

MOVING THE DISTRICT ASSEMBLY CONCEPT A NOTCH HIGHER

By

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Section 12 of the **National Development Planning (Systems) Act 1994 (Act 480)** authorises the President to create Joint Development Planning Areas on the advice of the National Development Planning Commission:

12(1) The Commission may in consultation with the Minister responsible for Local Government recommend to the President the designation of any contiguous area as a Joint Development Planning Area, if special physical or socio-economic characteristics necessitate it being considered as a single unit for the purpose of development planning.

12(2) the President may by Executive Instrument designate the contiguous area as a Joint Development Planning Area.

The concept is that where the President considers that a number of contiguous District Assemblies have common opportunities and problems and are better able to deliver on their mandates by planning together and working together then he can bring them together for purposes of planning and service delivery.

Currently, the responsibility of bringing them together lies on the Regional Coordinating Council (RCC) through the Regional Planning Co-ordinating Unit. In practice this has not worked very well because the Regional Planning Officer has to anticipate the problems of the Assemblies that should necessitate their coming together and, his ability to bring them together is subject to the willingness of the Assemblies to work together, which is a function of the Chief Executives involved – as political appointees - being able and willing to work together.

In a Joint Development Planning Area , each Assembly retains its independence and political structures but cedes some of its powers to a body that represents the interests of all the Assemblies concerned.

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As an example, the Kumasi City Council, and later, the Kumasi Metropolitan Assembly, encompassed areas now referred to as:

- a. Asokwa Municipal Assembly
- b. Oforikrom Municipal Assembly
- c. Suame Municipal Assembly
- d. Old Tafo Municipal Assembly
- e. Asokore Mampong Municipal Assembly
- f. Kwadaso Municipal Assembly
- g. Kumasi Metropolitan Assembly

It is likely Bantama and Nhyiaeso will soon be added to the list.

These are all independent Assemblies but there is no gainsaying the fact that they are totally inter-dependent on each other. In addition, areas like Ejisu Municipal Assembly and Afigya Kwabre South District Assembly, and, to some extent, Atwima Nwabiagya South, which serve as dormitory communities for Kumasi cannot be excluded from planning for Kumasi. A Joint Development Planning Area will ensure that the planning issues of these areas are attended to holistically and strategically.

The situation in Accra is no different. The original Accra City Council, which later became the Accra Metropolitan Area, now comprises about thirteen independent District Assemblies:

- a. Ledzokuku Municipal Assembly
- b. Krowor Municipal Assembly
- c. La Dade Kotopon Municipal Assembly
- d. Ablekuma North Municipal Assembly
- e. Ablekuma West Municipal Assembly
- f. Ayawaso East Municipal Assembly
- g. Ayawaso North Municipal Assembly
- h. Ayawaso West Municipal Assembly
- i. Okaikwei North Municipal Assembly
- j. Ablekuma Central Municipal assembly
- k. Ayawaso Central Municipal Assembly
- l. Korley-Klottey Municipal Assembly
- m. Accra Metropolitan Assembly

The Tamale Metropolitan Assembly is now broken into two contiguous Assemblies – the Tamale Metropolitan Assembly and the Sagnarigu Municipal Assembly.

While the Sekondi-Takoradi Metropolitan Assembly has remained relatively intact, there's no doubt that the contiguous District Assemblies like the Ahanta West District Assembly to the west, the Shama District Assembly to the east and the Wassa East District Assembly to the north rely so much on the Metropolitan Area that they are affected by its dynamics in terms of local economic development and industrial development. A holistic planning cooperation would no doubt be beneficial to them all.

Under the Local Governance Act, 2016 (Act 936), these are independent Assemblies with planning (both development and physical), and other functions which they exercise independently of each other under the coordination of the Regional Coordinating Council. Where the planning and other functions of the Assemblies affect each other as are demonstrated above, then a Joint Development Planning Area needs to be established.

Structure of the Joint Development Planning Area (JDPA)

To give effect to this, there must be a Joint Development Planning Board established by the President for the area, by Executive Instrument, in accordance with Section 12(2) of the Act. In the E.I. the President will, among other things, determine the composition of the Board and also, its functions. The Act gives wide powers to the JDPB including “formulating and supervising the implementation of development plans” and also determining “the economic, social, spatial and sectoral policies of the designated area as well as mobilization of human, physical and financial resources for the development of the area”.

In constituting the Board, the President may decide to include representatives from all the affected Assemblies. These may be elected in the same way that Assemblymen are currently elected, with some members nominated by the President. The Chief Executives of the affected Assemblies, and, perhaps, their Presiding Members may also be members of the Board, to ensure that the Assemblies own the Board.

Some of the powers and functions of the District Assemblies would be transferred to the Board to enable the Board function effectively.

These functions may include:

- a. Development Planning – the Board must be the overall development planning authority and will be responsible for the production of the overall strategic plan for the Joint Development Planning Area. This will naturally be done, under existing legislation, under the supervision of the NDPC. The Assemblies must prepare their own development plans which they will derive from the strategic plan produced by the Board and see to their implementation.
- b. Physical Planning – the Board must also be the overall physical planning authority and will deal with, and give direction on, planning applications which are of major importance to the development and growth of its area of authority. The Assemblies must remain the local planning authorities and must produce Planning Schemes which must conform to their local development plans to be coordinated at the level of the Board. The Assemblies must receive all planning applications and deal with those which have not been reserved for the Board.
- c. Finance – while the Assemblies would continue to mobilize finance from the traditional sources, such as rates, fees and licences, major sources of finance like the property rate, recovery of betterment, and the power to borrow money would be transferred to the JDPAB. This would lead to economies of scale and improve revenue mobilisation.
- d. Utilities – the provision of water in the Joint Development Planning Area must be made a local governance issue. The current situation where the provision of water to the inhabitants of the Assembly is the responsibility of another statutory body should be critically examined. The source of water supply is normally local, as is the distribution. Why should it's management be done from the nation's capital? The Joint Development Planning Area Board should be able to oversee this very important activity. Similarly, the possibility of electricity distribution and management could be done by the Joint Development Planning Area Board and should be considered.
- e. Traffic management schemes and traffic control, speed limits, pedestrian crossings on the main roads, traffic signs, and on-street and off-street parking schemes would be the responsibility of the Board. The planning and construction of roads would be the responsibility of the

JDPAB as the roads would be of benefit to more than one Assembly. The Department of Urban Roads would be located in the Board to ensure a holistic traffic management policy in the Joint Development Planning Area.

- f. Civil Defence – the Fire Service Department would be the responsibility of the Board to ensure efficiency of the Service in emergencies and the execution of the other functions of the Service other than firefighting.
- g. Sanitation – sanitation is currently the responsibility of the Assemblies. In the Joint Development Planning Area, economies of scale would make it easier to manage sanitation and waste management for the Assemblies concerned.

Greater Kumasi Metropolitan Area

It is proposed that a new Joint Development Planning Area Board should be established in Kumasi to be named the Greater Kumasi Board as a pilot. In the case of Kumasi, this is possible and already some commentators have begun referring to Greater Kumasi though the concept is not clearly defined. When the system is well developed in terms of implementation, it could be scaled up to Accra and the other cities over time.

CONCLUSION

It is proposed that the President's office works with the Ministry of Local Government to set up a committee to work out the details of this concept for implementation and to recommend the necessary legislative amendments in the Local Governance Act, 2016 (Act 936).