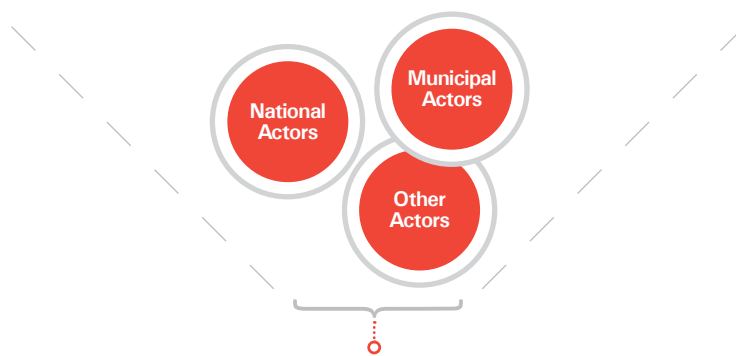
²³ Under the 1998 Land Act, the District Land Boards are charged with the performance holding and allocating land in the District which is not owned by any person or authority, facilitating registration and transfer of interests in land and performing the role and powers of the lessor in the case of a lease granted by a former controlling authority among others. The 1995 Constitution provides for the establishment of a land board for every district in Uganda. The Land Act 1998 specifies their membership, qualification and experience (including that at least a third of the members must be women) as well as their general functions. The Boards are deemed to own all land within a district which does not belong to anyone else and are given the sole power to sell, lease or otherwise deal with such land. The Boards are also charged with facilitating the registration and transfer of issuance of land in their district, surveying and valuing the land and issuing certificates related to it. As such it has become a source of conflict between the Government, communities and citizens. The Land Act 1998 provides for the appointment of Land Committees in each parish, gazetted urban area and city division. These were intended to comprise four people (at least one of whom should be a woman) drawn from the locality and with some knowledge of local land matters. The main function of each committee is to determine, verify and mark the boundaries of customary land within the locality when an application for a Certificate of Customary Ownership is made. The committee is expected to carry out its tasks in collaboration with traditional institutions and also to advise members of the district land board on the applicable customary law in the area.

Figure 56: Key Actors in Public Space Management in Gulu and Mbale Municipalities

Key Actors in Public Space and Land Management

	Public Space	Land
District Level Actors	<ul style="list-style-type: none"> Uganda Land Commission 	<ul style="list-style-type: none"> Uganda Land Commission Uganda police Force The Military The Land Registry
District Level Actors	<ul style="list-style-type: none"> Mbale District Land Board Gulu District Land Board War Veterans 	<ul style="list-style-type: none"> Mbale District Land Board Gulu District Land Board
Municipality Actors	<ul style="list-style-type: none"> Real estate agents Business persons Municipality Technical Personnel Municipal Councillors Mbale Sports Club Rotary Club International Asian Community World Embrace; a Canadian faith group Individual land grabbers (described severally as the untouchables, invisible, powerful, connected, the junta, smart and methodical, monsters, fraudsters, blatant thieves, tycoons, rich and privileged etc.) 	<ul style="list-style-type: none"> Private Land Surveyors Court bailiffs Municipality residents School Head teachers

Figure 57: Expected Outcomes of the Interactions Amongst Actors



Public space and Land Management outcomes - Transparent, Accessible, Accountable, value for money and equitable growth

All public spaces have been affected by multiple actor interests, the most visible effect of multiple stakeholder interests and conflicts lies with the municipal stadia in the two municipalities; i.e. Pece War Memorial Stadium and Mbale Municipal Stadium. As early as 2010, plans to (re)develop Pece War Memorial Stadium into a modern sporting facility hit a snag due to ownership wrangles. Pece War Memorial Stadium²⁴ was built by the British government in 1950 in memory of World War II veterans. However, Gulu District Council passed a resolution to develop Pece War Memorial Stadium to a modern sporting facility. But the World War veterans would not have any of this. The veterans were demanding ownership of the stadium since it was built in their name. The claim by the veterans brought to three, parties seeking control of the stadium. The other claimant was Gulu Municipal council. Other reports indicated that Pece War Memorial Stadium land title was in the custody of the district and the district would involve the war veterans in plans to redevelop and manage the stadium as a way of recognizing their struggle in the world war (Wacha, 2010).

A similar challenge is experienced over the management of Mbale Municipal Stadium and Rugby Grounds (Box 3). The history of Mbale Municipal Stadium dates back to 1906 when Mbale gained its status as Township (Among, 2017). The stadium was established and owned by the Indians in the 1950's until National Council of Sports [NCS] and the ministry of rehabilitation took over its management under the President Obote's regime in early 1980 and it was all green and well maintained (Isabirye, 2014) But it was not until 1980 that the National Council of Sports (NCS) took over its management. Since 1980, the stadium has gone through 10 different managerial administrative regimes from James Magumba, Baraza Musamya, Anthony Balinyeme, Rajab Kaweesi, John Ganyanya, Herbert Mulekya to the hands of the current manager, Ali Madoi, who has been in charge for over 16 years and since 1986 no renovation has been done in Mbale stadium (Among, 2017).

Box 3: Accusations and Counter-accusation over ownership of the Rugby Grounds (Mbale Municipality)

Wrangles between former employees of Mbale Municipal Council and Mbale Sports Club over ownership of the rugby pitch. Those named in the wrangle are Edward Wodea, the former Mbale Municipal Engineer, Rose Mukite, former Assistant Town Clerk who is now a Commissioner with Uganda Lands Commission, and James Wanasolo, a former municipal surveyor. Wanasolo and Mukite deny owning plots in the contested ground. But Professor Kiboma, one of the accused says he legally acquired a plot of land in the rugby pitch in 1998 after fulfilling all the requirements set by Mbale district land board. Kiboma says that Mbale Sports Club has no grounds of claiming the land because they do not have any documentary evidence to back their claim of ownership. Kiboma says he, together with other people, was allocated plots in the area by council authorities to develop them into residential houses. His claims are backed by the Wanale Division local authorities who are asking Mbale Sports Club to show proof of ownership of the contested land. The assistant town clerk in charge of Wanale Division, Robert Wambede recently wrote to Mbale Sports Club and the Uganda Rugby Union asking them to show proof of ownership of the land. Wambede stated in the letter that the only land that Mbale Sports Club owns legally is the European Sports Ground and Golf Course, which they were granted lease in 1929. Dan Masaba, a member of Mbale Sports Club however claims that they have documents indicating that the land belongs to them. Masaba explains that the commission, which investigated corruption in Mbale Municipal Council, had in 2007 recommended that the land be given back to Mbale Sports Club and the officials implicated in the scandal be prosecuted.

(Elunya, 2011)

²⁴ It was established after the Second World War, by the then colonial British Protectorate regime, in honour of the memory great contributions and participation of the Acholi community towards; and during the First World War (1914-1918) and Second World War (1939-1945) in the first half of the 20th Century. By the end of the Second World War (1945), the number of agile, promising Acholi young men; who were forcibly conscripted into the then Kings Africa Rifles (K.A.R); numbered over 6,000; from a population of a little over 250,000 in the then Acholi District of northern Uganda province. Construction of Pece War Memorial Sports Ground was expeditiously completed in November, 1946; and was launched in style, with grand cultural show including dances and sports activities, in a peaceful Uganda protectorate; amidst the exercise of mass demobilization of servicemen, arriving back home with pomp and in great pleasure to be back home – sweet home (OKello-Lawoko, 2017).

It has become a common practice in Mbale Municipality to wake up in the morning to find private or government property fenced off with iron sheets. Most affected are government properties. What is visible across all public spaces and lands in both municipalities is the magnitude of grabbing. Although some of the Mbale Municipality councilors would like to refer and sanitize them as the 'systematic allocations of land' the problem has not spared the municipality public spaces and lands either. Although, land give-aways and (re)allocations are of a national character, what characterises them in the two municipalities is the impunity with which they are methodically conducted. Many scholars have reported that the (re)allocations of public spaces or green belts have been 'exported' from Kampala to up-country towns and this arises out of the 'greed' of our generation (Sejjaaka, 2017). The greed for land, power, wealth, housing, and anything potentially productive. The loss of public spaces has appropriately been captured by Sejjaaka (2017) as:

Our generation doesn't seem to understand the importance of communally owned resources. I see you guys are cutting up and sharing public land for selfish interests but if we had done the same, would you have any common heritage?' It's just like a bunch of barbarians have been let loose on the city! Surprisingly, the people undertaking the mutilation of our once beautiful and restful city are some of the most travelled Ugandans!

The land question in the country has reached crisis proportions and although the actual land grabbers appear(ed) invisible, our judgement shows that there is a worrying trend of highly placed individuals colluding to rob ordinary Ugandans of their land. These systematic (re)allocations of lands and public spaces in the municipality are well orchestrated and take various forms and several actors are involved. The problem is so far attributed to forgery and fraudulent transactions between several government departments and selfish individuals. But most importantly, the commission of inquiry revealed severe problems of institutional dysfunctionality, overlapping mandates and weak coordination. From a neutral perspective, important questions must however be asked about the current state of affairs on the encroachment and appropriation of public space and land in municipalities like Mbale and Gulu. Why are the relevant frameworks set in such a way that leases on public properties are allowed to expire or wind down to create such lacunas that increase the chances of manipulation of the systems by various individuals? And why is it that forged or wrongly acquired titles that have been unearthed in the system are not cancelled regardless of their status? Why wait till the leases expire? Couldn't the land titles be cancelled regardless of their status?? Why have caveats not been imposed on illegally acquired public properties? The response from ULC was that issuance and granting of titles involves a series of steps each having a signatory hence making cancellation of titles a complicated process. One would ask: Whose fault is that in the first place? Should lawbreakers go unpunished just because it's a long process to undo what they have done? Was this the best approach that important public agencies such as the ULC and DLBs could have come up with to solve the problem? Hasn't this encouraged unscrupulous individuals to come in and manipulate the system to meet their selfish interests, while also reinforcing impunity on the part of others who have already taken advantage of the slackness in the system to continue appropriating public properties knowing no serious action will be taken against them?

A number of commissions of inquiry on land matters have been constituted over the last ten years or so, in Uganda to unearth the problems of land (re)allocations that are rampant across the country. For purposes of this report, two commissions of inquiry are relevant here:

- 1) The Parliamentary Committee on Physical Infrastructure²⁵;
- 2) The Commission of Inquiry into Land Matters²⁶ (sometimes referred to as the Justice Catherine Bamugemereire Commission).

²⁵The Sessional Committee on Physical Infrastructure is mandated by Parliament to oversee the activities of the: - Ministry of Lands, Housing and Urban Development, Ministry of Works and Transport. Other government parastatals and institutions under the Committee's jurisdiction include: - the Uganda Land Commission and the Uganda National Roads Authority. The investigation into land scam in Mbale Municipality stems from a petition by Mutwalib Zandya the Mayor of Mbale Municipality to the Office of the president, parliament, the Ministry of internal affairs and lands. The mayor and his councillors complained about the rate at which Uganda Land Commission was giving away gazetted public land in Mbale municipality to private developers. He said their protest was intended to draw the attention of parliament in order for it to cause an investigation into the sale of gazetted green spaces in Mbale (Olaka, 2013).

²⁶The commission's mandate is to probe efficiency of the laws, policies and processes of land registration, acquisition, administration and management. It is also tasked with inquiring the effectiveness of the Uganda Land Commission (ULC) in administering public land and relevant bodies in the reservation of wetlands, forests, road reserves, and national parks, among other gazetted spaces (Twaah, 2017).

The findings of these commissions including reports from our discussions with relevant municipality political leaders, councillors and technical personnel, reveals a number of disturbing issues on municipal public space and land management. We illustrate some of these in the next sections.

5.7 Existence of Powerful Land Cartels

This involves Members of Parliament, ministers, members of area land committee, municipal councillors, municipal technical personnel, illegal developers, military (UPDF) soldiers, army veterans and security operatives were among those prominent persons who continue to influence the Uganda Land Commission to illegally sell off the public land in the Municipality so as they can benefit from it (Elunya, 2011b). What is more disheartening, is that there are government officers who were conniving and colluding with unscrupulous developers to circumvent laws and policies that are meant to protect such spaces.

The commission's investigations had established a disturbing relationship between government officials, security personnel and politicians ganging up to evict locals from their land (Twaha, 2017). It appears the same situation is unfolding where public spaces and land in towns like Mbale and Gulu are concerned. Some of the cases highlighted here are perfect examples of the municipalities losing gazetted public spaces and land through systematically appropriation effected by individuals exploiting their political connections and/or wealth to manipulate state institutions. While these processes started more covertly and at small scales, they are now being conducted very overtly on a daily basis and occurring on large scales. The chairperson observed that through the public hearings and investigations conducted by the commission most recently, the situation in land management, registration and acquisition is worrying. The commission found that there was heavy encroachment in some places and depletion of protected areas such as forests, wetlands, and wildlife reserves. This encroachment, according to the Bamugemereire Commission, has been conducted with impunity and total disregard of the law and future of the country. Individuals grabbing public land were singled out to have developed sophisticated mechanisms. In some cases, cases of outright fraud had been identified in land registration including multiple titling, forgeries of letters of administration and court orders to illegally obtain registration, on top of outright forgeries of registration particulars. The existing land registration system has been almost rendered irrelevant due to multiple titling (Twaha, 2017). This resonates closely with the statements made by the District Police Commander (Mbale) to the commission of inquiry on land matters, that:

My Lord, I will tell you, that recently I was in Kampala on official duty and I received a call that somebody had come to CPS Mbale trying to inquire about the Plot number and ownership of CPS Mbale. So, my Lord, as you move around the country doing this work, the land grabbers don't sleep. Every other day, they are looking for an opening, of a new opportunity. My Lord, it is the weaknesses in the system, right from the District Land Boards to the registry and some loopholes in the court process.

In a petition to the Inspector General of Government and police detectives, the then Town Clerk, Mbale Municipality revealed that individuals masquerading as true owners of various plots of land in the municipality reported connived with the deputy town clerk to acquire titles for the land they do not own (Mafabi, 2010). The petition pinned the deputy town clerk, Mr. Kenneth Khatuli for using his position ad stamp to allow fraudsters to process formal ownership of the land which doesn't belong to them (Mafabi, 2010). While decrying the rot at the Mbale Land Registration Office, some of the persons that appeared before the Bamugemereire Commissions of Inquiry into land matters observed that there is a large group of land grabbers, who fraudulently acquire land titles using pseudo companies and then sell them off:

"To the best of my knowledge, he is not a well-known person in town. He is some individual in Kampala who has been put as the face to the land grabbers and the properties are being taken in his name and then later on; everybody shares the loot. Because first of all, like where the

Area land committee sits nobody knows, where is their office to receive, nobody knows, who are the members, nobody knows, the general public they don't know."

While appearing before the Parliamentary Committee on Physical Infrastructure on land grabbing in Mbale Municipality, the former Minister for Housing, Hon. Gafabusa Werikhe reported:

I challenge anyone who thinks, I have either profited directly or indirectly to come up and mention because Lorry Park, I have told you the person who is lead, who is the lead person in this is Juma Seiko. He is not from Mbale but is one of those people. You go to Busoga Lane; you have Ambrose Wepukhulu of Uchumi in Mbale. Hon. Wakikona's wife, wanted to get a plot, I think innocently, she thought may be the opportunity was presenting itself, she did!! The councillors themselves got land from Busoga Lane purportedly for Divisional Offices, i.e. Industrial Division. Instead, they ended selling up this land, Councillors. they ended up selling this land.

In most cases, the types of actors involved in land grabbing and illegal acquisitions of land are so powerful given that, as Ladu (2015) reports, the Municipality Mayor, His Worship Mutwalib Zandiya Mafabi was attacked by a one powerful developer.

The mayor is also candid about the challenges. He is aware about the mess that the town has since become, and "sober enough" to understand that the chaos cannot be sorted in flash. It will take a hard shift, some dangerous, like in an incident earlier in the year where a pistol was pointed at him. The scuffle ensued when the town's leaders were enforcing a court injunction stopping a construction along a sewer line. The proprietor of the building, Alii Boto, drew a pistol and threatened to shoot Mafabi before the municipal law enforcement officers brought him to order.

Other developers that have encroached on and fenced off municipal land in several areas pinned posters of presidential candidate Yoweri Kaguta Museveni, to scare away residents who were concerned about the illegal structures that were coming up. One of the encroachers, Deo Matsanga, a security operative constructed a lock-up shop at Sleeping Baby Roundabout near Mbale Bus Park and when Uganda National Roads Authority (UNRA) ordered him to demolish the structure, on grounds that it would affect the smooth flow of traffic on Tororo road, Matsanga insisted that he would accept to be buried by the graders that would be brought to demolish his building. He argued that he erected the structure because everyone who had the money was building in any vacant place in Mbale town without consent of the authorities. Matsanga was not alone; a group of about 400 army veterans had also forcefully taken over Uganda Broadcasting Corporation land in Namatala and turned it into a makeshift market. The group led by retired Lt. Siraj Lubwama, said that they were forced to take-over the land to conduct economic activity because government failed to resettle them (Elunya, 2010). Ultimately, the municipality had been taken over by criminals, there was total anarchy and one didn't seem to know anything that is happening (Twaha, 2017).

A related story is found in Twaha (2017) and but importantly, the vulnerable and less powerful municipality residents, seeking to eke a livelihood in a precarious and uncertain economic environment are the most affected. A concerned market vendor in Bugwere market had this to say:

We look like orphans here in Bugwere Market. We have requested for the land title to the market but the Municipal Council has failed to secure the land. The only thing that we see are private individuals that come with certificates of ownership of the market land. The lady chopped off the land and then Galandi has recently come in with his own certificate of ownership.

For the most part and given the existing standing orders and government guidelines, all public spaces and land in municipalities should be managed by the municipalities themselves, with guidance from the District Land Boards and Uganda Land Commission and the existing national planning standards and guidelines. Section 51 of the Physical Planning Act prohibits subdivision and consolidation of land, renewal or extension of leases without approval of the Physical Planning Committees (PPCs). In a circular (ADM/45/2) issued to all Town Clerks on the implementation of the Physical Planning Act, the Permanent Secretary (MLHUD) called for coordination mechanisms among Uganda Land Commission, the District Land Boards (DLBs) and Area Land Committees (ALCs) on one hand and the Physical Planning Committees on the other hand to ensure that land administration decisions are informed by physical planning. This kind of institutional structure surrounding public space and land management in both municipalities is organised hierarchically. However, it was unanimous in our discussions with the municipal authorities that the relationship between the Municipal Councils and the District Land Boards and Uganda Land Commission in land (re)allocations unfortunately conflictual. For a long time, the public spaces and land that the two municipalities assumed to be under their stewardship and management have frequently been (re)allocated to other persons and agencies by the District Local Board and Uganda Land Commission. This was most reported in Mbale Municipality and these conflicting mandates between national level institution (ULC), district institution (DLB) and the Municipal Council, continue to disempowers the Municipal Council from undertaking potential investments in public goods and services and leveraging other potential actors for support remains difficult (Cities Alliance, 2016).

The conflictual relationship between the municipal councils, DLBs and ULC has attracted fights between the municipality technocrats and politicians who are furthering the processes of unofficial land (re)allocations. Mbale Municipality land situation is far more revealing and complicated than what we observed and learned in Gulu Municipality. Several financial misappropriations and interdictions involving technical personnel and politicians have been reported in Mbale Municipality over the loss of public lands. Thus far, Mbale residents have paid a heavy price for the mess created by those entrusted with responsibility to do the right thing (Ladu, 2015). For long, Mbale Municipality has been dogged by corruption scandals and, as a result, it is one of the most difficult towns, that the Ministry of Lands, Housing and Urban Development reports as difficult to work with (Ladu, 2015). Sounding depressed and resigned about the state of conditions in Mbale Municipal Council, one of the key interviewees observed, that:

The whole system in Mbale Municipality is rotten! Gulu Municipality is performing better, if they are to get a city status, let them get it first and not Mbale Municipality!

These grabs are possible when land law is confused or complex; when legal literacy (understanding of legal rights, protections, benefits) of the population is low; and when land administration structures and processes are weak (Besigye, 2016). This was partly caused by existing gaps within the operational/working framework between the ALCs, DLBs and PPCs. For example, the Assistant Town Clerks who are the secretaries to the ALCs do not report to the Town Clerk or the PPCs but to the DLB and the current law does not provide for the Town Clerk and Physical Planner to sit or be represented on the DLBs. As a result, DLBs have, in some cases, taken decisions regarding municipal council land without the consulting municipal council authorities (Town Clerk or Planner) (OAG, 2015).

District Land Office in Gulu retained the function of controlling land management, District Land Office has a lot of interference, roads are closed, they remain the ones to facilitate the titling processes, there is a high level of interfering with our planning, one district surveyor used his firm to determine infrastructure changes in our municipality. The man did a lot of havoc in the municipality. Political interference is still prevalent especially from the district, they can still force their way on planning public spaces.

The Uganda Parliamentary Committee on Physical Infrastructure found out that the rules and laws guiding ownership of land are not well stipulated, they contain deeply embedded ambiguities and flaws, and these were being manipulated by the few powerful elites and their acolytes to rip the municipality of their public spaces and land. The process of land acquisition, which entails issuance of titles after property has been identified and inspected, surveyed and marked, is being by-passed by unscrupulous individuals, who simply force the issuance of titles without following the due process. These scenarios offer plausible explanation for the existence of overlapping titles. A similar observation was made by the World Bank (2015) which indicated that the structure of managing land in the district does not provide for the mandate, autonomy and responsibility of urban councils, especially Municipal Councils that are supposed to be autonomous as provided by the Local Government Act; which seriously affects investments and the delivery of basic services in urban areas. This has resulted in subdivisions and allocation of public land without approval by the PPC (OAG, 2015).

More importantly, the demand for land had surpassed its supply. The two municipalities don't have Municipal land boards to oversee land management issues. They depend on the district land boards where representation was inadequate and therefore couldn't positively influence decision-making processes which affect land utilisation in the municipality (UN-Habitat, 2011). The main concern, however, that has arisen not only for the two municipalities, but probably even elsewhere, are the conflicting roles between the Uganda Land Commission (ULC), District Land Board (DLB) and the Municipal Council over access to and use of public land. First, the law provides that DLBs shall be independent and not subject to the control or direction of any person or authority in carrying out their functions. By legislating for independence of the DLBs, the law seeks to promote and preserve the integrity of the institution. The current vertical coordination and integration mechanism between the national (Uganda Land Commission, District Land Board and municipal-level agencies) are weak especially with regards to the allocations, reallocations, issuance and enforcement of related development controls and approvals for development. There is also the case of the Uganda Land Commission allocating land without involvement or reference to District Land Boards in the respective local governments. It was observed that there was a tendency by the District Land Boards to allocate land in the Municipal Councils as free hold and this had led to loss of revenue in addition to disrupting effective physical planning (Ministry of Public Service, 2016). The Uganda Land Commission is further faulted for conniving with unscrupulous individuals to undertake 'misplaced engagement in non-core activities' by, for instance, concentrating more on allocation of land to individual developers with little regard to purchasing land for current and future use by government, especially in prime urban areas. Indeed, the commission has further been faulted for behaving like it owns land and yet they hold land in trust for MDAs. It had for instance allocated land in these two municipalities without regard to the physical development plans and there were cases of double allocation of the same land to different developers with different lease titles, thus resulting in costly court cases that took long to resolve (Olaka, 2013, Parliament Reporter, 2015 and Red Pepper, 2014).

Box 4: The 40-year Rugby Drought in Mbale

Mbale Rugby Club (MRC), under MSC, had been out of action with pitches located on Plots 94-102, Bungokho Road and Bumboi Close, Wanale Division in the municipality being encroached on. The clubhouse and pitches have also since gone into disrepair with illegal structures springing up and the entire land in question, well until recently fenced off by encroachers. In 2008, Stephen Anguma from the Uganda Rugby Union (URU), had noticed a local farmer harvesting maize in the contested area. But “illegal” activities, locals say, had started long before, in the early 2000s. Several months of probes by the URU and MSC, the said owners of the disputed land, and various government agencies confirmed the facility was gazetted for and belonged to the former two.

Staring at the danger of losing their property, MSC with the backing of their mother body URU, wrote to the secretary Mbale District Land Tribunal on January 5, 2005, registering their grievances. In fact, the incomplete structure that exists on the grounds, was halted by authorities while at the window seal level. It sits comfortably where the rugby pitch pavilion should be. MSC were complaining about the District Land Board and those individually allocated the contentious plots “in the names of James Okujja, Sasaga Wanzira and a one Wazaba,” accusing them of fraudulently obtaining the said land. Among MSC’s demands were that developments on the plots be halted and that the Land Board rescinds the allocation.

MSC were complaining about the District Land Board and those individually allocated the contentious plots ‘in the names of James Okujja, Sasaga Wanzira and a one Wazaba,’ accusing them of fraudulently obtaining the said land. Among MSC’s demands were that developments on the plots be halted and that the Land Board rescinds the allocation. Those illegal activities were not fully stopped, however, according to MSC. They accuse the municipality of going ahead to allocate the said land to “its staff and politicians.”

Mwanguhya (2012)

Municipal technical personnel, the District Land Board and Uganda Land Commission have taken advantage of the loopholes in the existing law(s) to facilitate the loss of public spaces and lands across the two municipalities. In 2008, a Parliamentary Committee on Physical Infrastructure probe team established that Mbale Municipality had no record of titles for public land and open spaces. The committee discovered that titles for public properties in the municipality had disappeared and municipal officials feigned ignorance. The location of the land titles and the respective custodian of the same could not be ascertained. Under the Local Governments Act 1998 Cap 243, the town clerk is the designated custodian of all documents and assets of the council. However, the then town clerk denied any knowledge of the municipality’s property titles. With the failure to establish the whereabouts of these documents, unscrupulous municipal staff and councillors exploited this situation to (*facilitate and/or*) fraudulently convert and grab public land (Maseruka, 2008 and Twaha, 2017b). The commission noted that in some cases the district land board had deferred renewal of leases because files were missing. The town planner went ahead to sell the said plots using fictitious municipal council minutes (Maseruka, 2008) to ‘developers’ who sometimes were the municipal council staff and duty bearers themselves. Such purported property owners then presented genuine documents from Uganda Land Commission and the District Land Board. With regard to available public documentation and operations of the District Land Office, the Land Officer, Mbale District Local Government observed that:

‘When I came in just recently, we had nothing in this planning office, to say the least. For a district local governmental that is as old as the independent nation Uganda, only 15 building plans and a stamp were handed over to me by the previous office holder. I am still trying to start something in this office, as there were no records at all. However, as an office responsible for land matters for the whole district, independent agency operations are not productive. It is only appropriate to collectively and amicably handle our land matters and public space challenges with Mbale Municipal Council and Uganda Land Commission in a coordinated and integrated manner.’

Box 5: Mbale Finally Loses Uhuru Park to Private Developers

Mbale Independence Square has been illegally sold to private developers by the Uganda Lands Commission. The Square which is locally known as Uhuru Park has been sub-divided into 17 smaller plots and shared by top Mbale politicians and some district leaders. The illegal allocation was first reported in the media early last year but it was denied by the Uganda Land Commission. At that time of the report, the former Speaker of Mbale Municipal Council Davies Mwaule had gone to court and put a caveat on the park land. Mwaule however under unclear circumstances later withdrew the caveat. For withdrawing the caveat, Mwaule has been rewarded with plot number fifteen in the park. Mwaule admits being allocated plot number 15 in the park. He however claims he was forced to withdraw the caveat after realising that the town urgently needs land for real estate development. Mwaule however does not explain how he became a beneficiary of the illegal allocation. Abdullah Kutosi, the Mbale Municipal Council Speaker says the council has also learnt that developers have been granted land titles for the square. Kutosi however says the council cannot do anything to stop the illegal allocation since the land title for Uhuru Park is with the Uganda Land Commission. Mbale municipal council was original opposed to the deal but it has also now made a U-turn and supports the illegal allocation. Kutosi the Speaker says the council has resolved to allow private developers to go ahead and develop their plots. Unverified reports from Mbale Municipal Council however say the resolution to back the illegal allocation was reached following a night meeting between a section of councillors and the developers in one of the hotels in Mbale town. The people who were allocated the plots are now selling them out at prices ranging between 15 and 20 million shillings.

Elunya (2010b)

Table 22 lists some of the cases of lands and public spaces allocated by DLBs without the authority of the PPCs in Mbale Municipality.

Table 22: Cases of Irregular Allocation of Public Spaces by the District Land Board and Uganda Land Commission

	Allocation Authority	Public Spaces subdivided and allocated to private development without the Physical Planning Committee Approval
Gulu Municipality	Gulu District Land Board	<ul style="list-style-type: none"> Golf Course grounds (De-gazetted) Part of Kaunda Ground allocated to Aga Khan Foundation Part of Kaunda grounds allocated to JICA as a holding ground/yard for the agency. Plans are underway to give away parts of Boma grounds for a regional blood bank
Mbale Municipality	Mbale District Land Board	<ul style="list-style-type: none"> Open space along Nkambo (Plots 16-22 and 17-21) and Busoga Lane (Plots 16-22 and 17-21 Busoga Lane)²⁷ Subdivision of Mbale Golf Course Subdivision of East African Customs Lorry Park Municipal Cemetery Plots 56-62 and 64-68 - Nabuyonga Rise Mbale green space Children’s park in Indian Quarters (Plot 1-13 Bu-taleja lane), Service lane along Kumi road (between plot 25 and 27 Kumi road), Bishop Wasike and Gidima road Children’s Park in Indian Quarters Mbale Independence Square (Uhuru Park Children play ground) Compost site along Pallisa road Nkoma stage Buffer area on Kumi road Town clerk’s residence (Plot 3 Masaba road) Part of Namakwekwe Primary School playground gazette for a fuel station Fairway Primary school Part of Bugwere market on Iganga Road

Source: OAG (2015) with additions from the key informant interviews

²⁷ A detailed explanation of how Nkambo lane was fraudulently lost and the number of actors involved is ably given by Mafabi (2013b)

The change of public open spaces into other uses is not a recent phenomenon. It has happened in the two municipalities for quite some time now. Some of the spaces that have changed into other land uses in the two municipalities include;

1. A large incomplete commercial building and shopping complex currently stands where the triangular open space that covered approximately 0.5 acres on Bishop Wasike Road opposite the Clock Tower was (Figure 58)
2. St. Andrews open space (1 acre on Malukhu road) is now a motor vehicle garage area and it has been earmarked for development.
3. Mbale Police (Wanyera) Primary School was once an open space
4. The area occupied by Bank of Uganda (Currency Centre) was once an open space and playground for the Central Market Football team and Elgon Primary School;
5. The former Mbale Independence Square (Uhuru Park) is now occupied by many developments including the Resident State Attorney's Office, Uganda Registration Services Bureau, Office of the Auditor General (Mbale Regional Office), Tax Appeals Tribunal including many other to be completed commercial developments.
6. In Gulu Municipality's case, there are plans to identify suitable land for a new golf course because the old one was taken over and built on years ago.

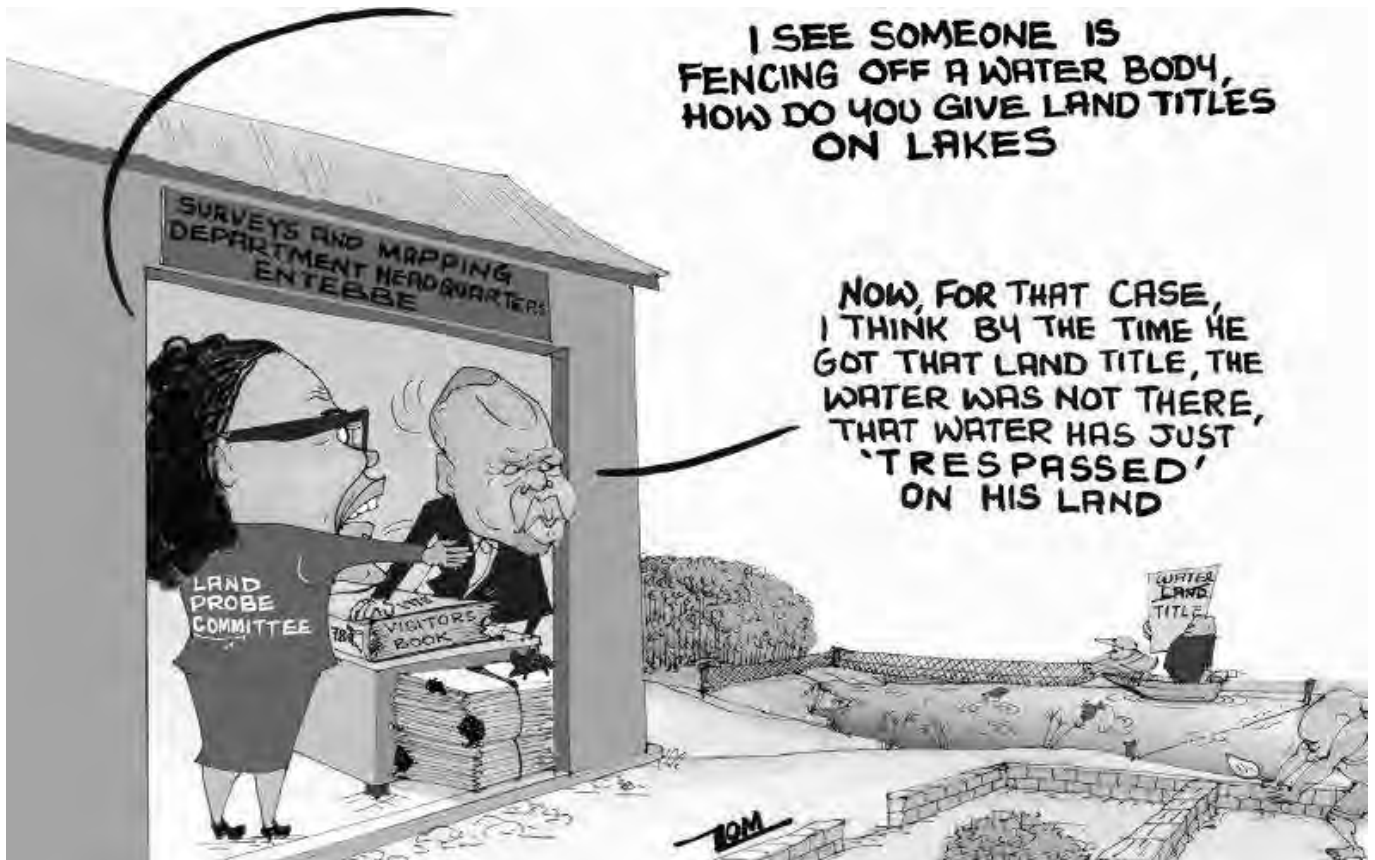
To summarise her observation during the one year of land inquiries, Justice Bamugemereire observed that:

The land question is more than what meets the eye, it looks to be perpetual. It is just impunity if you like. Impunity cut through actually cuts through all. People can do anything because they don't think that somebody will question them. So, some of the issues that come up are: How can we find two titles on the same land. How can there be a Mailo title and a freehold title on the same land? How can there be two Mailo titles on the same land? Where? Who was sleeping when this happened? (See also Figure 59).

Figure 58: Triangle on Bishop Wasike Road opposite Clock Tower that has already been Built by a Commercial Property



Figure 59: Impunity at its Best Over Land Give-aways in Uganda



Source: New Vision. Available online:

<https://www.facebook.com/thenewvision/photos/a.341594839077.151604.329423169077/10156186001539078/?type=3&theater>

5.9 Municipal Capacities to Manage Public Spaces and Land

5.9.1 Budgeting

The quality of public space and appropriate land management approaches directly correlates with the size of the budget apportioned to such assets by any local government. It was difficult to access data on the size of the budgets that both Mbale and Gulu Municipalities apportion for the management of public space and land. Accessing such data would have enabled a clearer understanding of the magnitude of the funding challenges faced by both entities and also allowed for comparative analysis across both cases. However, in all our engagements and discussions with relevant municipal technical personnel, it was unanimously reported that the municipalities have experienced declined budgets over several decades.

Although current legal framework allows for LGs to be financed from (i) grants (conditional, unconditional, equalization and performance base), (ii) own source revenues, (iii) projects and (iv) borrowing, LGs have become increasingly dependent on central government transfers. There is no capital market where LGs could go for long term borrowing to finance infrastructure development.

The lack of financial resources for capital spending, restoration and maintenance makes the management of land and public spaces very difficult. The most classic example from the two municipalities is Mbale Municipal library. Declines or withdrawals of funding to the library has

made the operations of the municipal library very difficult. The Assistant Librarian was very clear on the effects of declining funds and she observed that:

Over the last ten years or so, we have faced severe budgetary restrictions. Mbale Public Library used to serve the whole of Mt. Elgon region including the districts of Budaka, Pallisa, Kibuku, Budaka and Butaleja as well as the nearby districts in Teso sub-region. Now, it is a very delicate and precarious situation in which we are operating. Each newly created district in the region, is by law required to establish its own district library and their operations have to share the small budgetary allocation that used to run Mbale Municipal Library. We have now stopped procuring daily newspapers and we have stopped operating on Saturdays.

Physical planning in both municipalities is poorly coordinated and lacks the adequate human and financial resources to respond to the challenges of encroachment on public space and land. Such a situation has led to extensive spatial disorder in both towns, and subsequently created significant challenges with respect to providing new or even maintaining existing public space and land to stimulate economic growth.

Mbale Municipality lacks the capacity to finance infrastructure development and maintenance and the provision of basic social services due to the challenge of poor revenue collection. However, plans are underway to ensure increased revenue with great resolve from both technical and political leadership. Most of Mbale Municipality's expenditure (38.8 percent) goes towards the provision of education while Local Government Management and service delivery takes up (3.5 percent) of the budget (Mafabi, 2017).

Although the Mbale Municipality budgets have improved from Shs1.8 billion in 1998/1999 to Shs15 billion 2012/2013 with local revenue collection of Shs1.5 billion, there is nothing on ground to reflect this. The municipal council has failed to translate the money into development because the leaders come in to enrich themselves and go away without leaving any mark on ground (Mafabi, 2013).

This trend is reflected in the apparent failure by the Municipal Council to follow through with their mandates such as road opening and maintenance. When officials were pressed on this matter, they attribute the delays in fulfilling their mandate to lack of resources to compensate land owners where new roads are pass through privately owned land. The failure to prioritize opening of roads was also partly attributed to the lack of a national urban policy which is meant to provide a framework and direction to guide the urbanization process. The policy is intended to, among other things, guide resource usage by LGs such as the municipal councils based on determined trends and patterns of urbanization. This would compel the municipalities to allocate resources towards opening of planned roads. The inability by the urban authorities to open the planned roads has resulted in encroachment and development of settlement in the areas planned for roads. In Mbale Municipality, this was evident at the Kimaswa Drive and Hajji Masudi Drive (OAG, 2015). This in turn, will make the opening of these access roads very costly and in some cases impossible. Referencing and naming of plots also continues to remain a challenge since the roads act as reference points.

For the financial year 2011-2012 Gulu municipality raised 1.7 billion shillings (about \$680,000) from local revenue sources, which include market dues, trading licences and property tax among others. Each year, the Gulu Municipality needs 9 to 10 billion Uganda shillings (about \$ 4 million) from the central government to run its affairs. The gap between local revenue collected and what is needed to run the town points to a low revenue base and yet a city is expected to significantly meet its running costs.

Designing and implementing physical plans, in addition to managing urban areas, are complex processes that require adequate staff that are both qualified and competent. However, these two municipalities do not have the right number of urban planners, and the requisite skills. Gulu and Mbale municipalities are divided into four and three administrative divisions respectively, but each has one. The adequate number would be at least a planner per Division. It is incredulous that one urban planner can effectively design a plan for a Municipality with four or five Divisions.

Subsequently, this has led to significant loss, encroachment and dereliction of public space. The unfolding problem of encroachment and loss of public space is pronounced in both municipalities' e.g. Golf Course and Kaunda grounds in Gulu and Uhuru Park and Busoga lane etc. The situation is not so different in other urban centres across the country. Public space has been given little attention by both municipalities and yet it is very important in shaping the urban socio-economy.

The Local Government Act Cap 243 provides autonomy to local governments to prepare or cause to prepare Physical Development Plans, carry out land surveys, land administration and environmental management. The two municipalities of Gulu and Mbale planning is poorly coordinated and lacks the adequate human and financial resources to respond to the challenges of encroachment on urban public space. Such a situation has led to spatial disorder in the municipalities, and to significant challenges with respect to providing new or even maintaining existing public spaces to stimulate economic growth.

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5.9.2 Inadequate Enforcement, Understaffing and Human Resource Base

The lack in both staff capacity and resources is a common challenge highlighted by all municipalities. For many years, capacity gaps have endured and, for example, the capacity gaps identified across all 14 municipalities falls into three broad categories²⁶, namely: (i) gaps in numbers of key positions filled, (ii) operation skills to backup academic qualifications, and (iii) inadequate tools and equipment and facilities (World Bank, 2012). The current situation is critical on several fronts and because of severe wage and financial implications and Ministry of Public Service recruitment guidelines, recruiting staff timely and with necessary skills are a challenge. The difficulty in staff recruitment could partially be attributed to the current institutional process; for example, municipality level staff have to be recruited centrally through the Ministry of Public Services.

Designing and implementing physical plans, in addition to managing municipal service delivery, are complex processes that require adequate staff that are both qualified and competent. However, these two municipalities do not have the right number of urban planners, and the requisite skills. Gulu and Mbale municipalities are divided into three and four administrative divisions respectively, but each has one planner. The adequate number would be at least a planner per Division. It is incredulous that one urban planner can effectively design a plan for a Municipality with three or four Divisions.

Obviously, the lack in staff capacity poses serious constraint on effective management and especially in enforcement. Even with all necessary structure and regulations in place, enforcement is often the greatest challenge. The two municipalities have the primary responsibility for enforcement (they conduct their own inspections) and they are structured to have enforcement officers at the ward/parish level. Mbale Municipal Council, for example, currently has a dedicated Enforcement Unit with a staff of 17 enforcement officers. Given the size of the municipality and magnitude of the enforcement tasks before them, they are often not able to effectively carry out their tasks effectively. Often, encroachment or development with irreversible impacts would have occurred.

Gulu Municipal Council has an approved staff structure of 251 posts. However, it was observed that out of the approved establishment of 251 posts, only 171 (68%) posts were filled leaving a staffing gap of 80 posts representing 32% vacant posts. While Gulu Municipal Council (2015b) reports that under personnel and man power requirement, the municipal is operating at only 68% of its staff establishment including primary teachers and health workers (Table 23). However, some critical vacant positions still exist in production, Engineering, Administration, Finance and Health departments. Understaffing overstretches the available staff beyond their capacity, creates job related stress to the fewer staff and negatively affects the level of public service delivery to the community (OAG, 2016). For Mbale Municipality, the Central Government has limited the number of staff to be recruited and deployed mainly because of staff ceilings for various departments. UN-Habitat (2011) observed that Mbale municipality had no competent staff with technical knowledge of land matters and all issues of land were being left to the physical planner with little legal knowledge of land matters. This gap is still evident with the council struggling on land cases in court. There is neither a municipal surveyor nor land officer to provide support in preserving public land. At the time of the survey, current Physical Planner was also doubling as the Municipal Land Supervisor. In general, the Human Resources Office (Mbale Municipality) reported that MMC human resource was operating at only 69%. The World Bank (2012) identified the capacity gaps across all the 14 municipal LGs benefitiring from the USMID programme and there were given in three broad categories, namely: (i) gaps in numbers of key positions filled, (ii) operation skills to backup academic qualifications, and (iii) inadequate tools and equipment and facilities.

With regard to municipal performance, the data in Table 23 reveals that over the five-year period (2012 – 2016), Mbale Municipal Council has registered an increase in staffing levels in percentage terms from an average of 62 to 69 percent. However, during the same period, Gulu Municipality registered a decline in staffing levels from an average of 81 to 68 percent. What is surprising is that, even with a decline in staffing levels, records from the Program for Result (PforR) Financing Instrument where the level of funding is pegged to assessed performance, for the same period shows that Gulu Municipality has been a better performer than Mbale Municipality. We can only speculate but our judgment is that while Gulu Municipality has several municipal champions and the motivation to fully recover from the war and catch up with the rest of the country, not much is being done in Mbale municipality.

The issue of mismanagement of urban space is mirrored in the poor enforcement of development controls and poor contract management. This is a recurrent urban planning defect in Gulu and Mbale municipalities. The majority of private developers across the two municipalities are involved in illegal development of their buildings. They usually take advantage of the long weekends and public holidays to erect and put up structures without relevant approval from municipal authorities and hardly measure up to the stipulated statutory regulations while developing their lands. This has defeated the management plan, design and landscaping in these towns.

Table 23: Staffing Levels for Gulu and Mbale Municipal Councils

	Gulu Municipality Council					Mbale Municipality Council				
	Approved	Filled	Vacant	Percentage %		Approved	Filled	Vacant	Percentage %	
				* 2016	** 2012				*** 2017	** 2012
Town Clerk Office	3	2	1	66.7	87	3	2	1	66.7	77
Administration	28	16	12	57.1		30	25	5	83.33	
Finance and Planning	16	10	6	62.5	87	14	10	4	71.43	63
Works	27	13	14	48.1	87	32	13	19	40.63	27
Production and Marketing	4	0	4	100	100	3	2	1	66.7	33
Education and Sports	10	7	3	70	90	8	5	3	62.5	56
Community based services	9	7	2	77.8	86	12	9	3	33.33	83
Public health	7	4	3	57.1	69	7	7	0	100	74
Internal Audit	3	2	1	66.7	100	6	5	1	83.33	83
Division Council	68	45	23	66.2	na	81	49	32	60.49	na
Health Centre III	76	65	11	85.5	na	120	107	13	89.17	na
Overall	251	171	80	68.1	81				68.87	62

Sources: *OAG (2016), **World Bank (2012) and ***Human Resources Officer (Mbale Municipal Council)

For the road system, because of poor contract management potholes are a common sight in the municipality and surrounding suburbs. In one of the reports that indicates the ability of Mbale Municipality to handle road contracts, a total of 3.142 km of road network for Republic Street, Pallisa road, Mugisu Hill and Nabuyonga Rise, went unfinished in what is referred to as, 'grossly delayed.' With substandard and inefficient contractors, it is easy for roads to return to their original run-down state two to three months after repair. Mbale Municipality was one of the beneficiaries of the USMID funding for selected municipalities across the country but one visible defect of project management failure are the long delays in finishing Republic Street; one of their biggest road infrastructure investment in the municipality, even with funding from the World Bank. The roads lack proper paving and adequate drainage systems, a thing that contributes heavily to their short lifespan.

Meanwhile, the high turnover of technical personnel in the two municipalities should be a matter of concern to urban administration. Gulu Municipal Council, for example, has had 13 Town Clerks

²⁸The standing order in the Ministry of Local Government is that a Town Clerk is required to serve at a particular for a minimum of three before they can be transferred to another station.

in just seven years – meaning almost two Town Clerks every year (Owich and Makumi, 2013). The situation is not any different in Mbale Municipal Council. Until recently the municipal council had had over 13 town clerks in 7 years²⁸. One of the concerned citizens in the municipality observed that Mbale is one of the most difficult municipalities to govern because many of the Town Clerks have come with good intentions but leave because they continue to be frustrated by local politicians who manipulate all systems of governance for their personal gains.

Twelve of the town clerks in Gulu Municipal Council were forced out of office on allegations of embezzlement and abuse of office. However, their cases have never been heard to their conclusion. Most of the town clerks brought in the municipality, instead of giving services, their eyes are set on politics and cash sent by the central government. Most of them failed to implement council resolutions and continued to use contractors who were doing shoddy work and went ahead to pay them. We cannot not let such a person work in the municipality and the tax payer’s money continues to go to waste. The frequent dismissal and transfer of town clerks has impeded development in the municipality and caused financial losses. Some of the unfinished projects include: The 1.1km Acholi Road, Cemetery Road (1.1km), Sir Samuel Baker Road (1.3km), Obia West Primary School staff quarters and the main abattoir (Owich and Makumbi, 2013).

Because of inadequate enforcement, it was clear that even the service/sanitary lanes have suffered tremendously in Mbale Municipality. These lanes have increasingly been converted and double as shopping fronts, hair salons and restaurants. Women political leaders encouraged rural and urban women to emerge from their “kitchens,” to participate in the national project of economic construction through women’s entrepreneurship and labor in public space — through petty trade and the production and sale of foodstuffs in Kampala and its other urban centers (Hundle, 2015). Data on the magnitude of conversions of these sanitary lanes into other uses is hard to come by but our conservative estimates indicate that all sanitary lanes in the entire central business district of Mbale Municipality have been converted into commercial areas.

Figure 60: The Current State of the Main Entrance to Nabuyonga Primary School Improperly done by Road Contractors



Figure 61: The visible signs of poor contract management - Exposed drainage channels on newly refurbished Republic Street



While the enforcement unit decries the challenges that it faces in implementing council resolutions including evictions of vendors²⁹ and acting on behalf of the municipal council through structured guidelines to organise society and create trade order, it the same members of the enforcement unit that are seen every evening collecting tax dues from the many street stalls and vendors that pervade the street landscape. Similar observations were made by the Local Government Accounts Committee on the operations of law enforcement personnel, thus:

Districts recruit and maintain large pools of inhospitable law enforcement officers to collect their revenue. Law enforcement officers rely on intimidation of tax payers to achieve their missions. It is common to see errant individuals who behave as if they are half mad engaging in uncivilized methods of revenue collections. You see them kicking tax payers on the streets of Uganda for failing to pay their taxes (Kampala Dispatch, 2017)

It should be noted, however, that it is these sanitary or service lanes including the street spaces such as the Food Court in Mbale Municipality that provide a living for a large number of residents in the municipality. A female vendor, who together with her children sells food in the evenings, explained how she had to deal with the local enforcement officers and Deputy Town Clerk's clique by paying each day 1000 Uganda shillings in order to attain her right to sell along the Food Court and sometimes Naboa Road. Similarly, the Town Clerk, Gulu Municipality blamed law enforcement officer whom he blamed for abandoning him in the field and conniving with tax payers to evade taxes. In the same vein, one of the respondents in Mbale Central Market had this to say:

Vendors are ubiquitous in Mbale; they taken away customers since they position themselves strategically and this explains why Mbale Central Market is failing to perform to its full capacity. Most streets in Mbale town are flooded with vendors' merchandise with Naboa Road, Kikuubo, Foods, Upland, Central Road and Bishop Wasike road the most affected. During the afternoons and evening rush hours, the town is thrown into total confusion as vendors (who make claims on urban land), buyers and pedestrians blend along the busy lanes. The confusion is further aggravated by noise generated from giant speakers used by the traders to attract

²⁹ Informal enterprises are considered as businesses that violate cultural and economic visions of the municipalities and they should therefore within the planning guidelines be consistently decried and evicted.

customers. However, the enforcement unit is very corrupt and it is the most problematic in the municipality. They are the main reasons why street vendors are still on Mbale streets because they benefit from them every evening on a daily basis. They are at the centre of an illegal tax collection scheme, which continues to abet street vending; profiting individually from tax noncompliance.

Figure 62: Current use of one of the Service/sanitary Lane in Gulu Municipality



Chapter Six - Planning for Adequate and Accessible Public Space and Land in Gulu and Mbale Municipalities

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6.1 Introduction

The demand for essential public goods and services in regional urban hubs of Gulu and Mbale municipalities continues to accelerate, overwhelming the current capacities. The subsequent implication of this has been the perpetual failure to effectively and efficiently deliver critical public goods and services. Such a situation has led to spatial disorder in the municipalities, and to significant challenges with respect to providing new or even maintaining existing public spaces to stimulate economic growth. Subsequently, this has led to significant loss, encroachment and dereliction of public space. The unfolding problem of encroachment, land grabbing and loss of public space is pronounced in both municipalities. The situation is not so different in other urban centres across the country.

6.2 Key Conclusions and Outlook

This study provides some reflections on the urban development planning opportunities and challenges of the Gulu and Mbale urban public space and land management with a view to identifying what should be done to successfully promote economic growth.

- (a) From our analysis of all data and information received during the conduct of this exercise, Mbale Municipality appears to be in a deeper, worse and very visible public space and land management challenge than Gulu Municipality. Compared to the monitoring standard of 1.2ha/1,000 residents, both municipalities as a whole are significantly deficient in public spaces, meaning existing public spaces need to be protected adequately through strong planning practices.
- (b) There is no public space classification system in the two municipalities and key open public spaces and land not surveyed and properly documented. This points to a lack of a municipal asset registry that can be used for planning and management purposes.
- (c) The distribution of public spaces across both municipalities is unequal with particularly low levels of provision in Layibi Division, Pece Division in Gulu Municipality, and Industrial Division and Northern Division in Mbale Municipality. Given the projected population growth in both municipalities, pressure on existing public spaces will increase over the coming decades. All new developments across both municipalities will place additional strain on public spaces and this strain will need to be mitigated through appropriate measures.
- (d) There is no deliberate effort to acquire land for open space uses but instead, the two municipalities are increasingly losing available public spaces and land. All across the persons we consulted in the two municipalities, we observed that there was a lot of uncertainty about the state and future of public spaces and land. The loss of public spaces is not a recent occurrence and public spaces have for a long time been converted into other uses across both municipalities. However, this exercise offered insights into the collusion between developers interested in public spaces and land and government/ municipal officials who are supposed to act in public interest to protect existing public spaces. Even with several commissions of inquiry, matters being under investigations and police land give-aways continue unabated. Our audit reveals that public spaces may not exist in the near future in the two municipalities due to the observed rates of urban development, systematic re-allocations and allocations to private developers, and indeed conversions to other land uses. Our estimates can conservatively conclude that

with the current rates of land give-aways that have been observed across the two municipalities, open spaces will disappear unless appropriate sober and urban management approaches are adopted.

- (e) The loss of available public spaces arises out of the conflict between urban development pressures (needs of land for housing and residential development, office buildings and commercial premises) and the needs for protection of open spaces.
- (f) Most public spaces are not properly maintained and they appear in a state of neglect and dilapidation and lack adequate facilities to encourage their use by municipal residents. For example, toilets, furniture, goal posts, litter bins, swings etc.; while in Gulu Municipality, the following public spaces Golf Course have been lost and many more are threatened.
- (g) The existing physical development plans in the municipalities do not have clear strategies on public spaces and land management. Most open spaces are considered idle, vacant and free and therefore ripe for encroachment and conversion to other land uses.
- (h) Multiplicity of actors and competing interests affect the management of municipal public spaces and land. ULC, DLB, FBI, Private Sector MMC.
- (i) Existing municipal structures do not tell us appropriately under which office/sector, public spaces fall and this raises questions of coordination, enforcement, budgeting and general management of these spaces.
- (j) Municipal leadership has not given considerable attention to the effective management of public spaces and land. For example, the post of Parks Supervisor was scrapped off and not at all reflected in the proposed municipal structure.
- (k) Conduct and attitude of municipal leadership seems to suggest apathy towards public spaces and land management in Mbale Municipal Council.
- (l) The potential socio-cultural and economic value of public space and land has not been fully explored and exploited.
- (m) Level of satisfaction amongst public space users was generally low especially amongst the youth, women and children.

6.3

Recommendations: Strategies, Opportunities and Priorities to Make the Case for Change

As the two municipalities clamour for city status, they are challenged in a constantly changing environment to provide high quality public spaces and manage urban lands appropriately. This places increased responsibility on the municipality planners, politicians, developers and the community to work together to provide a common vision their public space system. We observe that it is still a huge challenge to manage public spaces and land in both municipalities the recommendations that we make in this report arise out of our discussions with the technical personnel, including those presented to us from the public space users and expert judgment from the observations and spatial analyses that we conducted throughout the whole exercise.

Principal Components Analysis was employed to qualify the preferred changes by users, on what should be done to improve access and utilization of public spaces can be enhanced. The user

survey revealed seven broad categories of recommendations that could be employed to improve the management of public spaces and land across the two municipalities. These categories of factors are: (1) adequate of public spaces, (2) improving accessibility to public spaces, (3) ensuring strict protection of public spaces, (4) ensuring adequate maintenance of public spaces, (5) redevelopment and upgrading of public spaces, (6) improving facilities in public spaces, and (7) increasing the number of spaces and all these are presented in Table 24 and when applied to individual public spaces, results are presented in Table 25.

- R1: Public space and land management in the two municipalities are political questions and there is a need for the political leadership including the Mayor to champion” or carry the municipalities’ goals through formal and informally established institutional channels. Political champions significantly contribute to the management and protection of public spaces. Highly visible mayoral support becomes an important assurance that the municipality public space and land is safe.
- R2: Effective management of public spaces and land MUST start with adequate data and information. There is a need to ascertain who is in custody or keeping the municipality land titles, secure duplicate ones for those that cannot be traced, renew expired leases after valuation by the Government Valuer and maintain a comprehensive land register. There is a need to take a further to survey all the land titles; and subdivided land should be restored to their previous status, while some land titles should be cancelled and development on the land halted. For the land that had expired leases, there was a need for them not to be re-newed. There is a further need to ensure that all municipal properties, spaces and land are surveyed, registered and land titles issued to generate a complete municipal asset register and database.

Table 24: Rotated Component Matrix^a

	Component							Construct
	1	2	3	4	5	6	7	
1. Putting lights along the streets and security officers for safety	.675							Adequate planning and furniture for public spaces
2. Through gravelling and tarmacking the roads and making them accessible	.793							
3. Revisiting the structural physical development plan	.620							
4. Improving the drainage systems cleaning and maintaining them	.450							
5. Protecting wetland by removing the unwanted weeds and enforce laws		.614						Improve accessibility to public spaces
6. Facilitating public spaces and halls for meetings		.757						
7. Access create more spaces to reduce congestion		-.442						
8. Enforcing strict laws against land grabbers			.720					Strict protection of public spaces
9. Making all the public places accessible during weekends and sensitizing the public			.690					

	Component							Construct
	1	2	3	4	5	6	7	
10. Gazetting the play and parking lots and other public spaces				.763				Adequate maintenance of public spaces
11. Planting trees, grass and fencing and leveling the ground				.687				
12. Rehabilitation and renovation of public spaces-streets and establishing them nearer					.514			Redevelopment and upgrading of public spaces
13. Improving sanitation establishing hanging materials for clothes					.779			
14. Putting public shades for resting and playing facilities						.600		Improve facilities in public spaces
15. Avoid depositing and disposing waste and garbage into the wetlands						-.758		
16. Constructing modern markets and reducing market dues as well as relocating the people							-.800	Increase number of spaces

Table 25: Specific Recommendations for Selected Public Spaces in Mbale and Gulu Municipality

		Proposed Recommendations and Actions										
		Document	Protect	Redevelop	Upgrade	Connect	Expand	Relocate	Naturalise	Maintain	Divest	Invest
	Mbale Municipal Stadium	↓	↓	↓	↓	↓				↓	↓	↓
	Pece War Memorial Stadium	↓	↓		↓	↓	↓			↓		↓
	Playgrounds	↓	↓		↓	↓				↓		↓
1	Wanyera PS Grounds	↓				↓						
2	Village Square	↓				↓						
5	Soroti Road Market	↓	↓			↓		↓				↓
7	North Road PS Grounds	↓				↓			↓			
9	Namakwekwe PS Playground	↓				↓						
10	Namakwekwe Estate Children's Park	↓	↓	↓	↓	↓				↓	↓	↓
11	Nabuyonga PS Grounds	↓				↓						
12	Muslim Cemetery	↓				↓				↓		
13	Mpumude Play Ground	↓	↓	↓	↓	↓				↓	↓	↓

		Proposed Recommendations and Actions										
		Document	Protect	Redevelop	Upgrade	Connect	Expand	Relocate	Naturalise	Maintain	Divest	Invest
14	Mbale SS Sports Ground	↓				↓						
15	Mbale Sports Club	↓				↓						
16	Mbale Rugby Ground	↓	↓	↓		↓				↓	↓	↓
17	Mbale Referral Hospital	↓				↓						
19	Mbale Municipal Library	↓				↓		↓			↓	↓
20	Mbale Green/ Rotary	↓	↓	↓		↓				↓		↓
21	Mbale DLG Boma Grounds	↓	↓	↓	↓	↓				↓	↓	↓
22	Mbale Cricket Ground	↓	↓	↓	↓	↓				↓		↓
23	Mbale Central Market	↓				↓				↓		
24	Mayor's Garden	↓	↓	↓	↓	↓				↓		↓
25	Maluku PS	↓				↓						
27	Lions Children's Park	↓	↓	↓	↓	↓				↓		↓
28	Kumi Road Market	↓				↓		↓				↓
29	King George Clock Tower	↓				↓				↓		
30	Gymkhana Asian Community Park	↓	↓	↓	↓	↓				↓		↓
31	IUIU Play Ground	↓				↓						
34	Gangama PS	↓				↓						
33	Golf Course	↓	↓		↓	↓				↓		↓
32	India Regional Crematorium	↓				↓				↓		
36	Central Forest Reserve	↓	↓			↓						↓
37	Busamaga Ps Ground	↓				↓						
38	Busamaga Market	↓	↓	↓	↓	↓				↓		↓
39	Bus Park	↓				↓						
40	Bugwere Road Market	↓	↓	↓	↓	↓						↓
41	Bishop Round About	↓				↓						
42	Kaunda Grounds	↓	↓	↓	↓	↓						↓
43	St. Jude Market	↓		↓	↓	↓				↓		↓
44	Kasubi Army PS	↓				↓						
45	Layibi Tecko PS	↓				↓						
46	Layibi Central PS	↓				↓						
47	Layibi Central Market	↓				↓						

		Proposed Recommendations and Actions										
		Document	Protect	Redevelop	Upgrade	Connect	Expand	Relocate	Naturalise	Maintain	Divest	Invest
49	Gulu University Main Campus	↓				↓						
50	Central Reserve Forest	↓	↓			↓						↓
51	Custom Corner Market	↓		↓	↓	↓				↓		↓
52	Lacor Market	↓		↓	↓	↓				↓		↓
53	Sacred Heart PS/SS	↓				↓						
54	St. Jude Market	↓		↓	↓	↓				↓		↓
55	St. Joseph PS	↓				↓						
56	Gulu PS	↓				↓						
57	University of Sacred Heart	↓				↓						
58	Layibi Tecko Health Centre III	↓				↓						
59	Boma Ground	↓		↓	↓	↓				↓	↓	↓
60	Unifat PS Behind Open Space	↓	↓	↓	↓	↓				↓		↓
61	Unifat PS Open Space	↓	↓	↓	↓	↓				↓		↓
62	Gulu Municipal Office	↓	↓	↓	↓	↓				↓		
63	Gulu Referral Hospital	↓				↓						
64	Gulu Municipal Yard	↓	↓	↓	↓	↓				↓	↓	↓
65	Gulu Prison PS	↓				↓						
66	Gulu Town School	↓				↓						
67	Police PS	↓				↓						
68	Gulu Main Market	↓	↓	↓		↓				↓		↓
69	Pece PS/SS	↓				↓						
70	Kasubi Market	↓		↓	↓	↓				↓		↓
	Gulu Cemetery (Muslim)	↓	↓			↓				↓		
71	Acholi Cultural Leader (Rwot)	↓				↓				↓		
72	Bus Park	↓				↓						
73	Wilobo Market	↓		↓	↓	↓				↓		↓
74	Cereleno Market	↓		↓	↓	↓				↓		↓
75	Cenjeve Market	↓		↓	↓	↓				↓		↓
	Roads and street network	↓	↓	↓	↓	↓	↓			↓		↓
	River banks/fronts	↓	↓	↓			↓		↓			↓

- (e) To determine the legal ownership of facilities and ensure that proper and adequate management and maintenance are given to them. By the time of the survey, Mbale Municipality had completed the survey and registration of Bugwere market, Busamaga Primary and Secondary School, Busamaga market, Composting site, Busamaga Health Centre and Football Pitch, Busamaga Staff Quarters, Mbale Green, Kumi Road Market, Kumi Road Taxi Park, North Road Primary School and Mbale Senior Secondary School. We propose that this exercise should be extended to all public lands and spaces across the municipality. We also propose that the municipal governments should put serious and urgent attention in protecting and maintaining a number of priority spaces indicated in Table 26. This is not to suggest that all other spaces are not very important.
- (f) To protect existing public spaces from selfish individuals across the two municipalities; and also facilitate their adequate monitoring and management in the future.
- (g) Municipal Council authorities should inform the Zonal Offices, which process land titles, of such irregular transactions so that titling such land is halted.
- (h) To provide developers of public spaces with information on the recreation activities that should be included in the public spaces based on the analysis of user group statistics, local demographics and the existing inventory of open space amenities in particular neighborhoods.

Table 26: Top Priority and Strategic Spaces in Mbale and Gulu Municipalities

	Gulu	Mbale
Stadium	Pece War Memorial Stadium	Municipal Stadium
Playgrounds and other open spaces	Kaunda grounds Boma grounds	Cricket Grounds Children’s Park Rugby Grounds Boma Grounds (DLG) Mbale Green
Library	Bosco Library	Municipal Library
Markets	Gulu Municipal Market	Mbale Central Market
Roads	Newly upgraded USMID streets	None

- R3: There is a need to determine the extent to which land governance structures – including the District Land Boards and Area Land Committees are debilitated by bribery and fraud. There is a need to conduct formal inquiries and thorough investigations into accusation of land grabbing and fraudulent behaviour by municipal officials, powerful and intransigent state officials, District Land Boards and Uganda Land Commission, and other persons suspected to be behind the illegal land transactions and bring them to book. The Uganda Land Commission should stop usurping powers from the local land boards which are duly approved by parliament to handle land matters. It is also important to investigate where the proceeds from the illegal land transactions go.
- R4: In the short term, public Spaces and land should be part of the **broader Municipal Development Strategy (MDS)**. Public paces should be locked into the city’s development process and for Mbale Municipality, this might be an opportune time as the municipality’s

new physical development plan was at the time of this activity being worked out. In the long run, there is a need for public space and land management plan that is realistic, comprehensive and integrated including:

- (k) Design of the network of public space as part of physical development plans. e.g. green spaces, road network, markets etc. Our results revealed serious deficiencies in planning for public spaces and there is a need for a clear definition of public spaces and formalization of the hierarchy and provision standards in both municipalities. For divisions such as Northern Division in Mbale Municipality and Layibi Division in Gulu Municipality, where this study observed a limited number of public spaces, there is a need to acquire and develop new public parks for their residents.
- (l) There must be a deliberate urban planning attempt to provide well distributed and easily accessible open public spaces across the municipalities. Priority should, again, be given to Northern Division and Layibi Division in Mbale and Gulu Municipality respectively; since they show the greatest deficiency of open spaces when considering future upgrades or development of new public spaces. There is a huge potential for public spaces to be developed along the river fronts of Nabuyonga and Namatala in Mbale Municipality, and once this is done, they would then provide extra linear public space linkages for communities and properties that are development close to the rivers.
- (m) Ensuring that the land dedicated for public spaces as required through the land development process is optimal for the intended park functions, uses, facilities and maintenance/management as well as accessibility and linkages;
- (n) Increased vigilance and enforcement to guard against the loss of public spaces and land e.g. toll free lines, formation of street committees etc.
- (o) There are three keys to a properly functioning public space: **design, maintenance and security**. There is a need to ensure that the spaces are adequately **secured and maintained** e.g. slashed, watered, and properly landscaped. For public space of national importance such as Kaunda grounds and Boma Grounds in Gulu and Mbale Municipalities respectively, there is a need for concrete surfaces to be constructed for parades, as well as a pavilion with a seating capacity of several hundreds of people. Water and lights should also be installed at the grounds to facilitate the different activities. The central markets in both municipalities require urgent attention and a maintenance programme so that they don't degenerate into disrepair like many other facilities and spaces.
- (p) There is a need for all **public spaces to be reviewed for possible upgrades or alterations and include appropriate service in them**. Investing in facilities (such as monuments, drinking fountains, service counters, toilets, lighting, seating furniture and shades, equipment and amenity upgrades (e.g. slides and swings, waste receptacles or litter bins, picnic tables, bicycle racks, barbecues, shade and shade structures, turf restoration and naturalization) required in public spaces. There are several potentially useful guidelines provided elsewhere that the municipalities can look at to improve their public spaces.
- (q) **Public space signs:** All municipal public space should have consistent, stylish, identifiable signs that welcome users and visitors alike into the park. These fall into three categories: information signage, directional signage and interpretive signage which should identify the property location, name and ownership. They provide an opportunity for branding and in many cases are the first thing park users see when visiting the park. They should be bright, fresh and emit a sense of pride of ownership. The signs should be consistent with other municipal signs/ corporate branding and identifiable to users.
- (r) Pathways are required in a large number of public spaces across the two municipalities since they provide a number of benefits to public space properties. They welcome visitors. They guide public space visitors into the park from the entrance. They provide a hard surface. They provide an accessible surface to public features and amenities. They help

to keep public users away from areas of sensitivity. They provide a linkage to adjacent trail systems. They play an integral role in the use and overall functioning of the public space. In many modern municipal neighborhood park designs, park pathways flow from the public space entrance(s) to various public space features. In many cases the pathway wraps around the feature and continues to other features in the public space before returning to the entrance/egress part of the public space. This provides an opportunity to walk throughout the public space.

- (s) Improving on the safety and security for all users of public spaces by installing street lights, road furniture, zebra crossing, pedestrian walkways, road naming, plot numbering (city address system) etc.
- (t) Public school properties with running tracks and football pitches that are used by local residents should be evaluated in open space planning with the understanding that these facilities are not designed for use by the general public even though that is often how they are used.
- (u) In Gulu Municipality, it is important that appropriate names are found for the open spaces that are currently referred to as: (1) Between Tank Road and Alex Ojera Road; (2) Between Oloya Gilbert Lane and John Oniri; and (3) Between Unfant P/S and Airfield Road; (4) Near Airfield; (5) Open Space between Aganach Close and Golf Course road; and (6) Open Space at Custom corner.

Figure 63: The newly refurbished USMID roads in Gulu Municipality (left) shouldn't be left to degrade and degenerate as on the right



- R5: A need to revise the institutional framework that guides public space and land management including:
- (g) Establishing a clear regulatory framework to help in the alignment of land transactions that are consistent with the municipal physical development plans. As a planning authority, the Municipal Council should have full powers over land jurisdiction, rather than constantly conflicting with the District Land Board (DLB) over issues of land allocation (Cities Alliance, 2017).
 - (h) It is extremely important to clarify every stakeholder's responsibilities for an effective long term coordinated public space management system through a clear decision making process. A unified, integrated and coordinated structure that brings all aspects of public space delivery together across the the municipal management process is very important.

There is a need to review the existing laws and regulations to accommodate and **harmonize the working relationships** of Uganda Land Commission, District Land Board and the municipal Councils to establish enabling systems to create, revitalize, manage, and protect public space, including participatory processes to define their use and manage access to public spaces. Because regulation, maintenance and resourcing are likely to involve a wide array of people and organizations, directly or indirectly, there is a necessity to co-ordinate mechanisms to ensure that the agents in charge public spaces and land pull in the same direction. This need for coordination applies equally to all relevant departments within each municipality.

- (i) **Enacting bye-laws to prohibit, and protect public spaces** from encroachment, misuse, vandalism and destruction by illicit trade, vending, stray animals, car washing, taxi parking, animal slaughtering, garbage dumping, car and motorcycle driving practice etc.
 - (j) There is a need to demonstrate how public spaces meet wider municipality objectives linked to other municipality agendas like education, health, safety, environment, local economic development, etc. While other departments across the municipalities may contribute to programming and maintenance, to handle public space and land management challenges effectively, the **Physical Planning Committee** needs to be re-organized in three specific areas including:
 - 1) A Design and Development Team that tracks the acquisition and plans the design and development of the municipality's public spaces;
 - 2) An Operations Team that is responsible for the day to day public spaces and venue maintenance, on-site facilities repair, park cleaning and maintenance and related activities; and
 - 3) An Environmental Services Team that provides the green, forestry and aligned specialty services needed to assess and sustain these unique assets.
 - (k) There is a need to explore the opportunities to access government funded school public spaces in order to provide more local recreational amenities in an effort to reduce the long term need for additional stand-alone public spaces and recreational facilities with the municipalities.
 - (l) An institutionalized monitoring and survey programme of public spaces on a periodic basis should be established across both municipalities. This should take into account types and number of users and the status of parks.
- R6: Public spaces also need **permanent homes**. This is most critical for the municipal library in Mbale Municipality; which is currently housed in a dilapidated building close the municipal headquarters. There is a huge potential to improve the reading culture for all municipality resident the urgent investments in a permanent place for the library is very critical.
- R7: There is a need to **build the capacity** of the municipalities both human and financial to carry out their responsibilities effectively for equitable provision of services for all urban residents in view of the planned future growth of both municipalities.
- R8: The potential **socio-cultural and economic value** of public spaces and land needs to be fully explored and exploited. Feasibility studies need to be conducted for all public spaces across the two municipalities and official marketing campaigns to promote the existing and potential public spaces across the two municipalities is urgently needed. A variety of recreational opportunities which would not conflict with the primary purpose of the cemeteries should be explored as well.
- R9: The municipalities have to find creative and innovative ways of financing the management of public spaces and land. This can be through **Partnerships, Collaborations and Joint Ventures with the private sector**: The two municipalities have traditionally held significant responsibility for the development and delivery of public spaces for their residents. The

municipal role over many years has been as direct financier, developer and operator of public space facilities and programs. In more recent years, there has been some contraction of the role in leisure services delivery for some municipalities. There is a need to for the municipalities to explore opportunities that encourage non-profit agencies and the private sector to identify investments and management opportunities in public space such as the main stadiums (Mbale Municipal Stadium and Pece War Memorial Stadium), swimming pools, tennis courts etc. These groups of agencies can also mobilize and receive grant funding that can be spend on public space restoration, maintenance and general management.

- R10: Land value sharing/capture is a tool which needs to be widely adopted and promoted for municipalities to capture private values generated by better public spaces to sustain investment in public space.
- R11: There is a need to **link the physical development plans with Land information system** so as to eliminate fraudulent land transactions.
- R12: **Land Banking:** One strategy that the two municipalities should consider as they clamour for city status is to pre-identify land needed for major parks well ahead of the time of an area's development. Land acquisition in the municipalities is limited by land availability and high cost but in this strategy, the municipality would generate the funding resources necessary to purchase land potentially eight to ten or more years ahead of its required use. In this way, the municipality could receive two significant benefits: first, it would be able to secure the land necessary from both a size and locational preference perspective more conveniently than trying to secure the land later in the land development process; secondly, there may be opportunities to acquire the land significantly ahead of its development timeframe at a lower cost than when development is imminent or ongoing.

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Appendices

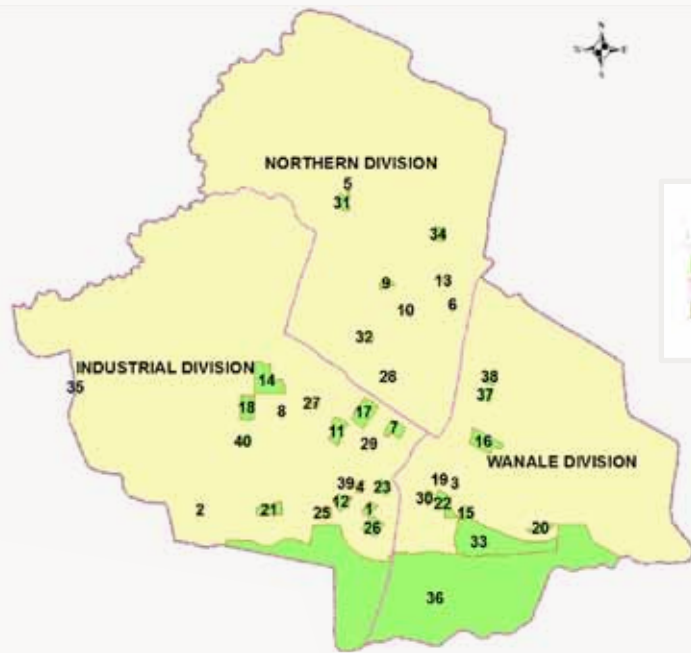
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Appendix 1:**Public Spaces in Mbale and Gulu Municipalities****Public Spaces in Mbale Municipality**

No	Name	Est. Area (Ha)	Est. Area (km)	%
1	Wanyera PS Grounds	1.304997	0.013050	0.44
2	Village Square	0.124283	0.001243	0.04
3	Uhuru Park	0.154050	0.001541	0.05
4	Taxi Park	0.431295	0.004313	0.14
5	Soroti Road Market	0.298766	0.002988	0.10
6	Sanitation Project NSDFU	0.047537	0.000475	0.02
7	North Road PS Grounds	2.409731	0.024097	0.81
8	Nkambo Lane Butaleja Green	0.122511	0.001225	0.04
9	Namakwekwe PS Playground	0.856992	0.008570	0.29
10	Namakwekwe Estate Children's Park	0.142928	0.001429	0.05
11	Nabuyonga PS Grounds	2.756747	0.027567	0.92
12	Muslim Cemetery	1.715047	0.017150	0.57
13	Mpumude Play Ground	0.502736	0.005027	0.17
14	Mbale SS Sports Ground	7.323817	0.073238	2.45
15	Mbale Sports Club	1.145636	0.011456	0.38
16	Mbale Rugby Ground	4.234271	0.042343	1.42
17	Mbale Referral Hospital	4.395170	0.043952	1.47
18	Mbale Municipal Stadium	3.548106	0.035481	1.19
19	Mbale Municipal Library	0.127101	0.001271	0.04
20	Mbale Green/ Rotary	1.291040	0.012910	0.43
21	Mbale DLG Boma Grounds	2.794316	0.027943	0.94
22	Mbale Cricket Ground	3.349080	0.033491	1.12
23	Mbale Central Market	1.409230	0.014092	0.47
24	Mayor's Garden	0.325133	0.003251	0.11
25	Maluku PS	1.018327	0.010183	0.34

No	Name	Est. Area (Ha)	Est. Area (km)	%
26	Lorry Park Uhuru Drive	2.475588	0.024756	0.83
27	Lions Children's Park	0.608042	0.006080	0.20
28	Kumi Road Market	0.115648	0.001156	0.04
29	King George Clock Tower	0.069365	0.000694	0.02
30	Gymkhana Asian Community Park	0.751954	0.007520	0.25
31	IUIU Play Ground	1.386418	0.013864	0.46
34	Gangama PS	1.327666	0.013277	0.44
33	Golf Course	22.719281	0.227193	7.61
32	India Regional Crematorium	0.920048	0.009200	0.31
35	Compost Site	0.240618	0.002406	0.08
36	Central Forest Reserve	222.574742	2.225747	74.52
37	Busamaga Ps Ground	1.235756	0.012358	0.41
38	Busamaga Market	1.169319	0.011693	0.39
39	Bus Park	0.317825	0.003178	0.11
40	Bugwere Road Market	0.840728	0.008407	0.28
41	Bishop Round About	0.101261	0.001013	0.03
	Mean	7.284954	0.072849	
Total		298.683106	2.986828	100

Note: Central Foreset Reserve in Wanale is 155.944467 and 66.229463 ha in Industrial Division.



Public Spaces in Gulu Municipality

No	Name	Est. Area (Ha)	Est. Area (km)	%
1	Kaunda Grounds	12.074667	0.120747	8.74
2	St. Jude Market	2.404468	0.024045	1.74
3	Kasubi Army PS	3.514669	0.035147	2.54
4	Layibi Tecko PS	0.940521	0.009405	0.68
5	Layibi Central PS	1.487069	0.014871	1.08
6	Layibi Central Market	1.363022	0.01363	0.99
7	Pece Stadium	2.412501	0.024125	1.75
8	Gulu University Main Campus	15.972809	0.159728	11.56
9	Central Reserve Forest	25.076631	0.250766	18.15
10	Custom Corner Market	5.336452	0.053365	3.86
11	Lacor Market	6.304816	0.063048	4.56
12	Sacred Heart PS/SS	7.821168	0.078212	5.66
13	St. Jude Market	8.294497	0.082945	6.00
14	St. Joseph PS	0.236821	0.002368	0.17
15	Gulu PS	3.011433	0.030114	2.18
16	University of Sacred Heart	2.50599	0.02506	1.81
17	Layibi Tecko Health Centre III	0.240314	0.002403	0.17
18	Boma Ground	5.413395	0.054134	3.92
19	Unifat PS Behind Open Space	3.01375	0.030138	2.18
20	Unifat PS Open Space	0.146889	0.001469	0.11
21	Gulu Municipal Office	1.06127	0.010613	0.77
22	Gulu Referral Hospital	1.461696	0.014617	1.06
23	Gulu Municipal Yard	1.797019	0.01797	1.30
24	Gulu Prison PS	5.093267	0.050933	3.69
25	Gulu Town School	3.746647	0.037466	2.71

26	Police PS	1.82292	0.018229	1.32
27	Gulu Main Market	1.270705	0.012707	0.92
28	Pece PS/SS	3.008558	0.030086	2.18
29	Kasubi Market	2.306914	0.023069	1.67
30	Acholi Cultural Leader	3.067454	0.030675	2.22
31	Bus Park	2.75801	0.02758	2.00
32	Wilobo Market	1.193086	0.011931	0.86
33	Ceroleno Market	1.75801	0.01758	1.27
34	Genjeve Market	0.236266	0.002363	0.17
	Mean	4.063344	0.040634	
Total		138.153704	1.381539	100.00

Appendix 2:

Addendum to Irregular Allocations of Land by Uganda Land Commission in Mbale Municipality



MBALE MUNICIPAL LOCAL GOVERNMENT COUNCIL

TELEPHONE: 33518
FAX 256-45-35340
E-Mail: mbalemc@yahoo.com
Website: www.mbalemunicipalcouncil.net

MUNICIPAL OFFICE
PLOT 62-68 REPUBLIC STREET
P.O. PRIVATE BAG
MBALE, (UGANDA)

Date: 24th November 2014

The Chairperson
And All Members of
Parliamentary Committee of Physical Infrastructure

**RE: ADENDUM TO PETITION BY MBALE MUNICIPAL COUNCILORS
REGARDING IRREGULAR
ALLOCATION OF COUNCIL LAND BY UGANDA LAND COMMISSION**

Following presentation of our detailed petition to you on the 18th of November 2014, it was resolved that additional information is sent by petitioners by Tuesday the 25th of November 2014 to help the Committee make informed decisions.

Therefore, find enclosed relevant documents as follows;

1. Copies of land titles for council land irregularly acquired by land grabbers through Uganda Land Commission:

S/No	Annex	Registered proprietor	Plot No	Road/Street	Effective Date of registration	Term (Years)	Land use
1	1a	Magomu Yusufu	11	Central Rise	01/05/2011	5	Lorry Park
2	1b	Latifu Mafuko	15	Central Rise	01/05/2011	5	Lorry Park
3	1c	Industrial Division Council	19-21	Nkambo Lane	01/04/2010	5	POS
4	1d	John Masaba	19	Busoga Lane	01/11/2008	5	POS
5	1e	Mudali Moses	20	Busoga Lane	01/11/2008	5	POS
6	1f	Nabaya Robert	18	Busoga Lane	01/11/2008	5	POS
7	1g	Naigaga Carol	17	Busoga Lane	01/11/2008	5	POS
8	1h	Judith Nadunga	15	Busoga Lane	01/11/2008	5	POS
9	1i	Nadunga Judith	22	Busoga Lane	01/11/2008	5	POS
10	1j	Simboi Denis	20	Nkambo Lane	01/11/2008	5	POS
11	1k	Masibo Sharon	22	Nkambo Lane	01/11/2008	5	POS

12	11	Emma Naseri	17	Nkambo Lane	01/11/2008	5	POS
13	1m	Namugonyi Fred	25B	Kumi Road Clerk	Copy already with Committee		Sanitary Lane

2. Copies of land titles for council land irregularly acquired by land grabbers through Mbale District Land Board before Commission of inquiry:

S/No	Annex	Registered proprietor	Plot No	Road/Street	Effective Date of registration	Term (Years)	Land use
1	2a	Mwawule Davis		Busano Road		49	Road
2	2b	Regina Okia, Joice Okia & Jack Malinga Okia	2	Gangama Road	01/03/1999	5	Buffer Zone

3. Evidence of Mbale Municipal Council as a Sitting Tenant on Lorry Park land;

S/No	Annex	Details	Remarks
1	3a	Copy of agreement between Mbale Municipal Council and contractor for revenue collection from Lorry Park	-Lorry Park has been one of the sources of revenue for Council until it became a relocation site for market Vendors in 2011 - 2014. -The utility is developed with Public toilets, security lights, gates and the ground surface covered with tarmac.
2	3b	Budget Estimates	
3	3c	Revenue Enhancement Plan	
4	3d	Copy of Court summons and Affidavit by land grabbers attempting to evict Council from the utility.	-Latif Mafuko and Magomu Yusuf attempted to sue Mbale Municipal Council but later withdrew the case voluntarily. -Currently, they have illegally hoarded off the land in question and intimidating Council officials from demolishing the illegal fence with pangas.

4. Evidence that Mbale Municipal Council has applied for Plot No.3A Masaba Gardens as Town Clerk's residence. (See copy of application attached marked Annex 4)

Namutamba Zanubia

Namutamba Zanubia

For: PETITIONERS

MBALE MUNICIPAL COUNCIL

Appendix 3:

Addendum to Irregular Allocations of Land by Uganda Land Commission in Mbale Municipality

TEL: 259564/232359/230448
FAX: 256-41-259759

THE REPLY TO THIS LETTER SHOULD BE
ADDRESSED TO THE DIRECTOR OF
NHR/CID 40/8/VOL-IV ...2019...



CRIMINAL INVESTIGATIONS AND
INTELLIGENCE DIRECTORATE
HEADQUARTERS,
(LAND PROTECTION POLICE UNIT)
P.O BOX 2973
KIBULI - KAMPALA, UGANDA

23rd December 2013

The Regional Police Commander,
Mbale Police Station

NOTICE TO IMMEDIATELY STOP ILLEGAL DEVELOPMENTS ON MBALE MUNICIPAL COUNCIL LAND AT:-

1. **BUSOGA LANE**
2. **NKAMBO LANE**
3. **BUTALEJA LANE**
4. **LORRY PARK**
5. **NABUYONGA RISE(CEMETERY)**
6. **MBALE GREEN(OPEN SPACE-SENIOR QUARTERS)**
7. **OPEN SPACE ALONG PALLISA ROAD, NEAR CLOCK TOWER**
8. **SERVICE LANE ON KUMI ROAD**
9. **SULAIMAN GIDIMA ROAD**
10. **BISHOP WASIKYE ROAD**
11. **COMPOST SITE(ALONG PALLISA ROAD AND ELGON
MILLERS AND SEWERAGE WORKS)**
12. **UHURU PARK**
13. **NKOMA STAGE BUFFER AREA ON KUMI ROAD**
14. **OTHER SEVERAL OPEN SPACES WITHIN MBALE
MUNICIPALITY AND CASES OF OBTAINING REGISTRATION
BY FALSE PRETENCES,PROCUREMENT OF TITLE DEEDS BY
FRAUDULENT MEANS AND ALL ILLEGAL AND IRREGULAR
PROCESSES IN RESPECT OF THE LAND.**
15. **PLOTS WITH TITLE DEEDS:-**
 - i) **LRV 4142 FOLIO 13 PLOT 19 AT BUSOGA LANE
(PROPRIETOR -JOHN MASABA)**
 - ii) **LRV 4179 FOLIO 23 PLOT 22 AT NKAMBO
LANE(PROPRIETOR - MASIBO SHARON)**
 - iii) **LRV 4142 FOLIO 16 PLOT 17 AT BUSOGA LANE
(PROPRIETOR - NAIGAGA CAROL)**
 - iv) **LRV 4142 FOLIO 22 PLOT 17 AT NKAMBO
LANE(PROPRIETOR - EMMA NASERI)**
 - v) **LRV 4332 FOLIO 8 PLOT 20 AT NKAMBO
LANE(FROPRIETOR- SIMBOI DENIS)**

- vi) LRV 4142 FOLIO 19 PLOT 20 AT BUSOGA LANE (PROPRIETOR - MUDALI MOSES)
- vii) LRV 4142 FOLIO 24 PLOT 19 & 21 AT NKAMBO LANE (PROPRIETOR - INDUSTRIAL DIVISION COUNCIL)
- viii) LRV 4142 FOLIO 18 PLOT 15 AT BUSOGA LANE (PROPRIETOR - JUDITH NADUNGA)
- ix) LRV 4245 FOLIO 24 PLOT 11 AT CENTRAL RISE (PROPRIETOR - MAGOMU YUSUF)
- x) LRV 4245 FOLIO 25 PLOT 15 AT CENTRAL RISE (PROPRIETOR - LATIFU MAFUKO)
- xi) LRV 4188 FOLIO 4 PLOT 22 AT BUSOGA LANE (PROPRIETOR - NADUNGA JUDITH) VIDE CHD HQTRS - LPPU-GEF/709/2013)

Reference is made to the above subject matter.

This unit is conducting inquiries over the list of the properties indicated above.

In the course of its investigations, it has retrieved several land documentations in respect of each of the properties above from Uganda Land Commission.

The documents reveal several procedural irregularities that are a subject of our investigation.

It is to be further noted that in the year 2007 **a Commission of Inquiry was instituted by the then Minister of Local Government and a comprehensive report was generated with recommendations for the Uganda Land Commission to stop any further land allocations within Mbale Municipality under the Jurisdiction of Mbale District Land Board. The said recommendations were never complied with and instead more leases were granted to several people who have continued to make illegal and arbitrary developments without the prior approval of the National Physical Planning Board and the Physical Planning Committees.**

This letter is therefore to request you as a matter of urgency to liaise with the Mbale Municipal Authorities and stop all illegal developments on the Mbale Municipal Land pending the logical conclusion of this inquiry.

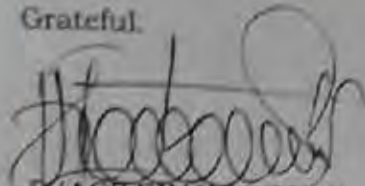
The Police should assist the Mbale Law Enforcement officers in monitoring the illegal structures within Mbale Municipality and restrict any further developments. Any culprit **must** be

LIST OF SUSPECTED ILLEGAL DEVELOPERS:-

- 1) **MR. WONIALA ABEDI** C/O Nkokonjeru Uhuru Cell, Northern Division, Tel. No. 0772574314 **Purchased Land** comprised in LRV 4332 Folio 8 Plot 20 at Nkambo Lane **from Simbol Dennis(Registered Proprietor).**
- 2) **HAJI ALI BUTO NAMUGALI** C/O Indian Quarters, Plot 18 Sipi Lane, Tel.No. 0772592208/0702592208 **Purchased land** comprised in LRV 4142 Folio 22 Plot 17 at Nkambo Lane **from Emma Naseri (Registered Proprietor).**
- 3) **HAJI ALI BUTO NAMUGALI** **Purchased land** comprised in LRV 4142 Folio 13 Plot 19 at Busoga Lane from **John Masaba.**
- 4) **MR. JEZEMBA,** Tel No. 0782487832 **Purchased land** comprised in LRV 4142 Folio 16 Plot 17 at Busoga Lane **from Naigaga Carol(Registered Proprietor).**
- 5) **HAJI MASSA CHARLES** c/o Plot 12 Maluku Ward, Industrial Division, Tel.No. 0772513631/0701513631 **Purchased land** comprised in LRV 4179 Folio 23 Plot 22 at Nkambo Lane **from Masibo Sharon(Registered Proprietor).**
- 6) **DIRECTOR OF YY COACHES -MR. YUSUF YUNUS** **PURCHASED LAND** comprised in LRV 4142 Folio 18 Plot 15 at Busoga Lane from **Judith Nadunga (Registered Proprietor).**
- 7) **MR.WAMAGA JOHN** C/O Department of Surveys and Mapping, Entebbe, Tel No. 0772-441086 **Purchased Plot 16 at Busoga Lane from person yet to be established.**
- 8) **MR.NABAYA PILATO** , Tel No. 0772456550 **Purchased Plots 18 and 20 at Busoga Lane from person yet to be identified.**
- 9) **MR. MUDALI MOSES** is still the registered proprietor of land comprised in LRV 4142 Folio 19 Plot 20 at Busoga Lane.
- 10) **MR. MAGOMU YUSUF** is still the registered proprietor of land comprised in LRV 4245 Folio 24 Plot 11 at Central Rise.
- 11) **MR. LATIFU MAFUKO** is still the registered proprietor of land comprised in LRV 4245 Folio 25 Plot 15 at Central Rise.
12. **Ms. NANDUNGA JUDITH** is still the Registered Proprietor of land comprised in LRV 4188 Folio 4 Plot 22 at Busoga Lane.
13. **INDUSTRIAL DIVISON COUNCIL** is the registered on the land comprised in LRV 4142 Folio 24 Plots 19 and 21 at Nkambo Lane.
14. **MR. OSINGILIO,** the Director of Nkokonjeru Primary School in respect of blockage of Sulaman Gidima road by the said Primary School.

subjected to the provisions of the **Physical Planning Act, No. 8 of 2010** and the **Penal Code Act, Cap 120**. Attached is a list of properties and suspected illegal developers subject to our investigations for ease of reference.

Grateful.



B/ACP ENANGA FRED

COMMANDANT LAND PROTECTION POLICE UNIT

- Copy to:
- The Hon. Minister for Local Government, Kampala
 - The Hon. Minister for Land, Housing & Urban Development, Kampala
 - The PRO, Ministry of Lands, Housing & Urban Development, Kampala
 - The Commissioner for Land Registration, Ministry of Lands, Housing & Urban Development, Kampala
 - The Secretary, Uganda Land Commission, Kampala
 - The Inspector General of Police, Naguru, Kampala
 - The District Police Commander, Mbale
 - The Town Clerk, Mbale
 - The Physical Planner, Mbale
 - The Municipal Engineer, Mbale
 - The Mayor, Mbale
 - The DISO, Mbale
 - The O/C CIID, Mbale Police Station
 - The Deputy Mayor, Mbale

Appendix 4:

Observation Checklist

Situation Analysis of Public Spaces

Name of public space		
Location [Division/ Ward]		
GPS Location		
Size/ Length		
Space use: what activities and opportunities the space has to offer		
Does space use vary with time? What is the use and when?		
Design and appearance: what the space looks like and what it's made from		
Level of maintenance - how clean and cared for the space is		
Does the public space - Compliance with municipal development plan		
Space management	Ownership situation	
	Development	
	Maintenance	
Protection	Space character and safety - Protection against crime and violence (feeling secure, good lighting etc.)	
	Protection against traffic, accidents and other accidents – Feeling safe	
	Protection against unpleasant sensory experiences – wind, rain, heat, dust, noise, pollutants	
Comfort	Opportunities for walking – room for walking, good surfaces, no obstacles, etc.	
	Opportunities for standing/staying – attractive edges	
	Opportunities for sitting – zones for sitting, benches for resting, good places to sit, etc.	
	Opportunities to see (unhindered views, lighting when dark, interesting views etc.)	
	Opportunities to talk and listen for hearing/talking – low noise levels	
	Opportunities for play/exercise/unfolding/activities	
Delight	Human scale – buildings and spaces designed to human scale	
	Opportunities to enjoy the positive aspects of climate – sun/shade, heat/coolness, shelter from wind/breeze	
	Positive sensory experience – good design and detailing, good materials, fine views, trees/plants/water	

Place	Part of public space network – connected to pedestrian flows, destinations, functions and other public places; easily accessible	
	Part of public place hierarchy – strong identity, understanding of character and reflects intended use	
	Sense of place – Relation to context, respect for historic aspects, etc.	
Observe - Access	Access: finding your way and getting about	
	Free or paid for and how much	
	Adequate given its demand	
	Are there restrictions to access – guidelines/laws by time of day/user and activity?	
Amenities	Scale	
	Possibilities for enjoying positive aspects of climate – sun/shade, warmth/coolness, breeze/ventilation	
	Aesthetic quality/positive sense of experience – good design and good detailing, views, trees, plants, water etc.	
Other people: How the space caters for different needs	Access by gender	
	Access by age	
Public participation		
Long term perspective/ sustainability		
Income generated (est./ weekly)		
Community: how important the space is to local people		
Challenges		

1. Ownership situation: 1 – Public/Municipality; 2- Partnership; 3- Lease to company/private individual
2. Maintenance: 1 – Public/Municipality; 2- Partnership; 3- Lease to company/private individual; 4 – Users themselves
3. Development: 1- Developed; 2 – Un-developed
4. Level of maintenance: 1- Adequate; 2 – Reasonable (average); 3- Poor; 4 – Very poor and too demanding
5. Compliance with municipality development plan (1 – complies 2 – does not comply).
6. Space character and safety (1 –safe and inviting to linger 2 – moderately unsafe and/or likable 3 – unsafe and/or displeasing
7. Accessibility, connectivity (1 – easy access, disabled friendly 2 – moderate difficulties in access 3 – severe difficulties of access or inaccessible for a certain group of persons
8. Public participation (1 – intensive public participation and active discussion; 2 – public informed but not actively encouraged to participate and, 3 – no participation whatsoever)
9. Long term perspective/ sustainability (1 – long term/sustainable, 2 – medium term/sustainable with difficulties, 3 – short term/ not sustainable)

Key thematic areas in relation to research objectives:

1. Conceptualisation of public space and land management in Gulu and Mbale municipalities
2. Status of public space and land management in Gulu and Mbale municipalities
3. Situation analysis and mapping of Gulu and Mbale municipalities' economies in terms of factors, systems and structures related to the provision of and access to public goods
4. Challenges and opportunities for public space and land management in Gulu and Mbale municipalities
5. Gender dynamics vis-à-vis planning for adequate and accessible public space and land in Gulu and Mbale municipalities
6. Emerging lessons for urban authorities in Uganda on public space and land management within broader urban development sector

1. Status of Public Space & Land Management

- What range of public space elements and land resources exist in Uganda's urban centres? How accessible are these different elements and land resources to different groups (e.g. informal traders, informal settlement communities, private businesses etc.)? What costs are involved, if any, to access public space and land resources in these municipalities? Are men able to access public space and land resources than women? If so, why?
- What public goods and services are derived from the utilization of public space and land especially by the urban poor and other citizens? Can this be quantified to better understand how much of a contribution these resources make to the local economy?
- How much access does the public and other interest groups to municipal development plans, official data and information on the existing public space and land resources?

2. Public Space & Land Management

- What does public space mean to you and how do you relate to the different elements that can be categorised as public space? How important is land as an urban development resource?
- Is there any way in which your work impacts on land as an urban development resource and different elements that fall under public space in your respective capacity/role? If yes/no, please kindly explain.
- Are there any strategies for addressing issues related to urban public space and land management? Is there political commitment for realizing such strategies to impact on the economic growth and development of urban areas?
- Has any effort been made to actively and meaningfully engage especially marginalised groups like the urban poor and other special interest groups in implementing such strategies? What evidence is there to of such attempts to working with such groups?
- Are there any incentives to engage the urban poor and other special interest groups in the decision-making processes around implementing strategies for planning and regulating public space and land? Through what spaces can such groups be engaged? Is there public awareness about regulations and guidelines for accessing and utilising public space and land?
- Are there any pressures faced by state/public officials/agencies when it comes to public space and land management? If yes, what are the top-down, horizontal, bottom-up, and environmental/contextual pressures acting on these officials/agencies? What kinds of pressures are they most likely to respond to and which ones are they unable to respond to?
- Which particular public space and land management issues are the most influential in shaping

vertical and horizontal relationships amongst/between public officials/agencies? How do these issues influence these relationships? Which officials/agencies wield the most power to influence policy and interventions regarding urban public space and land management?

3. Municipal Economies - Factors, Systems and Structures for Provision and Access Public Space and Land Management

- What factors influence the current systems and structures for managing public space and land resources in the municipalities? Have these changed especially with the emergence of the MDFs as auxiliary decision-making support structures in the municipalities? Are there any examples you could give?
- How adequate and complete is the existing public space and land management framework at municipal level (Land Use Regulation) within the national context (Uganda National Land Policy)? Does the framework provide for public-private partnerships, cognizant of gender issues for public space and land management?
- What is the capacity of municipal level administrations, including town/division Land Committees and District Land Board, to plan, regulate and enforce regulations for effective public space and land management? How do the District Land Boards and municipal land committees divide labour between themselves especially with regard to urban land management?
- How adequate and complete are the public land registries for Uganda's urban centres? Do the registries also include land values for recorded properties?
- How would you describe the way public space and land is utilised in Uganda's urban centres? In the case of public land, approximately what percentage is idle/unused? How much of this land is accessible to the respective municipal authorities?
- What capacities do the municipalities have for preparing participatory, inclusive public space and land management plans that prioritize the poor and marginalized groups?
- What is the capacity of the municipalities to prepare and implement land development projects using public or private finance?
- How are decisions on allocation of public land for private and/or mixed use made in the municipalities? Who is involved and are the processes transparent?
- How much do elected and appointed officials contribute to processes shaping public space and land management in the municipalities? How much of an input do the mayors and the town clerks make to these systems and structures? How do local politics influence the way these systems and structures operate?
- What are the municipalities' relationships like with non-state actors like JWP partners and other international development agencies? How have these relationships shaped the way the municipalities respond to engaging the urban poor and other actors in decision-making around public space and land management?
- What value addition / additional capacity can the urban poor add through collaborative partnerships to improve public space and land management in the municipalities?
- What institutional and legal frameworks exist to oversee the management of public space and land in the municipalities? How do these institutions coordinate vertically and horizontally? Is there a coordinated effort on their part or it is fragmented? How can the municipality ensure there is a more integrated approach to the delivery of public goods and services through improved management of public space and land assets?
- How do the established municipal authorities view new structures such as the MDF and their supporting forums?

4. Challenges and Opportunities for Public Space and Land Management

- What challenges have the municipalities faced in implementing public space and land management strategies in the past?
- What challenges are faced by the municipalities in managing the public space and land? What policy, legal or resources constraints inhibit effective management and productivity of the public space and land resources? How can these challenges be addressed? Who is best placed to take the lead on addressing these challenges?

- What opportunities would be unlocked with improved management of public space and land resources in the municipalities? How can these opportunities especially be harnessed for improving the livelihoods of the urban poor in these municipalities?
- How can the municipalities regulate public space to promote/encourage certain economic activities aiming at higher productivity/value addition?
- How can Uganda's urban authorities regulate public space to encourage and facilitate entry of informal workers into the formal sector?

Appendix 6

Urban Public Space and Land Management for Equitable Growth Questionnaire for Public Space Users

This survey seeks to get your views on urban public space and land management in the municipality. It is intended to generate understanding on the mechanisms to access public space, its utilization, managements and how it can be improved to ensure inclusiveness and equitable growth. Participation is voluntary and all answers will be kept confidential.

Municipality Division..... Ward..... Zone/Cell.....

1. What are the available public spaces in your locality - ward/cell/zone? (tick all available options)

Street	Market	Municipal gardens	Recreation Park	Playground	Stadium	Play lots	Parking lots	Wetland	Muni Hall

Other than the above mentioned, list public spaces

2. For what purposes do you use the available (mentioned) public space? (indicate the purpose in the space provided)

Street	Market	Municipal gardens	Recreation Park	Playground	Stadium	Play lots	Parking lots	Wetland	Muni Hall

Other public space utilized and purpose.....

3. How often do you access/use the public spaces? (daily, twice a weekly, weekly, above a week)

Street	Market	Municipal gardens	Recreation Park	Playground	Stadium	Play lots	Parking lots	Wetland	Muni Hall

Other public space access frequency.....

4. Do you pay/rent the public space you access/utilize (Yes/No)?.....

5. How much per month in UGX?.....

6. Rate your level of satisfaction for the public space you utilize (1 -5) (Not satisfied, 5 Very satisfied)

Street	Market	Municipal gardens	Recreation Park	Playground	Stadium	Play lots	Parking lots	Wetland	Muni Hall

Other public space level of satisfaction.....

7. What limitations do you face in using the mentioned public spaces?

Street	Market	Municipal gardens	Recreation Park	Playground	Stadium	Play lots	Parking lots	Wetland	Muni Hall

Other public space limitations faced.....

8. How can access and utilization of public space be enhanced? (indicate per public space)

Street	Market	Municipal gardens	Recreation Park	Playground	Stadium	Play lots	Parking lots	Wetland	Muni Hall

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9. If you could change some things about the public space, what would you change?

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Indicator	Supply	Quality	Distribution
<p>Avenues Boulevards</p>	<p>Length per square kilometer, citywide</p>	<p>Noise levels Aesthetic impact</p>	<p>Length per selected city quadrant City quadrant/total city area ratio</p>
<p>Streets</p>	<p>Length per square kilometer, citywide</p>	<ul style="list-style-type: none"> • Percentage of paved over unpaved surface, total city area • Proportion of adequately-lit streets, city wide • Proportion of shop-lined street fronts, city wide • Proportion of blind street fronts, city wide 	<ul style="list-style-type: none"> • Length per square kilometer, selected city quadrants over city-wide Indicator • Percentage of paved over unpaved surface, selected city quadrant / total city area ratio • Proportion of adequately-lit streets, selected city quadrants • Adequately-lit streets ratio, selected city quadrant/ city- wide • Proportion of shop-lined street fronts, selected city quadrants • Proportion of blind street fronts, selected city quadrants
<p>Bicycle Paths</p>	<p>Kilometers per 1000 inhabitants, city-wide</p>	<ul style="list-style-type: none"> • Proportion of reserved and protected paths over total supply 	<ul style="list-style-type: none"> • Kilometers. per 1000 inhabitants, selected city quadrants • Proportion of reserved and protected paths over total supply, selected city quadrants • City/quadrant supply ratio
<p>Public transport</p>	<p>Kilometers of tram lines/ subway lines per 10,000 inhabitants, city-wide</p>	<p>Frequency</p>	<ul style="list-style-type: none"> • Kilometers of tram lines/ subway lines per 10,000 inhabitants, selected city quadrant; Total city/City Quadrant Ratio • Kilometer of BRT lanes per 10,000 inhabitants, selected city quadrant; Total city/City Quadrant Ratio

Squares	Surface per square kilometer, city-wide	<ul style="list-style-type: none"> • Non-prevalence of traffic functions 	<ul style="list-style-type: none"> • Surface per square kilometer, selected city quadrants
Sidewalks	Median width, city wide Sidewalk/street area ratio, city wide % of obstacle-free sidewalk	<ul style="list-style-type: none"> • Percentage of paved over unpaved surface, total city area 	Median width, selected city quadrants Sidewalk/street area ratio, selected city quadrants
Street crossings	Street connectivity is between 80 – 120 intersections per square kilometer	<ul style="list-style-type: none"> • Number of intersection per square kilometer • Crossing/wheelchair accesses, number over total city area. • Streetlight sound alerts, number over total city area 	Crossing/ wheelchair accesses, number per square kilometers over city area indicator
Trees	Number of trees per km of road/street		Number of trees per km of road/street, selected city quadrant and quadrant/total city ratio
Parks and Gardens	<ul style="list-style-type: none"> • Surface over total city population • Proportion of population farther away than 200 – 300 meters from an open area or city park 	Park maintenance budget per inhabitant	<ul style="list-style-type: none"> • Surface over population of selected quadrants • City quadrant/total city ratio • Proportion of population farther away than 200 – 300 meters from a city park, selected city quadrants, and as city quadrant/total city ratio
Playgrounds	Total number per 1000 inhabitants		Total number per 1000 inhabitants, selected city quadrants (City quadrant/total city ratio)
Public Sports Facilities	Total number per 1000 inhabitants, city wide	Free access, availability and status of maintenance	Total number per 1000 inhabitants, selected city quadrants

Appendix 8

List of Persons Consulted

MBALE MUNICIPAL COUNCIL

S/N	Name	Designation	Institutional affiliation	Telephone number	Email Address
1.	Ms. Namulondo Tappy	Town Clerk (Out-going)	Mbale Municipal Council	+256773955548/ +256704168447	
2.	Mr. Batanda Paul	Town Clerk	Mbale Municipal Council	+256772611985	batanda@yahoo.com
3.	Mr. Mutwalib Mafabi Zandya	H/W the Mayor	Mbale Municipal Council	+256772433875/ +256706033875	kimonograce@yahoo.com
4.	Ms. Neumbe Angella	Community Development Officer	Mbale Municipal Council	+256782523464	
5.	Ms. Nyaribi Rhoda	Senior Environment Officer	Mbale Municipal Council	+256772693722/ +256703907260	nrhoda22@yahoo.co.uk
6.	Ms. Walwema Eva	Human Resources Officer	Mbale Municipal Council	+256772462696	walwemaharriet41@gmail.com
7.	Dr. Odongo Musa	Municipal Health Officer	Mbale Municipal Council	+256774399406	modongo2005@gmail.com
8.	Mr. Kamuli Mayeku Boaz	Principle Municipal Education Officer	Mbale Municipal Council	+256702899199/ +256772899199	kamulimayboaz@gmail.com
9.	Mr. Wotsomu Moses	Economic Planner	Mbale Municipal Council	+256705330156/ +256777084995	jmwotsomu@yahoo.com
10.	Mr. Nambafu Fred	Physical Planner/ Land Management Supervisor	Mbale Municipal Council	+256777912155	fnambafu10@gmail.com
11.	Mr. Lanyisi Joseph	Enforcement Officer	Mbale Municipal Council	+256772604984 +25670158339	
12.	Mr. Wandugwa Sulaiman	Chairman	Wanale Division Mbale Municipal Council	+256782334295	
13.	Mr. Kasaija Musa	Councilor	Industrial Division Mbale Municipal Council	+25678285641	
14.	Mr. Muyama Eunice	District Physical Planner	Mbale District Local Government		
15.	Mr. Musaayi Moses	Chairperson	Bugwere Market Mbale Municipal Council	+256712979006	

S/N	Name	Designation	Institutional affiliation	Telephone number	Email Address
16.	Mr. Mukasa Asadi		Bugwere Market Mbale Municipal Council	+256776442360	
17.	Mr. Judith Nabugyere	Head Teacher	North Road Primary School	+256772682975/ +256702682935	
18.	Mr. Masiga Davis		Gangama Primary School	+256778392714	
19.	Mr. Lunyolo Musimbi Phoebe	Head Teacher	Malukhu Primary School	+256772367925	
20.	Mr. Kemba Sula	Health	Bugwere Market Mbale Municipal Council	+256782852362	
21.	Mr. Walyetuyi Juma	Advisor	Bugwere Market Mbale Municipal Council	+256777186414	
22.	Mr. Waligoli Eriya	Elder	Bugwere Market Mbale Municipal Council	+256782848637	
23.	Mr. Muzi Umar Munyoigi	Councilor	Mbale Municipal Council	+256774364546	
24.	Mr. Kiriya Abubakari		Bugwere Market Mbale Municipal Council	+256773175829	
25.	Mr. Sasaga Jacob	Councilor	Northern Division Mbale Municipal Council	+256772879406	
26.	Mr. Bukuwa Sam	Community	Northern Division Mbale Municipal Council	+256791414383	
27.	Mr. Congodyo Patrick	Councilor	Northern Division Mbale Municipal Council	+256779300508	
28.	Mr. Madanada Richard	Councilor/Secretary	Northern Division Mbale Municipal Council	+256775029233	
29.	Mr. Nabongo Salina	Defense Secretary	Northern Division Mbale Municipal Council	+256704000071	
30.	Mr. Mugenyi Francis	D/Head Teacher Namakwekwe Primary School	Northern Division Mbale Municipal Council	+256779278787	
31.	Mr. Wesamoyo Christopher	Secretary Finance	Northern Division Mbale Municipal Council	+256777197761	

S/N	Name	Designation	Institutional affiliation	Telephone number	Email Address
32.	Mr. Wangwe James	Head Teacher Namakwekwe Primary School	Northern Division Mbale Municipal Council	+256779067723	
33.	Mr. Danga James	Deputy Head Teacher	Mbale senior Sec- ondary School	+256772493862	
34.	Mr. Madoi Ali	Founder Stadium Manager	Mbale Municipal Council	+256782606474	
35.	Mr. Seiko Hadi	OC Traffic	Uganda Police Mbale CPS	+256755468886	
36.	Mr. Wanasuya Karim	Manager	Private Park	+256753141422	
37.	Mr. Masabaaka Mander Bernard	Manager	Mbale Bus Park	+256752627761	
38.	Mr. Watelo Edward	Supervisor	Mbale Bus Park	+256702926017	
39.	Mr. Wanasolo Anthony	Senior Assist- ant Engineering Officer	Mbale Municipal Council	+25677436506	tonnywanasolo@gmail.com
40.	Mr. Masaba John	Mechanical En- gineer	Mbale Municipal Council	+256782588556	
41.	Mr. Ossaba Hellen	Assistant Librarian	Mbale Municipal Council	+256774059379/ +256708537220	
42.	Mr. Kintu	Librarian	Mbale Municipal Council		
43.	Mr. Maddi Ayub	Chairperson	Mbale Central Market	+256782703055	
44.	Mr. Nsubuga Yusuf	General Secretary	Mbale Central Market	+256702672459/ +256775975282	
45.	Mr. Olinga Kasiano		Maluku Square	+256782981685	
46.	Mr. Semanda Twaha	President/Muni- cipal Development Forum	Mbale Municipal Council	+256758119280	
47.	Mr. Wandoba Richard Z	Municipal Devel- opment Forum	Mbale Municipal Council	+256759932896	gimogorich@gmail.com
48.	Mr. Woniala Daniel	Municipal Devel- opment Forum	Mbale Municipal Council	+256705296777	
49.	Mr. Watenyeri AKim	Municipal Devel- opment Forum MDF	Slum Dwellers	+256705582612	
50.	Mr. Wandege Christopher	Youth Chairper- son	Slum Dwellers	+256705328783	

S/N	Name	Designation	Institutional affiliation	Telephone number	Email Address
51.	Ms. Namakambo Irene	Business Woman	Slum Dwellers	+256759037409	
	Ms. Bwayirisa Gertrude	Business Woman	Slum Dwellers	+256783929578	
52.	Ms. Negesa Kamida	Business Woman	Slum Dwellers	+256778362000	
53.	Ms. Nambozo Sarah	NSDFU/Business Woman	Slum Dwellers	+256775999679	
54.	Mr. Namisi Moses	General Secretary	Slum Dwellers		
55.	Mr. Tsatsoni James	Pastor	Slum Dwellers	+256781558524	
56.	Ms. Prossy Naigaga	Teacher	Bright Parents' Junior School	+256772584509/ +256701584509	
57.	Ms. Namono Sylvia	Teacher	Bright Parents' Junior School	+256786927273	
58.	Ms. Nafungo Doreen	Teacher	Bright Parents' Junior School	+256704088431/ +256787263750	
59.	Mr. Masaba Henry	Teacher	Bright Parents' Junior School	+256750999431	
60.	Ms. Nambafu Betty	Teacher	Bright Parents' Junior School	+256781519898	
61.	Ms. Kisaka Rita	Teacher	Bright Parents' Junior School	+2567705166837	

GULU MUNICIPAL COUNCIL

S/N	Name	Designation	Institutional affiliation	Telephone number	Email Address
1.	Mr. Francis Barabanawe	Town Clerk	Gulu Municipal Council	+256772692456	
2.	Ms. Sarah Apio	Ag Clerk to Council	Gulu Municipal Council		
3.	Ms. Pauline Lukwayi	Deputy Mayor	Gulu Municipal Council	+256782675803	
4.	Mr. Oluba Alfred	Chairman	Gulu Municipal Council	+256772512728/ +256712512728	
5.	Ms. Evelyn Mukonyezi	Physical Planner	Gulu Municipal Council	+256774157328	mukonyezievelyn@gmail.com
6.	Ms. Agnes Oyella	Land Supervisor	Gulu Municipal Council	+256777489520	oyella.agnes@gmail.com
7.	Engineer Odongo Terence	Municipal Engineer	Gulu Municipal Council	+256772591845	odongo.terence@gmail.com
8.	Ms. Fiona Atim	Municipal Inspector of Schools	Gulu Municipal Council	+25677755019	Fionaatim77@gmail.com
9.	Ms. Monday Ruth Buckley	Community Development Officer	Gulu Municipal Council	+256702181522	mruthbuckley@gmail.com
10.	Mr. George Aligech	President Municipal Development Forum	Gulu Municipal Council		
11.	Mr. Rubanga Michael	Health Inspector	Layibi Division	+256782429671	Barachel200@yahoo.co.uk
12.	Mr. Okot John	Enforcement Officer	Layibi Division	+256780903663	
13.	Mr. Oketch Charles	Landfill Officer	Gulu Municipal Council	+256754558014	
14.	Mr. Luwa John Charles	Municipal Economic Planner	Gulu Municipal Council	+256772675929	Luwa2005@gmail.com

S/N	Name	Designation	Institutional affiliation	Telephone number	Email Address
15.	Mr. Alex Ojera	Ag Secretary Gulu District Land Board	Gulu District Council	+256774308804	alexojera@gmail.com
16.	Ms. Acen Helen Kajibi	District Land Board		+256772476690	
17.					
18.	Mr. Tabu Joseph	Bosco Uganda Library	Gulu Municipal Council	+256774079992	
19.	Mr. Owiny Geoffrey	V/Chairman	Laroo Division	+256779755032	
20.	Mr. Ocaya Denis	Councilor	Pece Division	+256782165119	
21.	Mr. Okuttu Julius	V/Chairman	Pece Division	+256782417454	
22.	Mr. Martin Mwaka	Sec for Works	Pece Division	+256772 877468	
23.	Mr. Onen John Bosco	LC1 Bus Park	Pece	+256772973334	
24.	Mr. Patrick Omayo	Chairperson Gulu Market Vendors Association	Gulu Municipal Council		
25.	Mr. Kilama Anthony	Chairman	Ceroleno Market	+256789696860	
26.	Mr. Okeny Richard		Ceroleno Market	+256782082265	
27.	Mr. Otoo Julius		Cereleno Market	+256789070251	
28.	Mr. Okello Santo		Cereleno Market	+256772895344	
29.	Mr. Akum G		Cereleno Market	+256754561499	

S/N	Name	Designation	Institutional affiliation	Telephone number	Email Address
30.	Ms. Aber Doreen		Cereleno Market	+256773027827	
31.	Ms. Vicky Emotai	Secretary	Cereleno Market	+256772801353	
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33.	Mr. Okwanga Terence	LC 1 Chairperson	School Road Sub Ward	+256782687899	
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Appendix 9

Demographic Statistics for Gulu Municipality (2014)

No	Division	Ward	Males	Females	Total Population	Households	% Female Headed Households	Area km ²	Population Density
1.	Bar Dege	Bar-Dege	2635	3029	5664	1092	33.6	9.272404	611
		For God	4388	4641	9029	1093	38.2	4.188945	2155
		Kan-yagoga	7077	6410	13487	2490	27.8	4.800373	2810
		Kasubi	5771	6371	12142	2603	34.3	3.137311	3870
2.	Laroo	Agwee	3578	3721	7299	1374	30.6	2.095939	3482
		Iriaga	3869	4211	8080	1745	31.1	4.041119	1999
		Pece Prisons	4546	4549	9095	2351	32.2	3.514532	2588
		Queen's Avenue	1324	1515	2839	703	35.8	0.273545	10379
3.	Layibi	Kirombe	3710	4102	7812	1908	30.3	1.448514	5393
		Library	6133	5159	11292	2240	27.1	1.21357	9305
		Patuda	3419	3841	7260	1456	34.3	2.48676	2919
		Techo	5220	5621	10841	2314	28.0	6.660099	1628
4.	Pece	Labour Line	1483	1597	3080	696	32.6	0.274908	11204
		Pawel	3310	3716	7026	1318	31.4	4.786666	1468
		Teg-wana	9734	10775	20509	4109	27.9	5.05229	4059
		Van-guard	7008	7843	14851	3081	28.4	1.860571	7982

Appendix 10

Demographic Statistics for Mbale Municipality (2014)

No	Division	Ward	Males	Females	Total Population	Households	% Female Headed Households	Area km ²	Population Density
1.	Industrial	Namatala	11199	12924	24123	6610	30.5	2.796155	8627
	Industrial	Masaba	2724	2039	4763	809	26.2	2.229248	2137
	Industrial	South Central	1555	1676	3231	833	36.1	0.745233	4336
	Industrial	Malukhu	3622	4656	8278	2129	34	3.751891	2206
2.	Northern	Nkoma	4833	5892	10725	3002	36.3	3.137552	3418
	Northern	I.U.I.U	1172	785	1957	35	25.7	0.140621	13917
	Northern	Namak-weke	5744	7179	12923	3789	36.2	2.295688	5629
	Northern	Nabuy-onga	4102	5009	9111	2533	36.8	1.044577	8722
	Northern	North Central	1433	1759	3192	691	38.5	1.189731	2683
3.	Wanale	Kirombe	2573	3103	5676	1409	27.5	1.380167	4113
	Wanale	Library	927	1356	2283	560	42.1	4.830044	473
	Wanale	Patuda	1380	1708	3088	882	32.5	0.69861	4420
				89350					

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