

# **Concept Note Template for Submission** Catalytic Fund

Page Limits: Specific section limits indicated in Section 2 and 3. OVERALL DO NOT EXCEED 8 SIDES OF A4/Letter.

SECTION 1 - GENERAL PROPOSAL INFORMATION					
1.1 Title of proposed project Tenure Security Facility Southern Africa: the provision of technical assistance and advisory services on incrementally securing tenure in slum upgrading	1.2 Submission date 31 March 2011				
4.2. Brown and authoritized hour	1.4 Contact Pourse				
1.2 Proposal submitted by :	1.4 Contact Person				
Organisation: Urban LandMark	Organisation: Urban LandMark				
Name and title: Lauren Royston	Name and title: Lauren Royston, Urban Land Rights and Secure Tenure				
Address: Office 112, 1090 Arcadia St, Hatfield, 0083, Tshwane, South	Theme Coordinator				
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Fax: +27-12-342 7639	Fax: +27-12-342 7639				
E-mail: lauren@devworks.co.za	E-mail: lauren@devworks.co.za				
1.5 Recipient Organisation					
Organisation: Urban LandMark					
Name and title: Mark Napier					
Address: Office 112, 1090 Arcadia St, Hatfield, 0083, Tshwane, South Afric	a				
Telephone: +27-12-342 7636/8					
Fax: +27-12-342 7639					
E-mail: mark@urbanlandmark.org.za					
1.6 Other Implementing Organisation None					
1.7 CA members sponsoring the project	Type of Sponsorship [To mark a checkbox double-click on it, and choose				
Organisation: Slum Dwellers International and National Department of	'checked' from the default value section] [more than one box can be				
Human Settlements, South African government	checked.]				
Name and title of representative in charge: Joel Bolnik (SDI); Neville					
Chainee (DHS)	Co- or full implementation				
Address: 240 Walker Street, Sunnyside, Pretoria (DHS)	Co-funding				
Telephone/Fax/E-mail: Tel: (0)12 421-1311 (DHS), Email	Grant Administration				
neville.chainee@dhs.gov.za; bolnik@mac.com	Analytic and/or Advisory Assistance and Support				
	✓ Joint Knowledge Management [e.g. M&E, learning events]				
1.7.1 Other sponsor of project	Type of Sponsorship [To mark a checkbox double-click on it, and choose				
(1) Organisation: Development Workshop	'checked' from the default value section] [more than one box can be				
Name and title of representative in charge: Allan Cain (Director)	checked.]				
Address: Rua Rei Katyavala 113, Luanda	For both sponsors:				
Telephone/Fax/E-mail: Tel: (244 2)44 83 66 5200, Fax 44 94 94; Email	Co- or full implementation				
: dwang@angonet.org	Co-funding				
	Grant Administration				
	✓ Analytic and/or Advisory Assistance and Support				
	Joint Knowledge Management [e.g. M&E, learning events]				

<b>1.9 What is the main project theme?</b> [To mark a checkbox, double-click on it and choose 'checked' from the default value section. Try to limit choice to one box.]	<b>1.10 Geographic scope of the project</b> [To mark a checkbox, double-click on it, and choose 'checked' from the default value section. More than one box can be checked.]				
☐ Citizen engagement ☐ City governance ✓ ☐ Security of tenure and access to shelter ☐ Environment ✓ ☐ Access to economic opportunities ✓ ☐ Access to affordable services	☐ City: [specify] ☐ State/province: [specify] ☐ Country: [specify] ✓ ☐ Global / Regional / Multi-city / Multi-country: South Africa (national, work in Johannesburg, Cape Town, eMalalheni, Eastern Cape) Angola (Luanda), Mozambique (Maputo), and one or two other Southern African cities (possibly Lilongwe)				
<b>1.11 Expected project duration</b> [please note that this is expected to be two year maximum after signing date of the Grant Agreement]	1.12 Budget Summary				
12 Months	SOURCE	Total	%		
	Cities Alliance	[ 250,000US\$ ]	[83]		
	Co-financier 1 [Urban LandMark]	[51,000US\$]	[17]		
	Co-financier 2 [indicate name]	[amount]	[of tot]		
		[]	[]		
	Government [indicate name]	[] [amount]	[] [of tot]		

**SECTION 2 – PROJECT BACKGROUND [ONE SIDE OF A4/LETTER MAX]** [This section should provide an overview of the urban development context and policies, the key issues to be addressed by the proposed project, and its added value to previous or ongoing projects on similar issues. This information should provide the background to understand why the proposed approach has been chosen, which will be explained in detail in the following section 3]. [Please answer each question below in the order presented].

### 2.1. Project background and rationale

## What is the context of the project?

Of the four regions making up Africa, Southern Africa over the 2000-2010 decade, retained its position as the most urbanised on the continent, with the rate increasing from 53.8 to 58.7 percent. The subregion is projected to reach a two-thirds urban majority sometime around 2025<sup>1</sup>. This urban growth is concentrated in larger and medium sized cities in the region, with cities of less than 500,000 people absorbing two thirds of the urban growth<sup>2</sup>.

The process of urbanization in Africa has been referred to as the 'urbanisation of poverty', as, coupled with high unemployment rates, it generally leads to extremely poor living conditions, mostly in slums (informal settlements). About 62% of people living in towns and cities in sub-Saharan Africa today live in such informal settlements. These settlements are not formally recognized with the result that the households living in them do not have access to land rights and eke out a living on the periphery of the economy.

The Urban Land Market Programme of Southern Africa (Urban LandMark) is a non-profit organisation that was established in 2006 with funding from the United Kingdom's Department for International Development (DFID). Urban LandMark aims to improve pro-poor access to land through the promotion of better land governance, increased tenure security and land markets that work better for the poor.

Several years ago the programme published the findings of its research into how the poor access, hold and trade land in three metropolitan areas of South Africa (Durban, Cape Town and Johannesburg). The research reports can be found at www.urbanlandmark.org.za. Principal findings included that "socially dominated" land markets exist in the parts of these cities where poorer people live; that they are mediated by community organisation, social relations and the state; and that although they function in the short term to provide access to land, constraints exist as to how well they function in the medium and longer terms for the poor. One of the primary implications of this work for Urban LandMark was the need to promote official recognition of these markets, in order to improve how they function for the poor. Consequently Urban LandMark identified increasing tenure security as the first step toward official recognition.

As a result, Urban LandMark developed an approach for incrementally securing tenure in informal settlements in South Africa in 2009/2010. This approach is also available on the website. In 2010/2011 the programme disseminated the approach in South Africa and applied it in selected sites. Currently Urban LandMark is developing knowledge materials on experiences in application for dissemination. The programme also adopted a multi country focus in the Southern Africa region in 2010/2011 by commissioning an 'Operation of the Markets Study' in Maputo and supporting the implementation of one in Luanda with a partner there, Development Workshop, who provided technical assistance.

<sup>&</sup>lt;sup>1</sup> UN Habitat (2008). The State of African Cities 2010 Report. Nairobi, UN Habitat

<sup>&</sup>lt;sup>2</sup> UN Habitat (2008). The State of African Cities 2008 Report. Nairobi, UN Habitat

<sup>&</sup>lt;sup>3</sup> United Nations Human Settlement Programme, for a better urban future, op. cit., p. 4.

In both cities Urban LandMark's original operation of the market methodology was used and adapted. In addition in 2010/2011, the programme continued to build its partnership with the National Upgrading Support Programme (a South African initiative of the National Department of Human Settlements and Cities Alliance) who is providing assistance to 40 municipalities in all 9 provinces in South Africa to upgrade informal settlements. Urban LandMark will provide technical assistance on incremental tenure upgrading and provide assistance to NUSP's capacity building programme regarding tenure and land markets modules and materials. The programme is also developing a new collaboration with the Housing Development Agency in South Africa whose mandate concerning informal settlement upgrading is an implementation, project packaging focus. Here too our collaboration focuses on Urban LandMark providing assistance on tenure security.

#### What are the key issues to be addressed?

In Southern Africa, land use and allocation is a highly political issue, central to urban economies and livelihoods, and a political patronage resource in the region. Land rights are in transition and peri-urban areas are the zones of rapid change and the highest levels of conflict. Countries in the region are struggling to implement new laws and policies because of limited technical, financial and institutional capacities. There are powerful interests in favour of maintaining inequitable access to land, while political will (and therefore the ability to tackle this) is generally absent. Rights-based approaches are marginal to the practice of urban development and management, with evictions a common occurrence. Where tenure security interventions do occur they tend to emphasise the provision of individual title. A more incremental approach to issuing title, which provides tenure security in increments en route, is preferable as it has the capacity for wider reach, which in turn diminishes the potential for social conflict; opens up public and household investment potentially sooner rather than later; places less of a burden on deeds registries; makes significant inroads into urban inclusion and notions of citizenship; accommodates working more with what currently exists; and provides more scope and space for mediation and facilitation of the areas of potential conflict, such as boundary disputes, family disagreements, insiders/outsiders, the differentiated claims of primary occupants and tenants. Formal urban land markets have only been able to serve the wealthy. Informal urban land markets provide access to land when the formal markets do not or cannot deliver. Poor land administration and unresponsive public institutions are increasingly failing to track formal and informal land transactions, which interferes with proper market mechanisms and taxation. A way forward would be for governments to recognize informal urban land governance in general, and informal urban land markets in particular, in order to impro

The overall purpose of the project is to provide assistance on incrementally securing tenure as part of existing slum upgrading initiatives in Southern Africa in order to contribute to Urban LandMark's vision of improved access to land for the poor, which in turn contributes to improved livelihoods, active citizenship and wealth creation.

# Why is this project needed?

Informal settlements pose a social and economic risk that need to be addressed. The majority of households in informal settlements do not have a legalized pathway to accessing land and an administratively and legally supported way of holding onto land once they have accessed it. As a result many people occupy land or inadequate shelter illegally and are then constantly vulnerable to eviction, have little access to basic services, and are not part of the planning process of cities. As a result, informal settlements are one of the major threats to urban stability and, by extension, to overall political stability.

Thousands of people in the region living in informal settlements or participating in informal economic activities have been evicted in recent years. These evictions took place with little or no notice, without compensation and often contrary to national and international law. Environmental health, physical or other risk conditions are used to justify eviction and forced removal of poor land occupants. Rights-based approaches are marginal to urban development and management in Southern Africa. There is need to craft new, indigenous and culturally grounded ways of making human rights central to managing cities in the region.

Further informal settlements are extremely vulnerable to natural and other disasters, disease and conflicts over land and housing. It is estimated that such urban environmental problems claim one million African lives each year<sup>4</sup>.

Many of the agencies at the coal face of slum upgrading, municipal governments especially, lack the technical knowhow and human resource capacity to address the complex social, legal and technical issues of tenure security, especially of an incremental nature. This project will provide such assistance to municipalities in South Africa, through two national programmes (NUSP and the HDA's programme) and in partnership with selected initiatives in cities in the region. The nature of tenure is such that it can seldom be separated from a generalized slum upgrading programme. This implies that the assistance must be provided in relationship to a broader slum upgrading initiative. This mode of working also suits Urban LandMark's vision of working in partnership and in collaboration with organisations that have a sustained and long term engagement with the sites in question. Given Urban LandMark's history in South Africa relationships have already been established with national programmes, and work has been undertaken directly with cities in selected sites. In the Southern Africa region Urban LandMark is building the knowledge base and establishing partnerships with organisations or indeed with programmes that have a more local presence. In sum, the need is for a specialized tenure capacity working in tandem with slum upgrading initiatives (programmes, projects, organizations).

## How different it is this project from other or earlier projects on the same issue?

This project builds on work that has been undertaken previously (see context section for outline of the trajectory of work that precedes this project) and seeks to complement work that is currently underway in South Africa and other countries including for example the National Upgrading Support Programme of the National Department of Human Settlements and the Housing Development Agency's Informal Settlement Upgrading Programme. The project marks a departure from the conventional approach to securing tenure through individual title. Instead, it proposes an innovative, incremental approach to tenure security based on the concepts of legal and administrative recognition. It provides practical examples of mechanisms for administrative (such as street addressing, documented proof of occupation rights, provision of essential services, local forms of registration) and legal recognition (for example in South Africa designating a transitional residential settlement area or declaring a land development area or a less formal settlement areas, or rezoning in terms of a town planning scheme).

<sup>&</sup>lt;sup>4</sup> UN Habitat (2008). The State of African Cities 2008 Report. Nairobi, UN Habitat

The project also addresses the tenure question from within a land markets framework which gives it a particular emphasis on working from the land access mechanisms and local management practices that already exist. This provides the potential to integrate, rather than replace, local practice, in the process of upgrading and formalization.

**SECTION 3 – PROJECT DESCRIPTION** [TWO SIDES OF A4/LETTER MAX] [This section provides details on the logical framework of the project and its main approaches on some of the CATF main tenets: coordination, participation, sustainability and knowledge] [Please answer each question below in the order presented. Please be clear and detailed for questions on project outputs, outcomes and objective as these will be included in the Grant Agreement.]

## 3.1 Project Objectives and Results

# What is the main objective of the project?

To provide specialist tenure technical assistance and advisory services to slum upgrading initiatives in the Southern African region

- What are the expected outcomes of the project [The Project Outcomes] are the direct short- term benefits produced by the project outputs and their utilization. What is the benefit and who will benefit?]
- Improved understanding of how the poor access, hold and trade land in Southern Africa.
- Advice and support provided in Luanda and Maputo on tenure security, in collaboration with partners
- Specialist tenure technical assistance provided to selected projects in South Africa via NUSP and HDA
- A practical regional guide developed for use by practitioners and others on how to improve tenure security
- What are the main activities and outputs of the project? [The 'Project Activities are the actions taken or the work performed to produce the outputs. The Project Outputs are the deliverables, i.e. products, goods and services including knowledge and skills that result directly from the project activities. Please list all outputs which are relevant to observe progress towards the objectives.]
- 1. **Two 'Operation of the Market' studies**: Two cities will be selected (possibly Lilongwe and Lusaka) to add to the body of evidence from Johannesburg, Cape Town, Durban, Luanda and Maputo. Work to be undertaken will follow a similar approach to the one already undertaken in Luanda and Maputo and is likely to include:
  - Establishing partnerships in each city;
  - Adapting the 'Operation of the Market; study methodology through qualitative interviews in action research sites;
  - Undertaking a statistically relevant quantitative survey in 2 sites in each city;
  - Organizing and conducting stakeholder workshops in each city to consult on land market findings and analysis and to explore mechanisms for improving tenure security;
  - Conducting selected "elite interviews" to explore applicability of incremental tenure mechanisms more;
  - Finalise case study outputs.
- 2. **Assemble experts**: Establish a panel of experts to provide technical assistance and support services in slum upgrading implementation in Southern Africa.
- 3. **Specialist tenure advisory services provided in Luanda and Maputo**: Develop a terms of next phase of collaboration in both Luanda and Maputo where Urban LandMark's two most recent operation of the market studies are currently being concluded including:
  - Identifying appropriate programmatic and partner linkages;
  - Drawing-down, and managing, appropriate expertise from the panel to provide advisory services in the two cities; (one year)
  - Developing short, focused knowledge materials for use in other sites and for a regional handbook on incrementally securing tenure in Southern
    Africa
- 4. **Specialist tenure assistance in South Africa**: Provide specialist technical assistance to informal **settlement upgrading projects in South Africa** via NUSP and the HDA (one year). Likely to include a continuation of the City of Johannesburg and City of Cape Town work, build on a preliminary engagement in eMalahleni with Planact and in a small town where neo-customary urban tenure issues present.
- 5. **Practical regional guide**: Develop a practical guide for use in the region on incrementally securing tenure in slum upgrading. In addition to the city specific work, in South Africa and the region, Urban LandMark envisages developing a practical guide on increasing tenure security through appropriate and regionally applicable means which should include both legal and administrative mechanisms.
- 6. Cross city analysis: A further cross city aspect to the initiative will be a comparative analysis of the findings in all of the cities where surveys have been undertaken.

# 3.2 Project Approach

How does this project initiate, complement and/or leverage other urban development programmes? [Please describe how the project will align to local and domestic priorities and programmes and harmonize with donor activities.]

In 2004 the National Department of Housing in South Africa released a new policy document – Breaking New Ground (BNG). This policy document indicated the need for the eradication of informal settlements and initially this was the focus of the application of the policy. However since then there has been a recognition of the need to upgrade rather than eradicate these settlements. This culminated in the publishing of a revised Housing Code which provides a subsidy in this regard.

During 2010, the South African Government agreed on 12 outcomes as a key focus of work between now and 2014. Each outcome has a limited number of measurable outputs with targets. Each output is linked to a set of activities that will help achieve the targets and contribute to the outcome. Each of the 12 outcomes has a delivery agreement which in most cases involves all spheres of government and a range of partners outside government. Combined, these agreements reflect government's delivery and implementation plans for its foremost priorities.

Outcome 8 focuses on Sustainable Human Settlements and Improved Quality of Household Life. It also consolidates the policy shift contained in the revised Housing Code to a focus on informal settlement upgrading. Outcome 8 has 4 outputs:

Output 1: Accelerated Delivery of Housing Opportunities

Output 2: Access to basic services

Output 3: Efficient Utilisation of Land for Human Settlements Development

Output 4: Improved property market

The key focus of the first output is to upgrade the 2 700 informal settlements in South Africa. This is envisaged to be undertaken through the National Upgrading Support Programme (NUSP) which been launched in order to facilitate and support the fast-tracking of informal settlement upgrading in South African municipalities. This programme will make use of the Upgrading of Informal Settlements Programme (UISP) as set out in the Housing Code. Other subsidy programmes, including the Integrated Residential Development Programme (IRDP) and social and rental interventions, may also be applied in an integrated fashion at individual project level.

The project as set out in this proposal will be invaluable to the work that NUSP undertakes and will provide practical recommendations for providing tenure security as part of informal settlement upgrading. In addition it will enable the work to be applied to the Southern African Region as well.

How will the project facilitate broad participation of stakeholders and build partnerships among urban actors? [Please describe the nature and extent of participation of all important stakeholders in project development and activities. Please also describe potential partnerships including both with the private sector and community organizations. If appropriate, discuss stakeholders' needs and benefits in terms of gender and age].

An oversight committee will be established comprising relevant stakeholders from the participant cities and countries. In addition workshops will be held within each city to review the findings of the surveys undertaken. In addition a conference is planned incorporating wide ranging stakeholders. Further the community of practice in NUSP will also be used to test and establish the validity of the work.

How will the project scale up and institutionalize its approach? [Please describe how you intend to increase or extend the impacts of the project and how it can become an integral part of the urban governance of a city or country.]

Our relationship with NUSP will enhance the work's potential to scale up as it has reach into all nine provinces in South Africa either through direct technical assistance or through teaching modules and capacity building. The approach developed in South Africa will be made regionally applicable through the two new city studies and the two city advisory support work. After the one year period for which funding is sought in this application, Urban LandMark aims to take the work into a further phase of advocacy and dissemination through disseminating the handbook, holding a conference and expanding the portfolio of advisory and technical assistance relationships it has.

How will the project engage financing partners to provide capital for the implementation of plans and strategies to be developed by the project? [Please give special attention to capital investment for infrastructure and impact on local/national government budgets.]

Funding for informal settlement upgrading has been provided for by the South African Government through its national subsidy programme and other sources. Other countries in Southern Africa and donors in the area are also committing funding for this purpose. This project seeks to ensure that the funding is applied in a manner that best serves the needs of the poor.

How will the project capture experiences and results, facilitate learning processes and disseminate knowledge? [Which mechanisms for monitoring, evaluation and learning will be used or established by the project? How will be M&E and knowledge activities be used to stimulate learning processes within the project management, among stakeholders and beyond? How do you plan to disseminate the project's experiences on local and national level and for the Cities Alliance? If appropriate, discuss projects' M&E in terms of gender and age] [Please note that CA strongly encourages peer-to-peer exchange activities and learning among cities with similar experiences]

The proposed workshops, handbook and knowledge reports will ensure that the approaches developed are disseminated widely to stakeholders. It is envisaged that the approaches will then be applied by these stakeholders in the work that they undertake in informal settlements in their cities and countries. Specifically Urban LandMark will itself sponsor a Lusophone workshop/learning event in 2011 with the Luanda and Maputo studies. NUSP facilitates a peer learning and exchange ability through the forum it has set up into which Urban LandMark will insert the tenure fact sheets and experiences with the approach.

SEC	TION 4 – PROJECT AND FIDUCIARY RISKS AND ARRANGEMENTS
4.1	Project Risks
*	Will the project entail any social risks? [impacts on indigenous people, land acquisition, resettlement and/or other relevant potential social impacts]  Will the project entail any environmental risks? [impacts on natural habitats, forest conservation areas, on physical cultural resources and/or other relevant potential environment impacts]  Will the project entail any other risks including, but not limited to political and financial risks? [e.g. upcoming elections that could change government commitment towards the project; required co-finance does not materialize]  If the answer was yes to any of the three above questions, please describe the type of risks involved in the project and the mitigating measures to be undertaken to minimize those potential adverse impacts.
4.2	Fiduciary Risks [as applies to the Recipient organization, see 1.5]
* * * * * * * * * * * * * * * * * * *	Is the Recipient a registered organization under the countries'/cities' legal requirement?  Can the Recipient provide proof of registration and years of operation?  Does the Recipient have (or can open) a bank account?  Sometimes the Recipient liable for audit?  Does the Recipient follow any Procurement Guidelines and if so can this document be provided for review?  Sometimes the Recipient familiar with World Bank Procurement Guidelines?  YES NO  YES NO  YES NO  YES NO
activ	Project implementation arrangement [Please describe major entities involved in the administration of the grant and project implementation vities, their lines of accountability and financial transfer with regard to the grant. To this effect a flow chart/graph illustrating the funds flow and how project will be managed is well accepted]
mak Inte	FinMark Trust manages Urban LandMark's finances. FinMark Trust is a not-for-profit independent trust registered in South Africa whose mission is to e financial markets work for the poor in Africa. FinMark Trust's primary funding relationship is with the South African office of the UKs Department for rnational Development (DFID), which has funded the trust since it was founded in 2002. Funds allocated for the project will be transferred to the Mark Trust into a ringfenced account. Urban LandMark will draw down on the funds as per the project agreement. FinMark Trust is audited annually.
	If approved, would this activity have no-objection by the national government? [Please not that if this concept note is approved additional umentation supporting this point may be requested (e.g. a letter of no-objection). This is one of the grant eligibility conditions].   There would be no objection

Key activities [Please indicate which deliverable is planned to be due in which time period] [please add/delete 'components' or 'activities' where needed]	WHO [please specify the entity responsible for the DIRECT implementation of the activity. If the entity needs to be contracted please specify 'individual consultancy' or 'firm consultancy'.]	YEAR 1 YEA			AR 2	Budget [approximate cost per
		Semester 1	Semester 2	Semester 1	Semester 2	component only] THIS BUDGET COVERS ONLY THE AMOUNT BEING REQUESTED FROM THE CATALYTIC FUND
1. Component : One: Operation of the Market studies						Component
<b>1.1 Activity:</b> Form partnerships in the two cities	Urban LandMark					1
<b>1.2 Activity:</b> Adapt the methodology	Urban LandMark					US\$142,772
<b>1.3 Activity:</b> Undertake surveys in each city	Urban LandMark (ULM)					
<b>1.4 Activity:</b> Undertake stakeholder workshops in each city	Service Provider					
1.5 Activity: Conduct 'elite' interviews	Service Provider					
1.6 Activity: Finalise case study outputs	ULM/Service Providers					
2. Component : Two: Technical Assistance : Luanda and Maputo			/			Component
<b>2.1 Activity:</b> Establish a panel of experts to provide technical assistance	Urban LandMark					2
<b>2.2 Activity:</b> Identify appropriate programmatic and partner linkages	Urban LandMark					US\$ 52,157
<b>2.3 Activity:</b> Use expertise from panel to provide assistance	Service Providers					
2.4 Activity: Develop knowledge materials	ULM/Service Providers					Component 3 US\$34,966
3. Component: Three: Technical Assistance: South Africa						
<b>3.1 Activity:</b> Provide specialist technical assistance via NUSP &HDA	ULM/Service Providers				-	
4. Component: Four: Knowledge transfer						Component
<b>3.1 Activity:</b> Develop regional tenure guide	Urban LandMark					4
<b>3.2 Activity:</b> Develop comparative cross city analysis	Urban LandMark					US\$ 20,105