

Challenges facing Governmental policies dealing with informal urban expansion in peri-urban areas in Egypt

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Abstract : Many cities in the developing world are testing high rates of urbanization, as Governmental policies of peripheral areas rarely have a clear land policy takes into account activities of all agencies and stakeholders involved in urbanization process. In Egypt, one of the most visible results of high rates of urbanization is the spread of informal settlements on agricultural land. As a response, the Egyptian government represented in General Organization for Physical Planning (GOPP) has been lately active in preparing “Strategic Plans” for Egyptian cities from different population sizes using a participatory planning approach. Aiming to define the new city boundaries based on a consensus that city development partners reached; understanding the rural-urban linkages for a healthier relationship between the city and its countryside to face this phenomenon. The focus of this paper is to define Obstacles facing implementing these policies through a close look at relationship between Governmental institutions and legal framework dealing with urban expansion in Peri-urban areas in Egypt. The Paper concludes that Weak administrative system , The Egyptian culture in Participatory planning and Lack of financing resources are the most important challenges facing the Egyptian planning process in managing urbanization on peri-urban areas in Egypt .

Keywords-Detailed Plans, Governmental Policies, Informal Settlements on Agricultural Land, Strategic Plans, Urban Growth Boundaries (UGB)

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I. INTRODUCTION

Population growth in Egypt is among the driving forces causing problems in Egyptian human settlements. The distribution of population is the most important reason, where the majority of Egyptian live in the Nile Valley and Delta. [1] The difference between the population level and the available living space in the capital region created a significant demand for outward development, at the expense of surrounding agricultural land. Between 1981 and 1988 alone, the metropolitan area lost 340 square kilometers of arable land to an expanding urban core. [2] While the extent of arable land in the country has since increased; the outward growth of urban land cover on previously agricultural land continues and occurs at a rate faster than the reclamation efforts conducted by the Egyptian government.[3] By shifting large-scale formal urban development to the nearby deserts, the rural fringes have been left to "silently" absorb people and the dense and small-impact informal residential neighborhoods they create. It was not planned that way. The rural hinterland was supposed to freeze as it was, and practically all population growth was to occur in the deserts. However, the economics of housing and livelihoods for the mass of inhabitants has prevailed. [4]

Even if the inevitability of cities expansion is accepted under the pressure of the Population growth and urbanization needs. It remains very important to manage this expansion efficiently. In the perfect situation, expansion areas should present great opportunity for addressing the city needs from housing and service, a great chance for new enterprises for generating income opportunities and better living condition for residences. Yet in reality, peri-urban expansion areas are partly fueled by land speculation. As speculators hold on to parcels around the city, new developments occur in a haphazard manner, often pushed to locations farther away from the central city creating a pattern of scattered development. [5] This process of rapid urbanization accompanied by informal urban development, which has become a predominant feature of urban expansion in the last four decades. [6] Most of the General Strategic Plan for 221 cities and 4600 villages indicates expansion on adjacent agricultural areas. It is expected that Egypt will lose formally around 66,300 and 13, 8000 Fadden of the best fertile areas surrounding Egyptian cities and villages respectively by the year 2027. During one and a half years after the 25 January revolt of 2011, Egypt has been lost between 10, 0000 -120,000 Fadden. [7] GOPP stated in "The National Urban Framework In The Arab Republic Of Egypt, 2014" that erosion of agricultural land Represents one of the main challenges that were taken into consideration in the preparation of the Strategic National plan for urban development (2052). [1] Despite the issue of erosion of agricultural land in Egypt relates to economic and social aspects however the interest in this paper is on the institutional and legal framework for the planning process in the Egyptian cities through recognizing the formal actors dealing with peri- urban

expansion areas, by Demonstrating legal process for the strategic and detailed planning in order to identify the Shortcomings afflicting the process. Concluding suggested reform that could adopt the process to make it more efficient.

II. Methodology

The methodology applied in this paper is a mixture of deskwork research and analysis of a simple questionnaire applied by the researcher investigating the Obstacles and challenges facing current Governmental institutions through the process of strategic and detailed plan and its role in managing urbanization in peri-urban expansion areas. The paper is divided into two parts.

The First part is a Literature review analyzing the main issues including urbanization process and the problem of informality and its effect on the Peri-urban areas in Egypt. Illustrating main factors influencing land use polices Governmental institutions and legal framework dealing with urban expansion and land use dynamics in Peri-urban areas. With quick review of the building Law no 119 for the year 2008 regarding the application of the strategic and detailed plans.

The second part is designed as a simple survey that examine the acceptability of the current planning process dealing with urban expansion and land use dynamics in Peri-urban areas in Egypt . To outline obstacles facing the strategic and detailed planning process. The designed questionnaire is targeting urban planning experts, officials from the General Department for Planning and Urban Development in Qalyubia and Giza governorates, urban planners from the general organization of physical planning. In order to have a clear image about the problem and to identify the weakness points of the current institutional and legal situation.

1. Peri-urban areas In Theory and Practice:

Peri-urban areas in theory have various definitions, Peri-urban areas are considered transitional zones between the city and the countryside, where urban and rural activities are juxtaposed and the landscape features are subject to rapid transformations induced by human activities. [8] Many forces affect land uses in peri-urban areas and stated social, economic, political and cultural forces as main factors. Moreover, they included housing and land markets, planning decisions, ownership patterns, land use characteristics, infrastructure and transportation structure and roles of actors within these processes. [9]



Fig.1: Example of urban informal expansion in peri-urban area in egypt
Source: [11] World Bank,, Vol. 1,2008, 26.

Different governments have come up with a range of public policies and regulations in managing land uses. These regulations constrain landholders' options for the use of land, and thus influence present and future market values of land. Governmental policies that promote infrastructural. Development may also influence the use of land. Furthermore, policies such as those related to land rates and taxes influence landholders' financial calculations and therefore influence the way they use land. [10]In Egyptian contextmany Literature use different terminologies may be used for these areas like "semi-informal settlements "; "illegal housing"; "un-planned areas"; " Informal extensions"

1.1 The problem of informality in Peri-urban areas in Egypt

Housing on agricultural areas is the most popular and common type of housing in the Egyptian cities for many reasons: First, the inhabitants of semi-informal housing have the advantage of legal land tenure. Second, such housing is not only relatively cheap, but it generally retains its value. Third, the inhabitants within such areas may acquire their land by means of incremental payments. Fourth, private developers who have flourished using informal processes of subdivision and land commercialization have provided such housing.

Fifth, such settlements offer greater security of tenure than other types. Finally, land subdivision in such areas follows the geometry of former agricultural use, resulting in a pattern of mostly straight roads although they may be narrow (4-6 meters) and longer than standard requirements.

This pattern has allowed the state to install basic services. Private developers acted as decision-makers for setting up the street network of the areas and relieved the municipality from paying additional costs for such arrangements. [12] El-Hefnawi identified that this pattern causes many problems such as: [13]-[14]

- Incompatible mixture of land uses, lack of green areas and peripheral public conveniences.
- Unplanned use of land and lack of local services and open spaces.
- Unhealthy, deprived high-density informal areas.
- Intensifying formal and informal areas which exert strain on services
- Environmental effects as the pollution resulting from solid waste management where the internal roads, has become open dumping areas, in addition to the overflows of drains and canals with all types of construction waste.



Fig.2:urban problems of informality in Peri-urban areas in Egypt
(Source: El-Hefnawi,2005 -Kipper, 2009)

2. Governmental response for informal urbanization in Peri-urban areas

In the 1960s and 1970s, the informal process was relatively straightforward, unconstrained by government prohibition. In the 1980s and especially the 1990s, government authorities became increasingly preoccupied with preventing the creation of more informal development on agricultural land, and there was a noticeable slowing of horizontal expansion. Yet the financial incentive to convert agricultural land for urban use was still extremely high, and the price for building land would easily exceed that of agricultural land ten to twenty-fold.[15]

Starting in 2004, the total prohibition conversion of agricultural land for urban use was recognized by government as unstoppable and a more nuanced policy towards this expansion started to be considered. Ways to allow some limited legal conversion were seen as the only way to compete with and limit informal development on agricultural land. [15] This policy shift resulted in preparing “Strategic Plans” for Egyptian cities from different population sizes using a participatory planning approach. Aiming to define the new city boundaries based on a consensus that city development partners reached; understanding the rural-urban linkages for a healthier relationship between the city and its countryside to face this phenomenon. [15] The following part will define the Main actors dealing with strategic and detailed plan in order to manage urban expansion for Egyptian cities. Demonstrate legal process in order to have a clear vision about how these actors work together.

3. Main actors dealing with urban expansion and land use dynamics in Peri-urban areas:

A variety of actors has a stake of dealing with urban expansion and land use dynamics in Peri-urban areas. The governmental sector divided into two levels

3.1 Central level

General organization of physical planning (GOPP) and its regional offices

The General Organization for Physical Planning (GOPP) is the planning organization in Egypt responsible for establishing and approving planning projects for both urban and rural areas. It was established according to presidential decree no. 1093 year 1973 to be the sole official authority for planning human settlements in Egypt. Law 119/2008 gave GOPP the responsibility of formulating public policy planning and sustainable urban development; and preparing plans and programs for this development at the national, regional, governorate levels, then review and approve urban plans at the local level in the framework of the objectives and policies of national, regional and local planning and sustainable urban development. [1]

3.2 Local level

- **Governorates:** Egypt is divided into administrative purposes into 27 governorates. The Governor is the head of the Local Administrative Units at the governorate level and appointed by the president. In each governorate, there is a General Department for Planning and Urban Development (GDPUD), which mandated to prepare detailed plans for cities and villages, through experts and consultants that are registered at the GOPP. The head of this department reports to the governor. [6]
- **The City Council:** Represents the executive authorities through representing the lines of different sectorial ministries. Each ministry represented by a unit within the city council, which follows the specific ministry regardless of the demands of Local Popular Councils. The role of the City Council is unclear when it comes to planning; this reflects, however the lack of coordination at the central level between the sectorial ministries. [6]
- **The Local Popular Councils (LPCs):** In each governorate, a local popular council shall be formed (Article 10 Law 43/1979). It is formed from directly elected representatives. The main function of the LPC is to hold the executives accountable for the delivery of the basic services and infrastructure in accordance with the competencies granted for each LGU. They are also responsible for approving the proposed budget and the proposed socio-economic plan of their administrative unit, as well as the detailed plans, including the plans for urban expansion areas. Prior 25 January Revolution, the LPC were abolished along with these councils just after the Revolution.. [6]

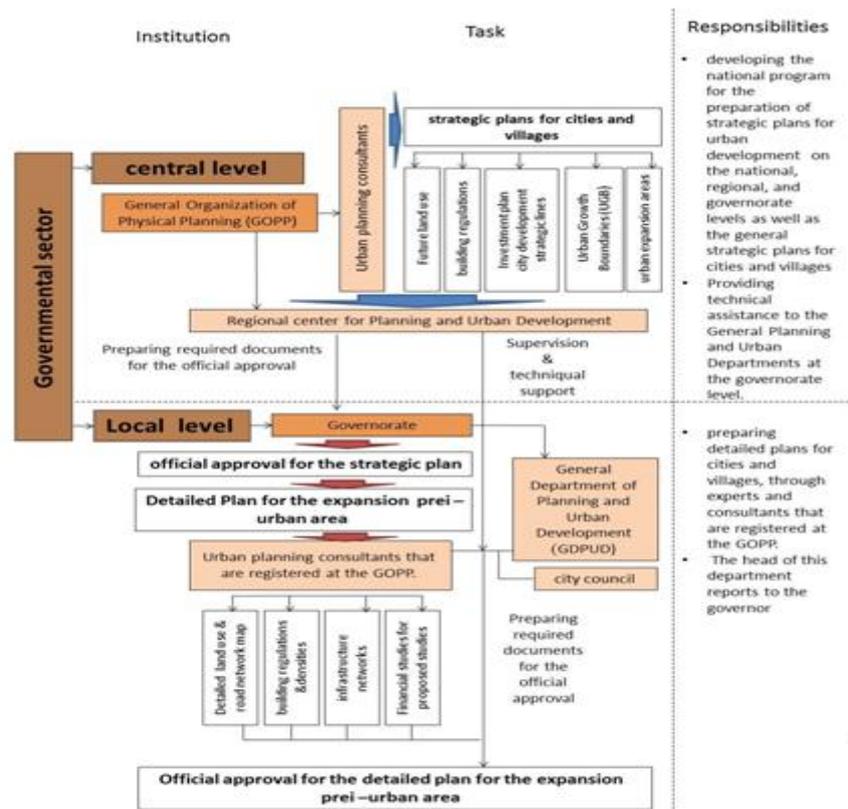


Fig. 3: Institutional and legal framework defined by building Law no 119 for the year 2008

(Source: Author, 2019)

Strategic & detailed planning process in Egypt:

General organization of physical planning (GOPP) is the state agency responsible for developing the general policy for planning and sustainable urban development, GOPP is currently active in preparing strategic plans for Egyptian cities of different sizes. The aim is to increase the capacities of these cities to host the additional five million inhabitants expected by the year 2022. [1]

Strategic Plan: defined as the plan that determines the prospective vision of the urban development whether at the national, regional or governmental level as well as the city or village level. Such plans shall further identify the goals, policies, socio-economic development plans, urban environment necessary to realize the sustainable development, future needs for the urban expansion, use of different lands, implementation programs, priorities and mechanisms and sources of finance at the planning level (Article 2 Law 119/2008). One of the most important outputs of any city strategic plan is the Urban Growth Boundaries (UGB).

UGB: a common planning tool used to demarcate limits for urban expansion over a particular period, generally 20 years [16]. According to building law, the process of specifying the delineation of the UGB is done as an integral aspect of undertaking the city strategic plan and it circumscribes the entire urbanized area and demarcates new areas that will be added to the city for future urban expansion. These newly added areas are added based on an estimate of the expected population growth of the city in the coming 20 years as well as its current density. [6] As a result of the change in the delineation of the UGB, new expansion peri –urban areas are added. These new areas defined in the building low as expansion areas, which need to be designed to fulfil the future urban needs of the city or the village through the detailed plans. Institutional and legal framework defined by building Law no 119 for the year 2008 can summarized in figure (3)

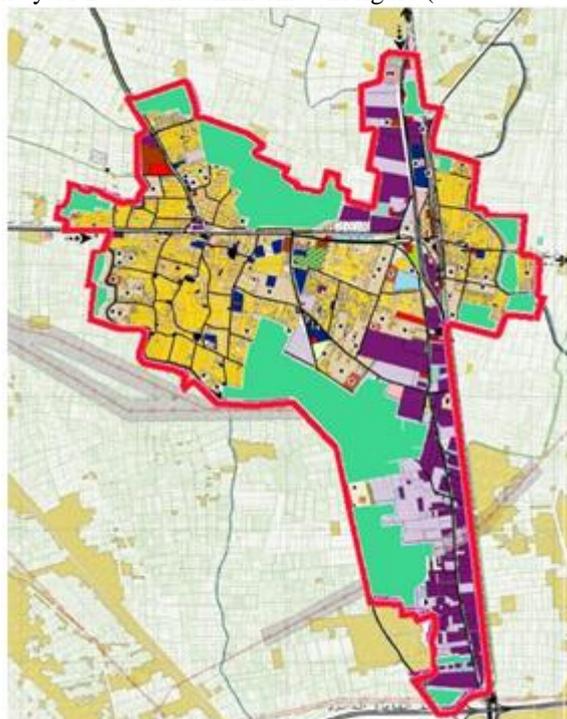


Fig.2: Strategic Plan for Qalioub City showing UGB in red line & Added expansion areas colored with green

(Source:author afterGOPP, 2010)

4. Detailed plans for urban expansion areas

Detailed plan: defined by Building law as the executive plan for the building and planning regulations. It presents the different land uses and infrastructure suggested in the city or village strategic plan. The plan also contains all integrated urban design development projects, land sub-divisions and landscaping projects whose execution is suggested in the general strategic plan. After the official approval of the strategic plan of the city or the village the General Department of Planning and Urban Development (GDPUD) subordinated to the local governorates are responsible for preparing the detailed plans for the city or the village, under Supervision and support of the Regional center for Planning and Urban Development subordinated to (GOPP) by consultants registered at the GOPP. Local governorates are facing challenges in following the law since the vast majority of cities do not have approved detailed plans for urban expansion areas. According to the Building Law; cities and

villages will not be able to issue a statement for locations' validity for building or issue building permits without the existence of an accredited detailed plan. [6]. Figure (4) defines the process of urbanization in peri-urban expansion area .

Beside the Local governorates inability to undertake the detailed plan as stated in the Building Law. The governorates inability is not only restricted to financial resources, but also in relation to human resources required to undertake the detailed plan. There is real shortage in number of well-trained technical staff. On the other hand, landowners of the added areas want to get benefit from their land, so they usually sell it to small-scale to moderate-scale constructors. Who make their own sub-division to the land regardless to the legal regulation, and sell them back to the people. New landowners try to get permit to have legal license to build on their lands from the local government. These requests are usually rejected or postponed in the best case. Beside the fact that the Technical Planning standards defined by Egyptian law are so overpriced compared to living conditions and real needs of the inhabitants of these areas, Eventually landowners decide to build illegally Indifferent to the plan proposed by the governmental authorities .



Fig. 4: process of urbanization in peri-urban expansion area (Source: Author, 2019)

5. challenges facing the strategic and detailed planning process in Egypt

In a practical attempt to identify the main technical, legal and institutional conflicts facing planning process affecting the peri-urban expansion area, the researcher conducted, a simple questionnaire targeted small sample from the main actors involved in both strategic and detail planning process in Egypt. Including experts 32 %, urban planners from the General Department for Planning and Urban Development in governorates 23%, urban planners from general organization of physical planning 45 % to investigate the main challenges facing Governmental institutions, which can be summarized as follows

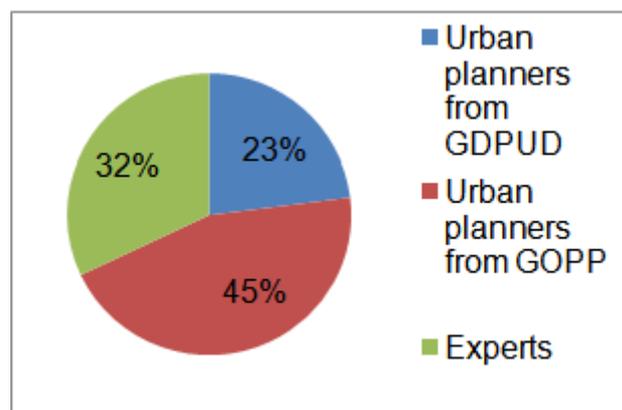


Fig. 5: Sample percentage of targeted participants on the survey (Source: Author, 2019)

6.1 The Egyptian culture in Participatory planning:

The participatory planning in Egypt dates back to the 90s that was began in a close cooperation with a number of multilateral and bilateral agencies including USAID, UNDP, and UN-HABITAT & GTZ. The scale of the experience ranged from a pilot project implemented at a neighborhood level until upscale national program of participatory planning led by the General Organization for Physical Planning (GOPP) and implemented at all Egyptian cities and villages. [4] The process holds great participation principles; however it remains clear that actual application of the process seldom carry equal values. Especially with the lack of appropriate database and capacity of local authorities.

6.2 Weak administrative system of Land registration

Among the key constraints, facing the preparation of the detailed plans and their relevance is related to land registration. Two important actors are involved in land registration; they are the Real Estate Publicity Department (El Shahr El Akary), and the Land Survey Authority (Hayaat El Mesaha). The first actor is responsible for property title/deed registration, while the second is responsible for cadastral surveying. The coordination mechanisms between the General Department of Planning and Urban Development and the actors involved in land registration are very weak. [6] The absence of accurate, updated and systemized database for the information regarding the ownership of the land in represents a core challenge to the process.

6.3 Lack of financing resources

Financing the different governorates occurs through the minister of local development. Each governorate has special finances including taxes on vehicles, governmental subsidies and contributions and wills approved by the prime minister.[17] The very limited collection of local taxes presents a different perspective in relation to the impact of the fiscal centralization on the motivation of local government officials to collect local taxes. The dependency of local government on central transfers and their inability to use them in a flexible manner (between budget line items and between years) created a powerful disincentive to collect these taxes.[6] On the other hand, the Building Law spatially integrates between the interventions of the different ministries in a spatially sensitive manner but with no clear specifications on how their programs and the interventions will be financed.[18] About 80% of the total governorate budget comes from the central level and the remaining 20% generated from the local taxes and fees. A small percentage used by the governorate according to its own discretion. Peri-urban areas is growing rapidly; while centralized budget allocation system does not put in concern the needed services and utilities for these areas. Hence, during the annual budget allocation Peri-urban area do not take their share [17]

6.4 Consumed Time in strategic and detailed planning process

One of the most problematic issues in urban planning for Egyptian cities is the complexity and time consuming involved in planning process ; the main reason for this delay relates mainly to the current rigid bureaucratic system which consume time in collecting and discussing data; which could be important but it is not giving the real image specially with the shortage of the land registration data of peri-urban expansion area..The informal sector in most cases is faster than the formal sector. This can be seen clearly in many cases in which the city had an approved (UGB) and strategic plan, most of land owners of the peri – urban expansion area cooperate together to reach their own land sub-division informally, some of them build on their lands without considering getting legal license to build, as they know that they are going to face the bureaucratic system that prevent them from building their own property without existence of detailed plan. In which they do not know whether it will be matching with their needs or not. This failure is due to mismatch between what to be done on the ground, and what can be theoretically gained out of the prevailing law of 2008. Slow performance of the public bodies in the implementation of urban plans cannot compete with the speed of the performance of urbanization on the ground. Therefore, there is a big gap between the application of the law and real practice and actions by landowners in the reality.

6.5 Excessive technical standards provided by the law

One of the most important issues is the percentage of land needed to create streets and other public services. This percentage in the case of informal settlements is very low as the private sector tries to get as much as possible profit from the land, so they use very low planning standards. On the other side, Egyptian law is specifying very high planning standards and building regulations that's so difficult to be followed from the point of view for land owners and private sector how think these standards are totally misunderstanding the context in the Egyptian cities and villages, the dynamics of the housing market, and the informal building code se, and accepted by landowners and the small-scale private developers.

III. Conclusion

Egypt is as any developing nation suffers from urban sprawl problems and the absence of both planning control and urban management over the built environment. This situation has led cities into urban informality, which requires a national policy to preserve agriculture land and to face the main challenge of how to manage this vast urbanization process? A close look at how informal system of the private sector work , and the ways in which the evolution of housing markets shapes the physical environment in the peri-urban areas should be taken into consideration . Private sector works and deals informally faster more than the governmental authorities can handle as it has actual information about land ownership and the ability of planning and design according to the actual needs of the residents, which do not match with the existing Legislations. In spite of the recent efforts in Changing planning practices, from master to strategic planning in order to give more chance for stakeholders to participate in planning process. However, the availability of human capacities, information and enough financial resources will be among the biggest challenges in addition to the limited capacity to manage urban development in the local level still one of the major challenge facing planning process.

On the other side, there is a big gap between the experts of central authorities and local authorities on the reality of urban expansion in peri- urban areas. The aim is to provide sufficient flexibility in the Planning process to enable real stakeholders to participate in the detailed planning of future development and growth. In order to do that, there are many issues to be considered:

- The Existing building law needs to be revised, in relation to the preparation of detailed plans for areas expansion areas and to provide better opportunity for landowners to participate in the planning process either by providing information, mapping of these areas or participating in Conceptualizing urban plans for these areas.
- Making real change in the local authorities Capabilities. Local authorities shall be (technically - financial and institutionally) empowered to be able to play its role in facilitating a realistic participatory planning process dealing with all stakeholders.
- Planning process and techniques for Egyptian cities and its expansion areas needs to be more creative and more oriented to the real needs of residents in these cities. By applying, more flexible and realistic planning standards and finding new mechanisms to get benefit from the abilities of the informal economy.
- In the short run, the government should not seek to develop a fixed detailed plan, but it is more efficient to set regulations to organize construction process, and to oblige landowners to submit land sub-division plans Subjected to the approved regulations. Moreover, the government should facilitate the construction permits for the owners as long as the submitted plans are consistent with the approved regulation. On the other hand, the approved regulations need to be more practical and related to the socio- economic status of the city or village residents.
- In the long run, a new land policy is needed in order to enable governmental Authorities to have more realistic visions and tools at both the macro level and at the micro level. With a more powerful process which involves not only landconsolidation “ land readjustment “ process , infrastructure development plan but also a mechanism for financing and implementing proposed plan, thus involving landowners in the process.

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