

https://dspace.org/

Identifying gaps in the Upgrading of Informal Settlements Programme: a case study of Eikenhof Informal Settlement

Hlungwana, Mulalo

2022

https://hdl.handle.net/10539/35790

Downloaded from a DSpace repository. https://dspace.org/

UNIVERSITY OF THE WITWATERSRAND

FACULTY OF ENGINEERING AND THE BUILT ENVIRONMENT
SCHOOL OF ARCHITECTURE AND PLANNING

Identifying gaps in the Upgrading of Informal Settlements Programme: A case study of Eikenhof Informal Settlement

Mini dissertation submitted in partial fulfilment of the requirements for the degree:

MASTER OF SCIENCE IN DEVELOPMENT PLANNING

COMPILED BY

Names : Mulalo Hlungwana
Student no : 0707014V
Supervisor : Mr. N Klug

November 2022

DECLARATION

I, Mulalo Hlungwana, (student no: 0707014v) hereby declare that this dissertation, Identifying gaps in the Upgrading of Informal Settlements Programme: A case study of Eikenhof informal settlement, for the award of Masters of Science in Development Planning at the University of Witwatersrand, has not been previously submitted for a degree at this or any other university. This is my work and all reference materials contained in this dissertation have been appropriately acknowledged.

Signature



M. Hlungwana

Date: 18 November 2022

DEDICATION

To all those who have been at the forefront in the development of this dissertation, all those who have been instrumental in bringing this research to a sensical conclusion, I dedicate this work to you. In particular, I can never forget those closest to my heart who light up my life; my husband Dwight Hlungwana, my daughter Ndzalama Hlungwana and my son Muhluri Hlungwana. Thank you so much for pushing me to the limit. I have made it this far because of you. I love you all.

ACKNOWLEGEMENT

I would like to extend my sincere gratitude to the following people who have been vital in the completion of this research:

- My Supervisor, Neil Klug, for his guidance, support, and patience that made me produce such work.
- The City of Johannesburg officials who provided me with extensive knowledge that contributed to the overall completion of my study.
- The Eikenhof informal settlement community representatives who participated tirelessly in answering my questions.
- My colleagues and friends for all the support they gave me throughout this research.
- My beautiful children, Ndzalama and Muhluri Hlungwana. They were my inspiration throughout this study.
- My dearest husband, Dwight Hlungwana, his support has been amazing. I wouldn't have done this without him. He has been my greatest support structure.

ABSTRACT

Informal settlements are a major concern all over the world. The governments in different countries are faced with the challenge of providing proper housing to their citizens. In South Africa, policies have been introduced to address informal settlements as well as socio-economic issues, however, the rate at which these policies respond to informal settlements is very slow and thus they are deemed to be ineffective. Current housing policies have been reviewed to better respond to informal settlements, however, there are factors both from the community and the state which potentially hinder the implementation of these policies. This research addresses the factors that potentially hinder the implementation of the Upgrading of Informal Settlements Programme. The conclusion drawn from the study is that the Upgrading of Informal Settlements Programme is a great tool for upgrading informal settlements. However, like any other policy, it also has its limitations. The gaps that have been identified in this tool negatively affect the implementation of this policy thereby making it seem like it is not effective. The study also makes recommendations to better implement this programme so as to better respond to informal settlements and particularly the Eikenhof informal settlement.

TABLE OF CONTENTS

DECLARATION i

DEDICATION ii

ACKNOWLEGEMENT iii

ABSTRACT iv

TABLE OF CONTENTS v

LIST OF TABLES vii

LIST OF FIGURES vii

LIST OF ACRONYMS viii

CHAPTER 1: INTRODUCTION TO THE STUDY 1

1.1 INTRODUCTION 1

1.2 PROBLEM STATEMENT AND RATIONALE 1

1.3 OBJECTIVES OF THE RESEARCH 2

1.4 MAIN RESEARCH QUESTION 2

1.5 EXPECTED FINDINGS 3

1.6 SCOPE OF THE STUDY 3

1.7 RESEARCH METHODS 3

1.8 DATA ANALYSIS 7

1.9 ETHICS 7

1.10 OVERVIEW OF CHAPTERS 8

1.11 CHAPTER SUMMARY 8

CHAPTER 2: LITERATURE REVIEW 9

2.1 INTRODUCTION 9

2.2 INFORMAL SETTLEMENTS ACROSS THE GLOBE 9

2.3 INTERVENTIONS ON INFORMAL SETTLEMENTS 11

2.4 CASE STUDIES 14

2.5 FACTORS IMPEDING THE IMPLEMENTATION OF INFORMAL SETTLEMENTS POLICIES 20

2.6 CONCEPTUAL FRAMEWORK 26

2.7 CHAPTER SUMMARY 27

CHAPTER 3: LEGISLATIVE AND POLICY FRAMEWORK FOR INFORMAL SETTLEMENTS IN SOUTH AFRICA 28

3.1 INTRODUCTION 28

3.2 THE FRAMEWORK 28

3.3 CHAPTER SUMMARY 39

CHAPTER 4: FINDINGS AND ANALYSIS 40

4.1 INTRODUCTION 40

4.2 STUDY AREA: EIKENHOF INFORMAL SETTLEMENT 40

4.3 SOCIO-ECONOMIC PROFILE OF EIKENHOF INFORMAL SETTLEMENT 42

4.4 FINDINGS 43

4.5 CHAPTER SUMMARY 51

CHAPTER 5: CONCLUSION AND RECOMMENDATIONS 53

5.1 INTRODUCTION 53

5.2 CONCLUDING REMARKS 53

5.3 RECOMMENDATIONS 55

5.4 LIMITATIONS OF THE STUDY 57

5.5 AREA FOR FUTURE RESEARCH 58

5.6 CONCLUSION 58

REFERENCES 59

APPENDICES 66

APPENDIX A: PARTICIPANT INFORMATION SHEET- GOVERNMENT OFFICIALS 66

APPENDIX B: PARTICIPANT INFORMATION SHEET- COMMUNITY REPRESENTATIVE 68

APPENDIX C: CONSENT FORM 70

APPENDIX D: INTERVIEW GUIDE 71

APPENDIX E: INTERVIEWEE REFERENCE 74

APPENDIX F: ETHICS CLEARANCE 75

APPENDIX G: PLAGIARISM DECLARATION 76

LIST OF TABLES

Table 1.1 Research design matrix 5

Table 3.1: UISP subsidy allocation 39

LIST OF FIGURES

Figure 2.1: Conceptual framework 26

Figure 3.1: The Freedom Charter - The right to decent housing 29

Figure 3.2: Objectives of the UISP 35

Figure 4.1: Location of Eikenhof Informal Settlement 40

Figure 4.2: Eikenhof Informal Settlement 41

Figure 4.3: Land pollution in Eikenhof informal settlement 43

LIST OF ACRONYMS

BNG	Breaking New Ground
COJ	City of Johannesburg
COJMM	City of Johannesburg Metropolitan Municipality
NDHS	National Department of Human Settlements
NDP	National Development Plan
NUSP	National Upgrading Support Programme
PHP	People's Housing Process
RSA	Republic of South Africa
UISP	Upgrading of Informal Settlements programme
UN	United Nations
USGD	Urban Settlements Development Grant

CHAPTER 1: INTRODUCTION TO THE STUDY

1.1 INTRODUCTION

More than 20 years into democracy, South Africa is still confronted by over a million households living in shacks (Hennings, Mollard, Moreschi, Sawatzki, and Young, 2012). Despite persistent efforts (policy, legislation, and programme interventions) by the government to curb the spread of informal housing in the country, informal housing persists relentlessly. Many South African citizens still reside in slums with no socio-economic amenities and no hope for better human settlements. Informal settlements were largely heightened by the legislated segregation, through the Group Areas Act (1950), which forced black people out of the city and urban areas into the outskirts of the city (Mabin and Smit, 1997). This trend that has seen poor people residing in informal settlements continues growing. Despite measures taken to reduce informal settlements, the number of these types of settlements continues to increase (Samper, Shelby, and Behary, 2020).

After the 1994 democratic elections, several housing policies and programmes were introduced including the Upgrading of Informal Settlements Programme (UISP), Breaking New Ground in 2004, and the 2012 National Development Plan 2030 (NDP). The National Housing Code was one of the policies that the government believed would solve the housing challenge, however, given the ever-increasing number of informal settlements in the country, this policy has been slow in responding to informal settlements and providing better human settlements.

1.2 PROBLEM STATEMENT AND RATIONALE

Apartheid, politically endorsed in 1948, negatively impacted the country's planning in various ways. It certainly shaped today's fragmented spatial layout and largely influenced the planning system and policies of the country; thus, it has significantly contributed to how our cities and town look today. Apartheid planning created an environment of inequality, poverty, and land markets that excluded poor people. This resulted in the proliferation of informal settlements that the democratic government is struggling to upgrade today. Even with the development of housing programmes aimed at improving human settlements, many informal settlements which started before 1994, still exist to date. In 1994, there were approximately 300 informal settlements in South Africa, this number has since increased to approximately 2700 informal settlements in 2009 (Del Mistro, and Hensher, 2009).

According to a report by the South African Human Rights Commission, (SoHRR (2020/2021), in 2019 the National Upgrading Support Programme which was developed to assist municipalities with the implementation of the UISP, had 850 upgrading of informal settlements plans conducted and developed as a step to implement the UISP, however, the UISP has never been fully implemented. Johannesburg alone still has 300 informal settlements, thus the UISP has not achieved its goal to upgrade all informal settlements by 2014.

The UISP was developed with the purpose of enhancing the quality of life of the poor in the country through the provision of proper human settlements, yet there has not been progress in this essence. South Africa is still faced with informal settlements all over the country which have been in existence for over a long period. The Eikenhof informal settlement has been in existence for more than 30 years; with little intervention from the government to upgrade it. Where the UISP has been implemented, whether wholly or partially, there have been gaps that require it to be examined. The Eikenhof informal settlement was established before the National Housing Code was developed, however, the UISP has not yet yielded positive results at this settlement. This opens room to question the effectiveness of the UISP and its challenges thereof.

1.3 OBJECTIVES OF THE RESEARCH

The set objectives have been developed based on the problem statement and rationale. These objectives will assist the researcher to achieve the aim of this study. The objectives have been linked to the research questions and are as follows:

- To investigate factors which hinder the implementation of the UISP.
- To examine the effectiveness of the UISP in the Eikenhof Informal Settlement.
- To determine potential development interventions that can be made at the Eikenhof informal settlement.
- To recommend ways that can make the UISP more effective.

1.4 MAIN RESEARCH QUESTION

The research is guided by the following questions:

To what extent is the UISP implementable in Eikenhof and can it be used as an effective tool for the upgrading of informal settlements?

Sub-Questions

1. What are the factors hindering the implementation of the UISP?
2. Can the UISP be used as an effective tool in upgrading the Eikenhof Informal Settlement?
3. What development interventions can be made by the UISP at the Eikenhof informal settlement?

1.5 EXPECTED FINDINGS

27 years into democracy, South Africa is still faced with a dire challenge to provide proper housing to its citizens. 21 years later after the introduction of the Housing Code, thousands and thousands of households are still homeless. Thus, the study aims to find the gaps in the implementation of the Upgrading of Informal Settlements Programme. Furthermore, it aims to find whether the issues which arise during the implementation of the said policy lie with the community, the government, or the policy itself. It is the researcher aim to find what exactly has the government done to try and improve informal settlements, specifically the Eikenhof informal settlement.

1.6 SCOPE OF THE STUDY

This research seeks to examine the Upgrading of Informal Settlements Programme (UISP). It examines its efficacy in upgrading informal settlements and assesses the issues which hinder or arise during the implementation of the Upgrading of Informal Settlements Programme. The research focuses on Eikenhof informal settlement which is in the jurisdiction of the City of Johannesburg Metropolitan Municipality, South of Johannesburg, in Gauteng province. The researcher chose the Eikenhof informal settlement due to its number of years in existence. This settlement has been in existence for over 30 years. Moreover, the chosen study area falls within the COJMM which is outside of the of the jurisdiction of the researcher's workplace, thus the area is ideal to avoid any conflict of interest.

1.7 RESEARCH METHODS

Research methodology defines the process and the step-by-step account of what was done to bring the research to a logical conclusion. The methodology used to obtain relevant data for the research were based on the statement of problems and the research objectives that emerged. The research tools and techniques used in this research were aimed at collecting the relevant data that would enable the researcher to arrive at the relevant findings.

In this research, only the qualitative method was used for data collection. Qualitative research methods are valuable in giving voice to those whose views are rarely heard. According to (Sofaer,1999) qualitative methods are essential in developing theories and generating and testing hypotheses. Smith and Smith (2018) make the point that the qualitative method is very useful in obtaining specific information regarding interests, values, behaviours, and opinions of the interviewees on the subject matter.

The qualitative method was therefore chosen as it would assist the researcher to obtain clear perceptions from the interviewees by studying their body languages, reactions and tone when participating in an interview. Furthermore, this method provides room for making follow up questions with the interviewees. Purposive sampling was used to determine the target group that was selected for interviews. Both primary and secondary data was collected. Primary data was in the form of interviews and observation. Secondary data was obtained from books, journals, official documents from the municipality, maps, and other writings from the internet.

- **Research design matrix**

The research design matrix illustrates the research objectives, research questions, key variables, data collection instruments, (primary and secondary) as well as the target group in a table form. It links the research objectives with the research questions and the research indicators or key variables. Moreover, it explains the type of data collection instruments that were used to carry out the research as well as the type of information that was obtained from the different target groups

Specific research objectives	Specific research questions	Key variables/ research indicators	Data collection instruments		Target group
			Primary	Secondary	
To investigate factors which hinder the implementation of the UISP.	What are the factors hindering the implementation of the UISP?	The role of the state and residents that impedes the implementation of the UISP.	▪ Interview with the community representatives and government officials - To get an insight on factors that hinder the implementation of the UISP.	▪ Literature review- to study the history of housing and to get the history of the housing backlog in South Africa. This information will assist the researcher in obtaining answers in relation to what has been hindering the upgrading of informal settlements leading to the housing backlog that South Africa currently has. ▪ Municipal planning reports/ consultants' reports pertaining to Eikenhof Informal Settlements which will explain why it has not been upgraded.	▪ Community representatives ▪ Government officials
To examine the effectiveness of the UISP in the Eikenhof informal settlement.	Can the UISP be used as an effective tool in upgrading the Eikenhof informal settlement?	The effectiveness of the UISP	▪ Observation- to see the status of the Eikenhof Informal Settlement and the effect of the UISP.	▪ Journals, articles, and the internet- To get detailed information on the UISP itself and what this policy has achieved in the past with regards to upgrading informal settlements.	Government officials
To determine potential development interventions that can be made at the Eikenhof informal settlement.	What development interventions can be made by the UISP at the Eikenhof informal settlement?	Development interventions that can be made at Eikenhof informal settlement	▪ Observation- to get the status core of the Eikenhof Informal Settlement. This will enable researcher to determine what has been done and what can still be done to improve the Eikenhof Informal Settlement.	▪ Municipal planning reports/ consultants' reports pertaining to the upgrading of Eikenhof Informal Settlements.	Government officials
To recommend ways that can make the UISP more effective.	To what extent is the UISP implementable in Eikenhof and what does this show about the extent to which it be used as an effective tool for in-situ upgrading of informal settlements?	Possible recommendations	N/A	▪ Journals, the internet and books- To obtain information that can assist in making the UISP effective. Information collected during the interviews was analyzed to provide effective ways to make the UISP implementable	N/A

Table 1.1 Research design matrix *Source: Researcher, 2021*

1.7.1 Data collection instruments

Data collection instruments are those instruments that were used to collect the relevant and necessary data that led this research to achieve the formulated objectives and answer the research questions. For this research to come to a logical conclusion, various data collection instruments were used. Primary and secondary data were collected using the qualitative method.

a) Primary data

- **Key informant interview**

Primary data collection instruments were used to obtain data for this research. The primary data collected for this research was mainly from the interview with key informants such as government officials and community representatives. Four officials from the Housing Department in the City of Johannesburg Metropolitan Municipality were interviewed. The first official (Official one) was from the Policy Formulation Section. The second official (Official 2) was from the Project Management Unit for the Eikenhof informal settlement. The third and fourth officials (Officials 3 and Official 4) were from the Policy Implementation Section. The said officials were selected as they work directly with housing policies, the implementation of the Upgrading of Informal Settlements and the upgrading of the Eikenhof Informal Settlement. Two community representatives from the Eikenhof informal settlement were also selected for the interview. The selected candidates are from the Eikenhof community and business forum and Eikenhof Youth Committee; thus, they represent the needs of the Eikenhof informal settlement community. The interview with said parties were conducted individually and virtually. The information obtained during interviews aided in bringing this research to a logical conclusion.

- **Observation**

Observation is another primary data collection tool that was used to gather information. In this method, the researcher went to the field to observe or to get a clear view of what is currently happening in the study area. During observation, the researcher checked and assessed development that took place in the study area.

b) Secondary data

The secondary data in the form of photographs and maps was collected to assist the researcher to obtain information on the UISP and existing informal settlements. To get information, written

documents, books, newspaper articles, the internet, and journals on the broad theory of the UISP and the opinions of other authors on the subject were also obtained throughout the study to obtain answers to the research questions.

- **Photographs**

For this study, the researcher also relied on photographs as secondary data. Pictures were used for the following reasons:

- to show the existing development in the study area.
- to identify the type of materials used for housing structures.
- to illustrate the living conditions of people residing in informal settlements.
- to identify the challenges that are facing communities in informal settlements.

- **Maps**

Maps were used to illustrate the location of the study area.

- **Internet, journals, and other documents**

The internet, journals, and other documents were used to obtain data on the Upgrading of Informal Settlements Programme and other existing informal settlements within the country. Journals were utilized to provide information concerning the Upgrading of Informal Settlements Programme and challenges resulting thereof.

1.8 DATA ANALYSIS

Collected data in the form of interviews was analyzed through coding. Themes were identified during interviews which assisted the researcher to highlight critical points from the interview. Amongst others, possible themes that the researcher was looking to analyze included poor governance, transparency, politics, public participation, and availability of funds. The interviews were recorded and transcribed to avoid losing significant points that came out of the interview.

1.9 ETHICS

This study used the qualitative method for data collection; thus, ethics had to be taken into consideration as per the regulations of the university. For this research, all the participants that were involved during data collection, particularly interviews were addressed anonymously. Moreover, the information that has been collected is handled with confidentiality.

1.10 OVERVIEW OF CHAPTERS

Chapter 1: Introduction to the study

Chapter one introduces the research, the problem in the study area, and explains the importance of conducting the research. The main aim of the study as well as the research objectives and questions are outlined in this chapter. Chapter one also contains the research methods that were utilized to collect data as well as the data analysis method.

Chapter 2: Literature review

This chapter presents the review of literature on the research topic on an international and local scale. The chapter starts by discussing the topic, the goals, and the challenges of policies meant to upgrade informal settlements. It also looks at the arguments around the research topic.

Chapter 3: Legislative framework

The legislative framework chapter provides a detailed legislative framework that governs the provision of proper housing in South Africa.

Chapter 4: Data presentation, analysis, and findings

This chapter presents the interpretation of the data obtained during data collection and the research findings.

Chapter 5: Recommendations and conclusions

This chapter outlines the concluding remarks and general conclusions of the research. It also unpacks the recommendations that can be used to resolve the identified problems in the research.

1.11 CHAPTER SUMMARY

This chapter has introduced the research topic, explained the problem statement, and defined the research questions and the research objectives relevant to the study area. Furthermore, the research methodology has also been defined as well as the tools that were utilized to collect data.

CHAPTER 2: LITERATURE REVIEW

2.1 INTRODUCTION

This chapter is a presentation of the review of literature on informal settlements across the globe. It gives an in-depth discussion on informal settlements, interventions on informal settlements, and case studies in different countries to provide a global and clear understanding of the problems related to informal settlements and the implementation of informal settlements policies. This is then followed by the factors that potentially hinder the implementation of policies meant to upgrade informal settlements.

2.2 INFORMAL SETTLEMENTS ACROSS THE GLOBE

Informal settlements are a huge challenge all over the world (Cirolia, Görgens, Van Donk, Smit, and Drimie, 2017). They remain eyesores across major cities in most countries. Onyekachi (2014) states that these kinds of settlements are usually a result of rapid urbanization and housing backlog. In the early ’90s, approximately 25% of the world’s population lived in informal settlements (UN Habitat, 2015). This number is expected to double by 2030 should there be no positive action to upgrade these informal settlements (Beardsley and Werthmann, 2008). The continuous growth of these informal settlements continues to form settlements that are disengaged geographically, socially, and economically from the city centers. These settlements continue to be excluded from urban opportunities that could potentially improve them (UN Habitat, 2015). Informal settlements are usually built at the edge of the cities where land is cheap and neglected (Moser and Satterthwaite, 2008).

2.2.1 Definition of informal settlements

Informal settlements have no distinctive terms to describe them thus they can be described in many ways. Terms like slums, squatter settlements, shanty towns, favellas are all used to describe informal settlements across the world (Beardsley and Werthmann, 2008). According to Dovey and King (2011), informal settlements can be broadly described as neighborhoods that are built and operate without the formal control of the government. Huchzermeyer (2009) on the other hand describes informal settlements as settlements that are poor in nature and have resulted from illegal and unauthorized occupation of land. Huchzermeyer (2009) continues to describe these settlements as settlements that do not adhere to government building regulations and land use. Gilbert (1992) makes the point that informal settlements are residential areas where a group

of housing units has been constructed on land to which the occupants have no legal claim, or which they occupy without any legal right; and are usually characterized by a dense proliferation of small, makeshift shelters built from diverse materials and usually occupied by people living in situations of poverty. For this research, informal settlements will be described as settlements that have resulted from illegal and unauthorized occupation of land, are poor in nature, unsustainable, lack municipal infrastructure and which do not adhere to government building regulations, and land use.

2.2.2 Characteristics of informal settlements

Informal settlements vary in terms of size, age, and character. They are found both in rural and urban areas. Informal settlements are, amongst others, largely characterized by lack of tenure security, poverty, lack of basic services, poor housing structures, and lack of municipal infrastructure. Generally, informal settlements are not planned for in nature; they do not have any structural plans, nor do they have any proper development plan. They consist of non-conventional housing built without complying with legal building procedures. Amao (2012) makes mentions that informal settlements do not conform to government laws. Onyekachi (2014) emphasizes that the structures used to build informal settlements are usually temporary and of poor quality. The shacks found in informal settlements are usually constructed using materials like old wood, mud, corrugated iron, and other building materials. Furthermore, these types of settlements usually lack proper bulk infrastructures, such as water supply, proper sanitation, drainage systems, waste disposal, and proper road access or infrastructures. These often result in uncontrolled pollution where you find residents littering everywhere. Moreover, informal settlements are characterized by poverty and a lack of access to social amenities. As these informal settlements are not planned for, the government does not prioritize them in the provision of social amenities and basic infrastructure.

2.2.3 Causes of informal settlements

The factors which cause informal settlements are usually related. Informal settlements can be caused by the government where the government fails to provide effective housing policies and regulations that police the use of land. According to Amao (2012), informal settlements can also be caused by urbanization, (which sees an influx of people moving into the city center) rapid population growth, poverty, land market, natural disasters such as earthquakes. Additionally, informal settlements can be caused by ineffective housing policies, where the government develops housing policies that cannot be implemented. Amao (2012) adds that the inefficacy of

public administration and inappropriate land administration tools have also contributed to the manifestation of informal settlements. Del Mistro and Hensher (2009) make the point that land, government regulations, and inadequate resources play a major role in impeding the implementation of the housing policies thereby increasing the number of informal settlements.

2.2.4 Environmental challenges in informal settlements

Informal settlements are vulnerable to pollution (water, air, and land), fires, natural disasters, and any other environmental hazards making them prone to life risks and natural disasters such as flooding. Some informal settlements do not have access to electricity thus they become prone to fires caused by the use of paraffin or gas stoves, the use of candles for lighting, and illegal connections of electricity. Msimang (2017) makes the point that the removal of waste in informal settlements is still a huge challenge as municipalities usually do not collect waste in informal settlements. This results in land pollution and the causes of diseases which emerge from land pollution. Some informal settlements are situated next to dumping sites themselves, which then poses a great health risk in the livelihoods of informal settlements residents.

2.2.5 Safety and security

Generally, safety and security have been a challenge to most countries (Meth, 2017). Crime and violence are a concern in most cities and towns all over the world. However, in informal settlements, they are alarming as informal settlements are generally not safe in nature. The young children and the elders are usually the ones who become victims of crime and violence. Meth (2017) mentions that most informal settlements households are occupied by women and children, thus they are the targeted group for crime and violence, particularly rape and murder. Additionally, the employment rate in informal settlements is very low, therefore the residents turn to crime as a means of survival.

2.3 INTERVENTIONS ON INFORMAL SETTLEMENTS

For many decades, the governments in both low- and middle-income countries have tried to respond to informal settlements in various ways. They have tried different approaches in trying to “eradicate” informal settlements. Some of these approaches included evicting residents from their shacks, forcefully demolishing settlements, and even denying the fact that they exist. Taruza (2016) makes mention that while some government officials see informal settlements as an indication that there is a dire need for housing amongst poor people, some perceive them as a

nuisance that appears to threaten the urban fabric. Akhmat and Khan (2011) argue that while it is believed that only the poor live in informal settlements, the middle-income group who are unable to afford proper housing also find themselves living in informal settlements.

Taruza (2016) notes that the way in which informal settlements are perceived influences the way in which their existence is responded to. Some of the responses have been responsive in addressing informal settlements, however, some have not been very fruitful as they only led to the mushrooming of more informal settlements. For instance, relocating informal settlements often leads to more people moving into the area where the informal settlement has just been moved from. In realizing that these approaches are not assisting with the" eradication" of informal settlements, policies and legislation were developed as interventions to curb the problem of informal settlements (Vahapoğlu, 2019). The policies that were developed were deemed to be able to improve informal settlements. Such policies included providing various tenure options such as long-term rental, short-term rental, cohousing as well as financed purchases (Vahapoğlu, 2019).

Akhmat and Khan (2011) make the point that informal settlements can be upgraded through upgrading projects where the focus should be to improve opportunities to generate income which will directly improve the living conditions of people in formal settlements, improve access to education facilities in order to increase the quality of life and chances of job opportunities and also improve the health care facilities to enhance productivity and the quality of life. The provision of services such as educational facilities, healthcare facilities, and other social services also assist in improving informal settlements in a sense that the social aspect of the community would have been addressed (Akhmat and Khan, 2011). Brown, Reyes, and Gubevu (2017) argue that improving the physical structures and basic services is also important in improving the living conditions of informal settlement dwellers.

Interventions on informal settlements include relocation, site and services schemes, and formalizing of informal settlements. Akhmat and Khan (2011) argue that the approach to informal settlements should not only focus on the said interventions, but also on addressing poverty as it is one of the causes of informal settlements and the propagation of informal settlements. This section looks at some of the interventions that have been made to respond to the issues of informal settlement upgrading. It will discuss the Reblocking process, the site and services scheme as well as the provision of formal housing policies.

2.3.1 Reblocking

The South African government, in particular, came to realize that improving informal settlements and curbing housing challenges does not only require it to provide all services at once, thus it developed a plan that would see infrastructural services such as water, electricity, and proper roads being delivered in informal settlements. According to Tshabalala and Mxobo (2014) reblocking is defined as the reconfiguration of the sites which includes the repositioning of shacks based on the development plan drafted by the community. The aim of reblocking is to ensure better use of space in informal settlements to enable the provision of services such as access streets and public spaces (Vahapoğl, 2019). This process does not entail the construction of new houses; however, it assists in the improvement of informal settlements as lack of basic services and infrastructure are some of the characteristics of informal settlements (Brown et.al., 2017). Reblocking does not involve the provision of bulk infrastructure such as water, electricity and sewer, however it assists in improving access for the provision of such services (Tshabalala and Mxobo, 2014).

The Reblocking approach is very participative, and the entire process is guided by the community. Furthermore, it ensures that members of the community have a say in the rearrangement of their settlements and that households do not lose their shelters. The City of Cape Town Metropolitan Municipality developed its Reblocking policy (The Proactive Re-Blocking of Informal Settlements Policy) in 2013 and had it implemented at the Mshinwam informal settlement. (Hennings et.al., 2012) make mention that the policy was successfully implemented; however, it incurred the challenge of funds. Since this policy requires funds for the installation of services, funds were not available and thus its implementation was impeded (Hennings et.al., 2012).

2.3.2 Site and service scheme

The site and service scheme is an intervention that was introduced by the government to ensure that basic services and social amenities are provided prior to construction of the houses (Akinsola, Tunde, and Olusegun, 2014). This intervention does not include houses. However, it ensures that the sites where human settlements are proposed are serviced in that infrastructure services are provided and that public spaces have been improved physically and in terms of access (Brown et al., 2017). In this process, the government installs bulk services, provides social services such as schools, health centers etc., and then selects beneficiaries who are then responsible for building houses. Usoro (2015) mentions that the principle behind this scheme is that beneficiaries would build houses of their choice as per approved building plans (by the council) on serviced land. Like

any policy, the site and service scheme has experienced challenges in its implementation. The lack of funds to service the sites has had a negative impact on the implementation of this policy. The installation of engineering services to ensure that sites are serviced is costly and the municipality does not always have funds readily available to install service (Taruza, 2016).

2.3.3 Provision of formal houses

Some countries have developed policy instruments that are aimed directly at upgrading informal settlements either in situ or through relocation. Usually, these policies aim to find land for the residents of the informal settlements, service the sites, build houses, and provide socio-economic services (El Menshawy, and Salman, 2011). The end product of these policies is a well-established human settlement that is developed with formal houses and has tenure security. The South African government has been faced with housing challenges in general and developed plans in response to those challenges. Policies such as the upgrading of informal settlements programme were developed specifically to respond to informal settlements. Other countries such as Brazil have also developed similar policies such as the Favela Bairro Programme that are meant to respond to informal settlements (McGuirk, 2016). Nigeria also developed the Abuja Urban Upgrading Programme to upgrade the informal settlements in its country (Nwaka, 2005).

2.4 CASE STUDIES

Informal settlements are a challenge all over the world. Many countries are faced with the homelessness of their citizens and the lack of proper shelter. These countries have however taken steps as a way to overcome these informal settlement challenges. Policies and programmes have been developed by these countries; however, the challenge remains on their implementation.

This part will look at two different countries which are also experiencing the challenge of informal settlements. It will examine the housing policies and strategies aimed at upgrading the informal settlements in those countries and look closely at the factors hindering the implementation of these policies. It will discuss the international case study of Brazil and the continental case study of Nigeria.

2.4.1 International case study: Brazil

Brazil is the largest country which is located in South America and the fifth largest in the world. It is the most populous country in South America which has a population of more than 212 million people. Brazil like most other countries is also affected by the challenges of informal settlements which in Brazil are referred to as “favelas”. Similar to informal settlements in South Africa, the

favelas in Brazil are also characterized by poverty, poor building standards, inadequate sanitation, lack of social services, and safety issues for residents. About a year ago, Brazil had about 13.6 million people living in informal settlements. Most informal settlements in Brazil date back to the 1940s however the oldest favela was founded in 1905. A study by Mohamed (2009) indicates that at the beginning of the 21st century, Brazil already had about 3 million of its population living in informal settlements. In 2017, Brazil had about 2600 informal settlements.

Informal settlements in Brazil are mostly caused by urbanization where many people found themselves moving into the city. The increasing population in the country (population growth) has also played a huge role in the increasing number of informal settlements. Krenz, Kostourou, Psarra, and Capille (2016) add that public policies and politics have also influenced the increasing number of informal settlements. Dowall (2006) makes mention that scarcity of land, like in South Africa, also plays a huge role in the spread of informal settlements. Land in Brazil is highly priced thereby making it inaccessible to the poor for rental or purchase purposes. Brazil is a rich country as compared to South Africa, however, due to land markets, it is unable to improve its informal settlements for the greater good of its citizens.

Land markets have become inaccessible to the government as well. In some instances, land is privately owned and highly priced by private owners making it almost impossible for the government to purchase. This in turn makes it difficult for the government to implement its policies meant for the upgrading of informal settlements. Notwithstanding, Brazil took steps in the realization of informal settlements in its country and protecting the rights of the marginalized community. The focus to upgrade informal settlements started in the 1980s and got accelerated in 1988 when Brazil included the right to housing in its constitution. The constitution made it the responsibility of the government to provide proper shelter to the citizens of Brazil.

Informal settlement policies in Brazil

To address the issue of informal settlements, referred to as favelas in Brazil, the Brazilian government developed policies that were aimed at improving these settlements. Ren (2018) mentions that the municipalities became empowered when Brazil became a democratic country in the 1980s to develop their urban planning policies. The policies that were developed to improve informal settlements were progressive and emphasized mostly on the provision of social services, infrastructure, and the integration of informal settlements within the entire city. Similar to South Africa, when it became a democratic country in 1994, it introduced several policies that were meant to address housing challenges.

A series of programmes for in situ upgrading of informal settlements were developed. These Programmes included Rio Cidade Programme, Favela-Bairro Programme, Growth Acceleration Programme, and Morar Carioca Programme (Kretz et al., 2016). These programmes aimed to improve the living conditions of the residents in favelas through in situ upgrading of informal settlements.

a) Favela Bairro Programme

As a way of improving the quality and state of informal settlements, Brazil developed this Programme aimed at integrating informal settlements in one of its cities, Rio De Janeiro. This city had about 22% of its population residing in informal settlements in the year 2010. According to McGuirk (2016), this was the largest slum upgrading Programme in Brazil Rio de Janeiro. The purpose of this Programme was to break the physical boundaries between the favelas and the city. McGuirk (2016) mentions that this Programme had set objectives for providing social services, installing sanitation, improving the streetscape, and generally improving the living conditions of the residents. The Favela-Bairro Programme certainly achieved a lot of things as it was able to improve the quality of the favelas (although not many) and provide social amenities (McGuirk, 2016). The implementation of this program saw many favelas with municipal infrastructure and basic services. What led to the success of this Programme was that the government was committed to it. Moreover, the government got into partnership with the private sector, the churches, and the NGOs in implementing this programme. The programme also used infrastructure upgrading experts such as project managers who were able to work closely with both the government and community members.

Generally, the Favela-Bairro Programme delivered on its objectives however, according to McGuirk (2016), the Programme incurred some challenges. The Favela-Bairro Programme was criticized for excluding the poor and the most vulnerable in the public participation process from the initial stages of the Programme implementation, thus public participation was poor in this Programme (Fiori, Riley, and Ramirez, 1992). It is important to include the community in policy formulation and implementation. Successful public participation ensures that the community understands the policy and implementation is most likely to be successful. Furthermore, the Favela-Bairro Programme also experienced challenges of poor intergovernmental relations where the relationship between the municipality, sector departments, and state government negatively impacted the implementation of the Programme (Fiori et al., 1992). For this programme to be successfully implemented, it relied on other sector departments as well. The sectors responsible

for the delivery of sewerage and water were stalling in the implementation of those services and thus the programme was neglected, and its implementation was impeded.

The challenges found in the Favela-Bairro Programme prompted the development of a new Programme. Similar to South Africa, when the housing policies that were developed earlier when South Africa became a democratic country were failing to improve informal settlements, the government then reviewed and introduced programmes that it deemed would address informal settlement challenges. The Brazilian government introduced the Morar Carioca Programme as a way to rectify some of the mistakes which were found in the Favela-Bairro Programme. These issues included lack of public participation and the poor relationship between government institutions.

b) Morar Carioca Programme - Integrating informal settlements, 2010

The Morar Carioca Programme, which is also called the Municipal Plan for the integration of informal settlements, was developed in 2010. This Programme builds on the success of the Favela Bairro Programme. According to Steiker-Ginzberg (2014), the Morar Carioca Programme was described as a program that expands upon Favela-Bairro by emphasizing a participation methodology, consistent and equitable service provision, and long-term maintenance of projects. This Programme expanded on social infrastructure, social facilities such as schools, clinics, etc. According to McGuirk (2016), the Morar Carioca Programme was developed with the goal of formalizing all informal settlements in Rio de Janeiro by the year 2020 while also improving the living conditions of about 232 000 households in the process. Additionally, the Morar Carioca Programme had aimed at integrating 582 favelas with the city (McGuirk, 2016). The purpose of this program was to provide integrated human settlements with strong infrastructure, social services, and incorporate these informal settlements into formal communities. The Morar Carioca Programme was the first Programme developed that took public participation into consideration. The informal settlement residents were included in the process of upgrading settlements through public gatherings in the communities.

Although the Morar Carioca Programme was fully implemented in some areas, it experienced some challenges which resulted in the Programme being abandoned shortly after the year 2012. A shift in political agendas negatively affected the implementation of this Programme. Ren (2018) makes mention that the Morar Carioca Programme was implemented in hundreds of favelas and significantly improved the living conditions in the areas where it was implemented. Although this program certainly changed the living conditions in those informal settlements, it was criticized for

providing houses that were poor in terms of quality, excluding the public from participating in the process of upgrading informal settlements, and fragmentation between municipal departments (Ren, 2018).

McGuirk (2016) mentions that the lack of funds resulted in the abandonment of this Programme. According to McGuirk (2016), the municipality shifted the funds that were meant for the implementation of this Programme to the Olympics which were held in 2016. Thus, the politics and unavailability of funds played a huge role in hindering the implementation of this Programme. Furthermore, politics hindered the further implementation of the Morar Carioca program. When the new mayor was elected, there was a shift in terms of political agendas where the focus was shifted from the Programme, and priority was given to politics and competing interests with other ruling parties. The Programme was then abandoned and taken off the political agenda for political purposes as it was no longer a priority.

2.4.2 Continental case study: Nigeria

Nigeria, which is located on the western coast of Africa is severely challenged with informal settlements. This is due to the fact that it is densely populated as more than 50% of its population lives in informal settlements. According to World Bank, in 2019, Nigeria had a population of around 200 million. The population growth of Nigeria has certainly played a huge role in the increasing number of informal settlements. In 2018, Nigeria had 53,9% of its urban population living in informal settlements. Onyekachi (2004) states that Abuja, which is the Capital city of Nigeria, has informal settlements within the city center which are spreading out to the urban edge rapidly. According to Wahab (2017), Abuja has about 15 informal settlements located in the city.

According to Olajide (2010), the Nigerian government is not only faced with informal settlements challenges but also with the challenge of supplying adequate land on which proper housing will be provided with adequate basic services. Considering the population of Nigeria, land for the provision of proper shelter is limited, thereby adding to the ever-increasing number of informal settlements in Nigeria. Olajide (2010) adds that where land for housing is available, the allocation of the houses process is slow. The poor families find themselves being excluded from access to land. This results in these families finding shelter in informal settlements where land is accessible without purchase.

Causes of informal settlements in Nigeria

While rapid urbanization is also a cause of informal settlements in Nigeria, Onyekachi (2014) makes mention that access to land, planning, and government policies have had a huge impact

on the rapid growth of informal settlements in Abuja. Nwaka (2005) adds that government planning controls and outdated legislation have contributed to the rapid growth of informal settlements in Nigeria. Amao (2012) notes that poor planning tools, inefficient public administration, and ineffective housing policies are major contributors to informal settlements in Nigeria. The government of Nigeria on the other hand, argues that upgrading informal settlements results in practical difficulties when infrastructure services have to be installed and thus leads to social exclusion for the residents (Nwaka, 2005).

The causes of informal settlements are a major concern in Nigeria. In addition to lack of access to land and shortage of housing, Wahab (2017) adds that the lack of planning officials to control and regulate the use of land has had a huge impact on the increase of informal settlements in Nigeria. The regulatory plans which have been developed to police informal settlements are seen as documents that have cumbersome procedures that have to be followed in order to acquire building permits, thus resulting in residents building with unapproved building plans. Wahab (2017) also makes the point that ineffective planning policies and lack of institutional capacity have added to the causes of informal settlements in Nigeria. The government has created an environment that sees its citizens being excluded from the development of policies that affect their livelihoods. This has resulted in those policies being unimplementable.

Informal settlements strategies in Nigeria

Like the South African Government, Nigeria also developed different strategies to upgrade the informal settlements in its jurisdiction. Nwaka (2005) makes mention that policies and legislation which were developed to guide the process of upgrading informal settlements were based on the colonial system and thus have no impact on the current state of informal settlements. The 1992 Urban and Regional Planning Law which replaced the Town and Country Planning Act of 1946, has not been progressive in addressing development challenges in Nigeria as well as the upgrading of informal settlements (Nwaka, 2005).

Nigeria attempted to upgrade informal settlements by developing strategies that it deemed would improve the quality of life of informal settlement residents and decrease the number of informal settlements. According to Mardeusz (2014), Nigeria spent 85 million Naira in trying to upgrade informal settlements through relocation. The relocation was done on government-owned land where infrastructure services such as roads, water, and sanitation were provided, and the land was properly surveyed. This process was however futile as it resulted in corruption where the newly built houses meant for informal settlement residents, were allocated to government officials

(Mardeusz, 2014). Thus, corruption in this regard robbed the poor of a chance to live in proper houses.

a) Abuja Urban Upgrading Programme

Inadequate funding has been a challenge in the upgrading of informal settlements in Nigeria, particularly in Abuja. Wahab (2017) suggests that the Nigerian government needs to establish a funding system that will be able to finance the various housing projects. Moreover, securing land for the relocation of informal settlements has also had a negative impact on the upgrading of informal settlements in Nigeria. Wahab (2017) mentions that almost all space is built up and there is no one willing to donate their land for informal settlements upgrading projects. According to Wahab (2017), other challenges that can potentially hinder the implementation of the Abuja Urban Upgrading Programme include a lack of consensus between the stakeholders involved in informal settlements. Furthermore, corrupt leadership and poor management result in a lack of transparency and accountability in project implementation. Not involving the community in policies and projects that will affect their livelihoods, is a factor that has potentially hindered the implementation of the Abuja Urban Upgrading Programme.

Effective policies to address informal settlements are still a mystery for many countries. Mardeusz, (2014) makes the point that there is a common denominator impeding the implementation of housing policies in South Africa and Nigeria. Land availability plays a huge role in hindering housing policy implementation. Where land is available, it is highly priced, leaving the poor unable to purchase it so as to provide houses for themselves. Mardeusz (2014) highlights that until the land is made available, the best strategy would be to provide basic services in the informal settlements.

2.5 FACTORS IMPEDING THE IMPLEMENTATION OF INFORMAL SETTLEMENTS POLICIES

Policy development is the first step in ensuring the successful delivery of any government services. However, efficient service delivery can only be achieved through the effective implementation of policies guiding them. Some challenges often occur when government policies have to be implemented. Such challenges may include corruption, politics, finances, poor intergovernmental relations, lack of institutional capacity, etc. This section discusses the factors which hinder the successful implementation of informal settlements policies in various parts of the world.

2.5.1 Institutional Capacity

One of the key issues that is hindering the successful implementation of informal settlements policies is institutional capacity and lack of knowledge (NUSP, 2015). Lack of institutional capacity is a challenge that still faces many states. This potentially hinders them to successfully implement informal settlement policies. According to Koma (2010), the requirement for local spheres of government, in the provision of housing, is a capable, strong, and well-resourced institutional capacity. Furthermore, the local government is entrusted with sustainable service delivery to communities within its limited resources and budget constraints. Therefore, the enhancement of the delivery of housing promises and informal settlement eradication requires adequate and effective institutional capacity as well as knowledge. Some of the issues encountered by local governments include a weak institutional framework, inadequate capacity (especially technical skills), and sustained interference from politicians (Olver, 2017).

Tshikotshi (2009) makes the point that lack of capacity in municipalities is aggravated by the employment of people who hold no qualifications and experience, yet they are appointed in high municipal positions and expected to deliver exceptional services. For informal settlements policies to be implemented, one needs to be equipped with the relevant knowledge and skills. Hudson, Hunter and Peckham (2019) make the point that institutional capacity builds up the skills and competencies required in the delivery of a service. Tshikotshi (2009) adds that the shortage of skills in the local sphere of government often leads to policies and programmes not being efficiently and effectively implemented especially those which are related to the delivery of services.

2.5.2 Poor Intergovernmental Relations

The improvement of informal settlements is a multisectoral responsibility that involves various stakeholders who need to work as a collective to ensure that the informal settlement policies are effectively implemented. Thus, there is a need for municipalities to strengthen the concept of intergovernmental relations that includes all relevant stakeholders. Tshikotshi (2009) emphasizes that a strong intergovernmental relationship will ensure, amongst others, that integrated human settlements are delivered to the people. Additionally, strong intergovernmental relations assist in ensuring that policies/plans/ strategies on informal settlements, which are developed by each sphere of government are aligned to each. The plans from the national department to the provincial and the local government need to be aligned so that they can be easily implemented. The misalignment can result in policies not being implementable.

Sibiya, Aigbavboa, and Thwala (2013) make the point that poor co-operative governance, is a key constraint to the upgrading of informal settlements and therefore a strong relationship between all stakeholders involved in upgrading informal settlements should be maintained to ensure the successful implementation of informal settlement policies. The lack of holding progressive meetings on informal settlements upgrading which require all spheres of government to be present is a typical example of poor intergovernmental relations that also potentially hinders the implementation of housing policies. Moreover, not being accountable in terms of responsibilities in the different spheres of government and even lack of accountability with regards to the use of funds meant for upgrading informal settlements can also be regarded as poor intergovernmental relations.

Even though the distinct spheres of government play different roles in the implementation of housing policies, there needs to be a coordinated relation between them. Democratic governance requires that all spheres of government work and cooperate with one another in good faith especially on matters that have a direct impact on people's lives. When the three spheres of government have poor relations, the policies cannot be successfully implemented. Poor relation between the departments within a sphere of a government also play a role in impeding the implementation of policies. Kalonda, and Govender (2021) make mention that the lack of proper leadership skills, information flow from one department to the other as well as miscommunication can affect the implementation of policies which are meant to improve the citizens lives. Makanyeza, Kwandayi, and Ikobe, (2013) add that poor coordination processes between departments which play a role in the implementation of housing policies also hinder to a certain extent the implementation of such polices.

2.5.3 Corruption and Politics

In South Africa, when the apartheid government left office in 1994, the new government encountered financial and institutional challenges when it assumed power (Hyslop, 2005). These challenges included dysfunctional institutional frameworks and a near breakdown of the state administration, as the new government, entrusted with equally serving every citizen of the country, proved to be insufficiently capacitated and was disorganized to assume specific obligations when it came into power. When the new government came into power in 1994, it was not as financially stable as the previous government and thus challenges occurred in running the government. Housing provision was one of the most critical obligations, however, these challenges significantly contributed to the limited success of the initial housing projects. Additionally, the government

transition resulted in the delay in the government not being able to deliver houses ((Hyslop, 2005).).

With the corruption found in the government, policies are not being implemented accordingly. Funds are utilized for things not budgeted for, resulting in poor delivery of government services. Sibiya, *et al*., (2013) highlight that corruption impedes the implementation of the policies for informal settlement upgrading in that performance and competence are somewhat comprised and many informal settlements upgrading contracts are poorly developed. Marululte (2019) highlights that “shady” tender deals with private contractors and lack of accountability in the misuse of state funds meant for upgrading informal settlements have contributed to the level of corruption in the government. Maluleke, Dlamini, and Rakololo, (2019) add that the application and allocation process for government houses is flawed and thus it has contributed to corruption in housing delivery. Where the upgrading of an informal settlement is a success, there is corruption during the allocation of the houses. The poor and those in need of the houses are often taken off the housing list and have their houses allocated to government officials or those known to government officials. In most instances, these are people who do not even qualify to get government houses (Marutlule,2019).

Corruption in government is also perpetuated by political interference where politicians in power only push their political agendas and neglect the implementation of policies meant to deliver services to the people. Politicians tend to make promises that they fail to keep. For instance, the Slovo Park informal settlement was since promised proper houses in 1994 by the politicians, however, 10 years later, the houses were not yet built (Tissington, 2012). Thus, political interference leading to corruption hinders, to a certain extent, the implementation of the policies meant to upgrade informal settlements. Another example in this regard is Brazil. When a new mayor was elected in Rio de Janeiro city to be in power, the implementation of the Morar Carioca Programme was neglected. The focus shifted from upgrading informal settlements to prioritizing the political agenda i.e., the need to upgrade informal settlements was no longer a priority.

2.5.4 Community Participation

Community participation can be used to assist the implementation of any policy with ease. Haller (2017) emphasizes that community participation enhances and assists policy implementers in comprehending views and inputs from people, and in considering their feelings, thus it is critical and necessary. Furthermore, Haller (2017) stresses the need for community participation where individuals engage in face to face on strategies, plans, policies, or actions which aim to improve

the quality of their spaces. Thus, meaningful community participation is required in the development of housing policies that seek and desire to enhance and better the living conditions of communities and their residents.

Most policies are developed using the top-down approach. Georgiadou, Loggia, Nunez Ferrera, and Fagan-Watson (2016) argue that the government develops top-down policies where the community is only informed and not engaged in matters affecting their livelihoods. The community is only informed at the implementation stage. This approach does not give community members a chance to be involved at the policy formulation stage. The policy dictates what the community wants and what it should get. Merrifield, Horen, and Taylor (1993) argue that community involvement in policy development is crucial as it allows for a smooth process and decision-making. The lack of participation from the community results in the community rejecting the policy and its intentions due to lack of information, thereby resulting in the hindrance of policy implementation.

Tissington (2012) mentions that the top-down approach needs to be avoided at all costs and that the responsibilities of the three spheres of government need to be clearly defined in order for the community to understand the processes involved in informal settlement upgrading. The policies for informal settlement upgrading are usually developed with the intention to include the public throughout the entire project of settlement upgrading, however, community participation is only formalized and legalized on paper and not practiced. For instance, the Favella Bairro Programme in Brazil was not very inclusive with regard to public participation. The public did not have a chance to raise their voices with regard to the implementation of this policy. This resulted in the policy being redundant and eventually being replaced by another policy (Steiker-Ginzberg, 2014).

Involving the community in community projects is very important. Community participation enables the community to speak their minds and share ideas about issues that affect them as well as the solutions that might affect them. Community engagement means that all the people from the different groups, that is, the young, the old, the physically disadvantaged, etc. will be included in all kinds of developments that affect their living space. Without involving the community, the government would not know exactly that which the community needs. Therefore, it is important to ensure that the community is fully involved in all project undertakings.

2.5.5 Duplication of Policies and Functions

The unclear definition of the roles between the three government tiers in terms of their responsibility with regards to the provision of housing has only added to the excess backlog of

undelivered houses in South Africa. According to Van der Westhuizen, *et al*., (2017) the duplication of human settlement institutions, coupled with fragmentations of the housing functions, and funding mechanisms, have embed the convergence and encroachment of functions, policies as well as strategies. Replications, indecision, and uncertainties within these institutions and spheres of government were the consequences of this fragmentation and convergence. This largely contributes towards the failure and inadequate execution of government policies (Van der Westhuizen, *et al*., 2017).

Moreover, there have also been several policies that were developed to solve housing challenges; however, this has not been achieved as the policies are a duplicate of each other. The Breaking New Ground (BNG), which was aimed at providing integrated settlements and upgrading informal settlements, the Housing White Paper which was developed in 1994 which also took cognizance of the informal settlements was also aimed at providing integrated and proper housing. They were intended to provide socio-economic opportunities to the marginalized and poor black South Africans; however, they have not been successful in achieving this goal. The duplication of policies has unfortunately not accelerated the delivery of housing, it has instead limited the implementation of housing policies.

2.5.6 Limited Funding

Inadequate funding is one of the factors that hinder the implementation of policies and affect the delivery of houses in general. Without adequate funds, it is impossible to fully upgrade informal settlements. Thus, the responsible entities for the provision of funds have to ensure that adequate funds are made available for informal settlements upgrading. In South Africa, funding for the upgrading of informal settlements is obtained from the National Department of Human Settlements and allocated to local municipalities for the implementation of informal settlements upgrading policies. The lack of funds from the department liable for the provision of funding makes it impossible for the local government to implement these policies. This factor plays a huge role as there isn't much that the municipalities can do if there are no funds available or allocated for the implementation (Ziblim, *et al*., 2013).

Sibiya, *et al*., (2013) make the point that the inadequate allocation of funding is a major contributor to the hindrance of the implementation of informal settlement policies. South Africa alone has a huge backlog of housing delivery. According to the Human Settlement Budget Vote 33 Report (2021), the South African government allocates approximately R31bn for the provision of housing in general. This amount is however not adequate as municipalities still do not have enough finance

for the upgrading of informal settlements only. Ziblim, *et al*., (2013.) emphasize that the inadequacy in funds and the delay in releasing funds is a challenge that also contributes to the impediment of housing policy implementation thereby adding to the increase in informal settlements.

2.6 CONCEPTUAL FRAMEWORK

The adopted framework is based on the factors that potentially hinder the implementation of informal settlements policies in general. The developed concepts indicate that although there are policies designed specifically to deal with informal settlements and to improve the living conditions of the informal residents' dwellers, there are still factors that hinder the implementation of these policies both from the state and the community. The different case studies indicate that there are similarities in terms of the causes of informal settlements and their characteristics. It indicates that although the governments have taken steps to address informal settlements, there are similar factors from the international and continental case studies which hinder the government to implement these policies.

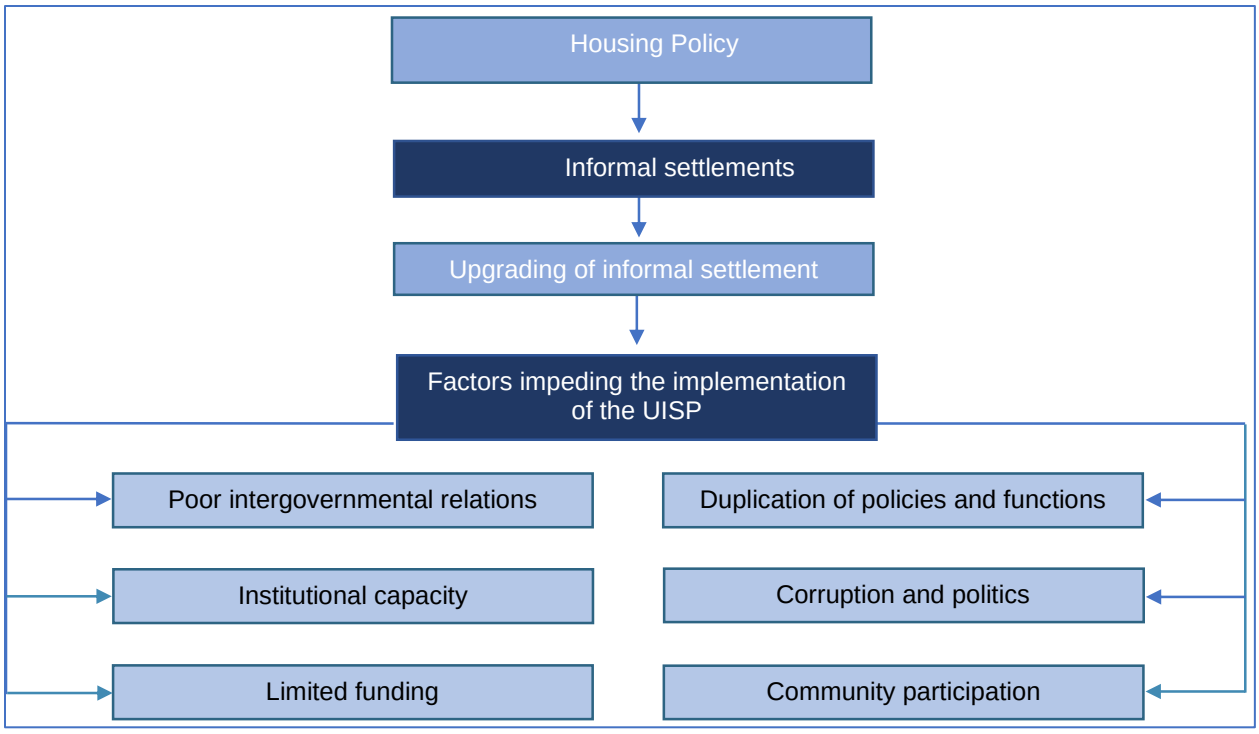


Figure 2.1: Conceptual framework *Source: Researcher, 2021*

2.7 CHAPTER SUMMARY

Informal settlements are indeed a great challenge in most countries around the globe. South Africa like most other countries has been faced with this problem that does not seem to end. The causes of informal settlements seem to be similar in various parts of the world with urbanization, population growth, and land markets being on top of the list. This chapter has provided literature on informal settlements and policies from other countries such as the Favela Bairro Programme in Brazil and the Abuja Urban upgrading programme in Nigeria, which are intended to address informal settlements across the world. The international and continental case studies indicate similarities in the causes of informal settlements, characteristics of informal settlements as well as key factors that hinder the implementation of informal settlement policies.

From the two case studies studied, one can deduce that there are similarities when it comes to informal settlements in these countries. Both South Africa, Nigeria, and Brazil are fighting a war of informal settlements. Urbanization and population are some of the leading factors which cause informal settlements in these countries. While all these countries have taken a step forward to improve informal settlements, the studies have shown that, amongst others, politics, corruption, community participation, poor intergovernmental relations, availability of funds, and institutional capacity play a huge role in hindering the implementation of policies meant for upgrading informal settlements.

CHAPTER 3: LEGISLATIVE AND POLICY FRAMEWORK FOR INFORMAL SETTLEMENTS IN SOUTH AFRICA

3.1 INTRODUCTION

Prior to South Africa becoming a democratic country in 1994, there were no effective policies and legislation that were aimed at addressing the socio-economic challenges in South Africa. Most legislation were developed in the apartheid era and therefore did not have the interests of all South Africans. Post 1994, the South African government developed policies and legislation as an intervention to address not only housing challenges but socio-economic challenges that were facing the country at the time. One of the biggest challenges facing the government was housing and various policies were developed in this regard. These policies and legislation were developed to give the South African citizens the right to proper houses and to ensure the development of sustainable human settlements.

This chapter gives a synoptic view of the policy framework which was developed to address informal settlements and housing challenges in general in South Africa. It discusses the policies and legislation which informed the development of the Upgrading of Informal Settlement Programme. The chapter will then conclude by assessing the Upgrading of Informal Settlement Programme and its implementation thereof.

3.2 THE FRAMEWORK

3.2.1 The Freedom Charter, 1955

The need for proper housing started long before South Africa became a democratic country in 1994. It stemmed from the Freedom of Charter. The Freedom Charter is a statement consisting of fundamental principles of the South African Congress Alliance which at the time consisted of the African National Congress and its supporters. The Freedom Charter was approved and adopted at the congress of the people on 25 and 26 June 1955 in Kliptown, Soweto. The African National Congress party saw a need to address the needs of the South African citizens and to also provide clarity of the future of the country with regards to the socio- economic needs.

The Freedom Charter was established to address socio economic needs of the citizens and ensure that the citizens live freely and have equal rights. Amongst other aspects, the Freedom Charter echoed on the right to housing for all south African citizens. It states that all the people in the Republic shall have the right to decent houses and be able to choose where they want to live

comfortably with their families. Furthermore, it states that slums which are also knows as informal settlements shall be demolished.

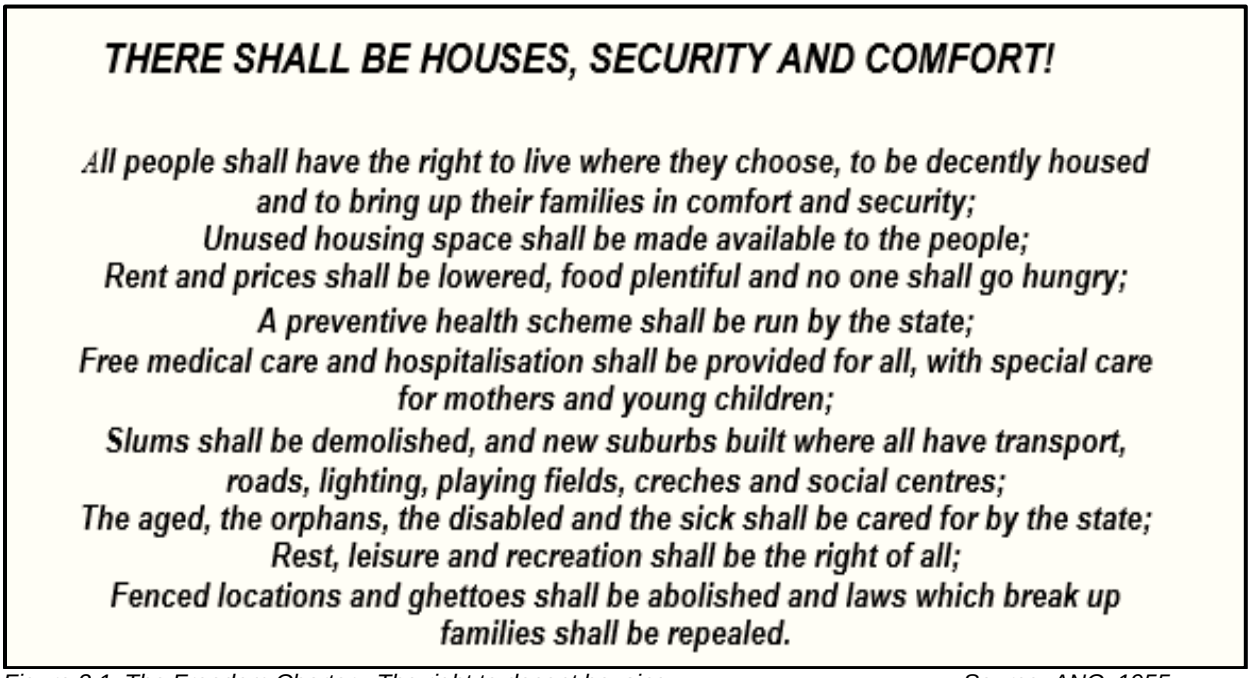


Figure 3.1: The Freedom Charter - The right to decent housing *Source: ANC, 1955*

3.2.2 White Paper: A New Housing Policy and Strategy for South Africa,1994

When South Africa became a democratic country in 1994, the ruling party, which was and still is the African National Congress, introduced the White Paper on Housing. The White Paper was adopted by the Department of Human Settlements (formally known as the Department of Housing) to address housing challenges that were facing the country. According to Tissington, (2010), this paper marked the beginning of the process in which the country would be able to house the nation through a housing legislative framework. Tissington, (2011) makes mention that the White Paper established a ground on which the need for housing was legislated and the processes were defined. Mackay (1996) adds that the White Paper also forms a basis for the current housing policies. When the White Paper was introduced, it established a partnership between the three spheres of government, the private as well as the public sector and the communities to ensure the smooth delivery of houses (White Paper, 1994). It created an enabling environment which would see houses being delivered to the South African citizens.

According to Nhlapo (2013), the White Paper took cognizance of the informal settlements that were existing at the time and the increasing number of land invasions which caused an increase in the informal settlements thereby leading to a housing backlog. In 1994, approximately 13.5 %

of households (+- 1,06 million people) lived in informal settlements nationwide (Nhlapo, 2013). This included informal settlements which were on the city peripherals and those in the backyards of formal houses. The White Paper also took into consideration that informal settlements are a means for most South Africans to access shelter at the time. Furthermore, it emphasized that the three spheres of government would have to be proactive in responding to the informal settlements (White Paper, 1994).

The White Paper on its own has not been successful in curbing housing challenges in South Africa. However, it has provided ground principles which are still relevant today (Tissington, 2011). The White Paper has established an enabling environment for housing delivery, it has made institutional arrangements concerning the delivery of houses, created a partnership between the various stakeholders involved, and also made provision of funds for the delivery of the houses Mackay (1996). The principles in the White Paper have created a path for the current housing policies and have ensured that the right to housing is legislated in the South African constitution.

3.2.3 The Constitution, Act 106 of 1996

The South African Constitution is the supreme law of the Republic. It provides a legal foundation for the existence of the Republic. It sets out the rights and duties of its citizens and the government. The Constitution was adopted so that it can heal the divisions of the past and establish a society based on democratic values, social justice, and fundamental human rights. Furthermore, it was developed to improve the quality of life of all citizens and free the potential of each person. Chapter 2 of the Constitution is the bill of rights which outlines the rights of the citizens in the Republic (RSA, 1996).

Section 26 of the Constitution states that everyone has the right to have access to adequate housing. Furthermore, it places responsibilities upon the various spheres of government to take reasonable legislative and other measures, within its available resources, to achieve the progressive realization of this right. Section 27 of the constitution further endorses the right of every citizen to access proper basic services such as health care facilities, water, and social security. In addition, Section 41 provides for cooperative governance which plays a crucial role in ensuring that proper human settlements with proper infrastructure are provided to the citizens. To materialize this statement in the Constitution, the government developed policies and legislation which are supposed to ensure that South African citizens will exercise their right to proper housing (RSA, 1996).

Section 41 of the Constitution provides for a well-balanced working relationship between the different spheres of government as well as their functions in the provision of amongst others, housing. The Constitution of South Africa has developed a mechanism to ensure that the rights of the citizens are realized, however Ziblim, Sumeghy, and Cartwright, (2013) argue that the country is still faced with a significant shortage of proper housing despite the government making provision for the housing need in the Constitution. Muller (2011) adds that the government, being the Department of Human Settlements, has indeed enacted the Constitution by adopting policies which give effect only to section 26 (2) of the Constitution. Muller (2011) emphasizes that policies and legislative frameworks have been created to address the housing needs in the country, however, the challenges remain in implementing these policies.

3.2.4 The Housing Act, 107 of 1997

The Housing Act was developed as per the requirements of Section 26 of the Constitution. The Housing Act supports Section 26 of the Constitution and recognizes the need for housing for all South African citizens. This act aims, amongst others, to provide guidance and the structure for the delivery of proper and adequate shelter in the country (National Housing Act,1997). Furthermore, the Act places the responsibility for the delivery of housing with the national sphere of government, whose primary objective is to undertake housing development. Moreover, the Housing Act stipulates the roles of the national, provincial, and local governments in the provision of housing (National Housing Act,1997). It also provides the principles which apply to housing development which the different spheres of government must adhere to. The National Housing Code that was introduced in 2000 was developed as per the requirements of the National Housing Act (National Housing Code, 2009).

3.2.5 Prevention of The Illegal Eviction from and Unlawful Occupation of Land Act, 19 of 1998

The Prevention of the Illegal Eviction from and Unlawful Occupation of Land Act also referred to as the PIE Act was introduced in 1998 and amended in 2008. This Act was developed to protect the rights of illegal occupants of land from being evicted from that land without proper alternative accommodation arrangements being made. The Act was developed in order to ensure that unlawful evictions are prohibited and that they were legalized. Additionally, the Act provides for the procedures for the eviction of illegal occupiers of land that have to be followed. The protection of informal settlement residents was enshrined in Section 26 of the Constitution which states

that ***'no one may be evicted from their home, or have their home demolished, without an order of court made after considering all the relevant circumstances. No legislation may permit arbitrary evictions'*** (RSA, 1996).

3.2.6 The National Housing Code (2000 & 2009)

The National Housing Code was developed as a document that that brings together in one place the policy principles, guidelines as well as norms and standards which are related to the National Housing Programmes. The original National Housing Code was instituted at the beginning of the 21st century, in 2000, and amended towards the end of the decade in 2009, to accommodate changes that occurred 9 years after the launch of the first Housing Code in 2000. The objectives and directives of the National Housing Code included eradicating poverty, reducing vulnerability, and promoting inclusion through the provision of socio-economic amenities and integrated human settlements (Huchzermeyer, 2006). The introduction of the National Housing Code came about with 13 Programmes that were all aimed at improving the lives of the South African citizens. These Programmes did not only intend to provide housing but to provide sustainable human settlements. The intention of the National Housing code and its Programmes within was to provide the poor South African citizens with access to adequate housing and basic services such as water and sanitation. The Upgrading of Informal Settlements Programme which is one of the programmes found in the National Housing Code was developed as part 3 of the National Housing Code.

3.2.7 The Breaking New Ground (BNG): A Comprehensive Plan for the Development of Sustainable Human Settlements, 2004

The Breaking New Ground is a housing policy that was introduced in 2004. It is a comprehensive government housing policy that was developed to address housing challenges in the country and to develop sustainable human settlements over 5 years from the year it was introduced. This policy builds on existing housing legislation and policies that were developed to also address housing challenges within the country. When the BNG was introduced, it found the guidelines such as the National Housing Code, 2000 in existence. The National Housing code is a tool that was developed to simplify the implementation of housing projects and provide guidelines on the implementation of housing programmes. The BNG was approved after a comprehensive review on the country's policies and the realization that circumstances have changed with regards to the country's socio-economic needs (NDHS, 2010).

The BNG takes into cognizance the need for sustainable human settlements whereby houses are built in areas that are in close proximity to employment centers, schools, health facilities, and

basic infrastructure in particular. When the Breaking New Ground policy was introduced, it took into consideration the change in housing demand, urbanization, and population growth (Tissington, 2011). According to Tissington (2011), the Breaking New Ground policy was aimed at increasing the rate at which houses were delivered as well as the quality of houses being delivered. Furthermore, it encourages the relationship between the different spheres of government as well as the private sector with regards to the provision of houses and finances involved with a specific focus on the historically marginalized communities.

One of the Programmes that is included in the BNG is the Upgrading of Informal Settlements Programme. The BGN policy supports the in-situ upgrading of informal settlements and states that 'informal settlements must be integrated into the broader urban fabric in order to overcome spatial and social-economic exclusion.' While the Breaking New Ground policy was built on existing housing policies, it has echoed more on the provision of sustainable human settlements. It has also reiterated the need to upgrade informal settlements as a part of ensuring that adequate housing is delivered to the poor South Africans. This policy has also provided funding mechanisms for upgrading informal settlements as well as the phases in which the UISP can be implemented. The BNG, like other policies, seemed like a policy that would be able to improve the state of houses in South Africa and also improve the quality of informal settlements, however, many poor South Africans are still in dire need of proper houses. A study by Tshikotshi (2009) mentions that even after the introduction of the BNG, many of the poor continue to live in poor housing conditions.

3.2.8 Upgrading of Informal Settlements Programme (UISP)

Prior to the development of the UISP, informal settlements were being upgraded using other tools found within the Housing sector. According to Huchzermeyer (2004), intervention on informal settlements included the relocation of residents from their informal settlements to large scale private sector driven projects. This was known as greenfield development. Huchzermeyer (2004) adds that in 1995, different subsidy mechanisms were introduced by the government. This included the demand-side subsidy which would see people purchase completed houses that are subsidised. The institutional subsidy which was for the construction of houses by the housing department for rental purposes and the upgrading of labour hostels subsidy was also introduced in 1995. In 1998, the People's Housing Process (known as the PHP) was introduced. The aim of the PHP subsidy was to see people build or manage the building of their own houses; it allowed for self-help construction of houses (Huchzermeyer, 2001).

The Upgrading of Informal settlement Programme was introduced by the then Department of Housing (Now Department of Human Settlements) in 2004 to make provision for in situ upgrading of informal settlements within South Africa (Huchzermeyer,2009). The Upgrading of Informal Settlements Programme aimed at formalizing informal settlements was developed in terms of the National Housing Act (1997), in section 4(g) to favor in situ upgrading and improving settlements classified as informal over re-settlement. It was developed to secure tenure and to ensure that informal dwellers' tenure rights are recognized and formalized. Furthermore, it aimed at providing basic engineering services and upgradable infrastructure. The informal settlement upgrading Programme was developed to curb housing challenges and limit the spread and number of ever-increasing informal settlements. Moreover, it was developed to provide socio-economic amenities and promote social and economic integration in formal communities and localities (National Housing Code, 2009).

Huchzermeyer, Karam, Maina (2014) make the point that when the Upgrading of Informal Settlements Programme was developed, the purpose was to guide the process of upgrading informal settlements across the country. It intended to upgrade informal settlements with minimum relocation of the residents and minimal disruption to the residents' lives (Huchzermeyer, 2006). A study by Ziblim, et al., (2013) mentions that the UISP had an objective to upgrade all informal settlements within the country by the year 2014. This was based on the number of households (1.2 million households) that were residing in informal settlements at the time. However, this target was not achieved as South Africa still had 23 percent of its population living in informal settlements by 2014.

Objectives of the Upgrading of Informal Settlements Programme

According to the National Housing Code (2009), the Upgrading of Informal Settlements Programme was introduced with the key objective of *in situ* upgrading as opposed to relocation. The key objective is to be achieved through the three interrelated policy objectives as stated in the National Housing Code. However, looking at the state of informal settlements in the county, these objectives have not been achieved.

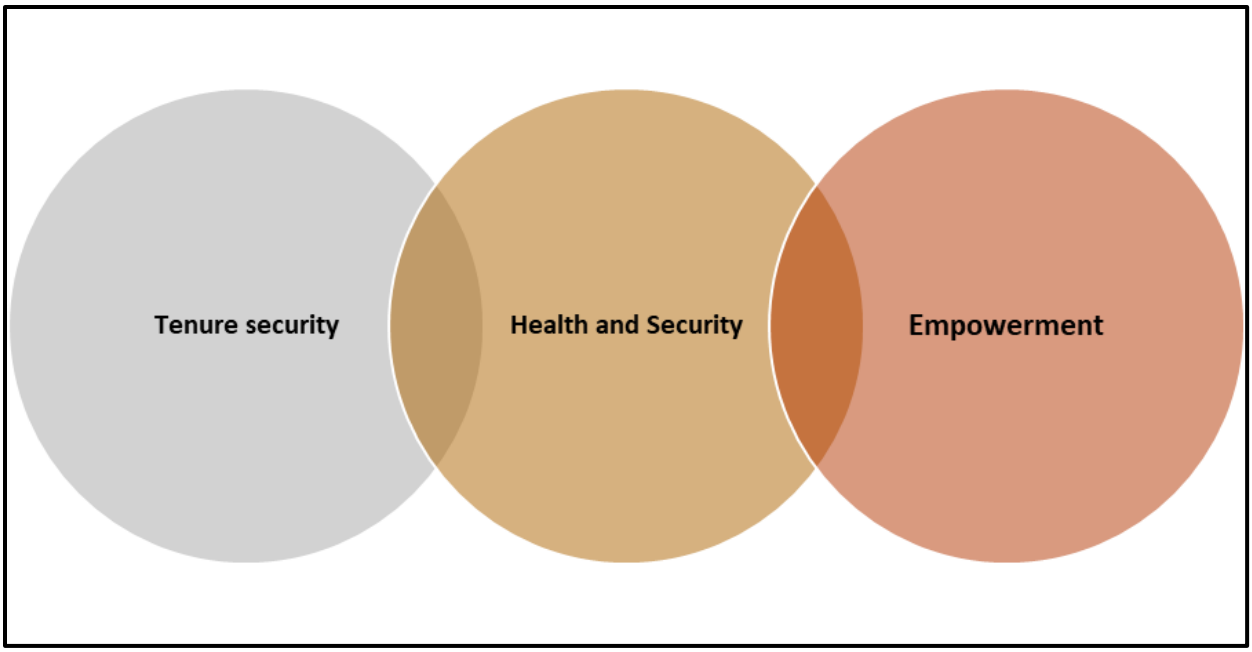


Figure 3.2: Objectives of the UISP *Source: UISP*

The objectives as outlined in the National Housing Code are as follows:

a. **Tenure security**: This objective was developed with the concept of taking into consideration and formalizing the tenure rights of the residents that are residing in informal settlements. The idea behind this objective was to ensure that citizenship for the residents is recognized.
b. **Health and security:** This objective aims to facilitate the provision of social services to those residing in informal settlements as well as the municipal infrastructure services. Furthermore, this objective aims to ensure that informal settlement residents are provided with a safe and healthy living environment.
c. **Empowerment**: The objective of empowerment is aimed at addressing the social and economic needs of the community. The goal is to ensure that participative processes are established where the community will be able to empower itself.

With the Upgrading of Informal Settlements Programme came the National Upgrading Support Programme known as the NUSP. This Programme was developed to assist the Department of Human Settlements and municipalities with the implementation of the UISP (Ziblim et al., 2013). Even with the NUSP specifically developed to assist in the implementation of the UISP, informal settlements in South Africa are still a dire concern.

Implementation of the Upgrading of Informal Settlements Programme

The goal of the Upgrading of Informal Settlements Programme was to upgrade all informal settlements by 2014 in line with the UN Habitat Millennium goals and the delivery goals as put forward by the provincial MEC for housing. For that goal to be achieved, attention would have to be given to infilling and densification, integrated infrastructure planning and development, the development of mixed-income human settlements, the provision of affordable rental accommodation, and life cycle provision and tenure options which includes maintenance of amenities and services to ensure ongoing sustainability (Muller, 2009). The process of upgrading informal settlements does not only include the installation of engineering services but also the simultaneous provision of all related social infrastructure services which addresses health, education, transport, sports and recreation, and safety and security.

Upgrading informal settlements also includes improving access to basic infrastructure and socio-economic activities, tenure rights as well as physical housing structures (Amao, 2012). According to Del Mistro and Hensher (2009), informal settlements can only be upgraded through total redevelopment or *in situ* redevelopment. The UISP however aims to upgrade informal settlements through *in situ* upgrading and only through relocation as the last resort (Ziblim *et al*., 2013). The key objective of the UISP is to facilitate the *in situ* upgrading of informal settlements in the country as opposed to relocating them (National Housing Code, 2009). The UISP can only be implemented by achieving the goals of the Programme as stated in the National Housing Code, 2009. The UISP has however not been fully implemented in most settlements as Johannesburg is still faced with the challenge of informal settlements.

Four Phases of The Upgrading of Informal Settlements Programme

As outlined in the National Housing Code, 2009, the UISP consists of four phases. The implementation of these phases constitutes the successful implementation of the UISP. On each of these phases, there are certain actions that take place which constitute the implementation of the UISP. These activities are also what is funded under the Programme.

a. Phase 1: Application

This is the first phase of the UISP. During this phase, the municipality conducts a community survey where households are counted, and the beneficiaries are registered. The UISP is a community-driven policy, thus in this phase, community participation is emphasized to ensure all members of the community are involved in every step of the upgrading process. It is also during

this phase where the municipality lodges an application to the provincial Department of Human Settlements for funding. The application phase also includes assessment in terms of the availability of land as well as bulk services (NUSP,2015).

b. Phase 2: Project initiation

During the second phase of the UISP, a socio-economic profile of the settlement is established. This phase also includes acquiring the land if the land is privately owned. Interim services are also installed in this phase for use until the construction stage of houses. This allows the informal settlement dwellers to be provided with temporary services while the UISP is being implemented. The provision of interim services also assists with the immediate need for access to basic service. The pre-planning studies such as geo-technical investigations are also conducted on this phase to get an understanding of the physical context of the settlement (NUSP,2015).

c. Phase 3: Implementation

Phase 3 commences once the municipality gets approval of the business plans (NUSP,2015). This approval allows for the installation of permanent bulk infrastructure. It also allows for the town planning processes to commence. It is during this phase that community facilities such as sports facilities, community halls, parks, community centers, economic amenities etc. are constructed. At the end of this phase, beneficiaries of the UISP have access to land (tenure securing included), access to basic municipal services, as well as social amenities and services.

d. Phase 4: Housing consolidation

The last phase of the UISP is the house consolidation phase. This phase includes the actual construction of the house. It is in this phase where it is decided who will be responsible for building the house. This decision depends on the geographical characteristics of the site as well as municipal funding. The implementation of this phase is in terms of the national housing subsidy program where residents have to lodge an application for funding in order to build their own structures.

Funding of the UISP

The primary source of funding for the UISP is obtained from the National Department of Human Settlements. The Department of Human settlements has grants in place which are aimed at assisting the upgrading of informal settlements (Isandla Institute, 2019). The Department of Human Settlements has the Informal Settlement Upgrading Partnership Grant, which is aimed at financing the UISP, however, it only finances the first 3 phases of the UISP. Phase 4 of the UISP

is funded by the consolidation subsidy. The Informal Settlement Upgrading Partnership Grant (ISUPG) is meant to assist with bulk engineering services, obtaining land which is required for the upgrading of informal settlements, and the provision of interim basic services (Isandla Institute, 2019).

Metropolitan municipalities obtain funding from the Urban Settlements Development Grant (USDG). This is a grant designated especially for the funding of metropolitan municipalities. The overall amount allocated to municipalities to upgrade informal settlements is never adequate. According to Van der Westhuizen (2017) in 2015/2016 the overall grant for the upgrading of informal settlements increased by 2.7 % and by 5.84 and 5.05 % respectively in 2016/2017 and 2017/2018. The increase in the grant is not high enough to upgrade the informal settlements in metropolitan municipalities. Furthermore, the population and particularly informal settlements grows rapidly (Van der Westhuizen, 2017). Thus, there is a demand on the funds required for the implementation of the UISP and if such funds are not available, the UISP cannot be implemented.

The table below indicates the activities which are carried out in each phase and the budget that is allocated per site per phase. The budget is based on the 2015/15 financial year.

UISP Subsidy	**Subsidy per site (in Rands)**
Phase 1	
Survey, registration, participation, facilitation, dispute resolution etc.	240.63
Geotechnical investigation	114.06
Land acquisition Pre-planning	3 247.66
Pre-planning	978.64
Interim engineering services	3 680.69
Total phase 1	**8 261.68**
Phase 2 and 3	
Detailed town planning	513.22
Land surveying and pegging	380.17
Contour survey	76.04
Land survey examination fee	117.85
Civil engineer's fee	1 140.50
Site supervision fees	288.90
Permanent engineering services provision	23 513.38
Project management	2 082.40
Total Phase 2 and 3	**28 112.46**

Relocation grant	
Transportations and loading costs for people and household effects	487.15
Social service support including support for the registration of social benefits, school registration and other welfare support	368.07
Relocation food support to households	606.24
Total max relocation grant per household	**1 461.46**

Table 3.1: UISP subsidy allocation *Source: NUSP, 2015*

3.3 CHAPTER SUMMARY

Housing has always been a challenge way before South Africa became a democratic country, thus the country deemed it fit to include proper housing as a right in its legislation. South Africa has been proactive in trying to respond to the challenges of housing in general through the introduction of various housing policies. The South African government realized that it is important to take a step forward in developing legislation and policies which will ensure that its citizens have decent houses. These legislation and policies have however not been very successful in terms of implementation. The government still has a backlog with regard to housing delivery. The housing legislative framework has nonetheless created a base on which this housing backlog should be addressed.

This chapter has examined the policies that inform the delivery of houses in South Africa. Furthermore, it has also evaluated the Upgrading of Informal Settlements Programme, its aim, and objectives. The information provided in this chapter makes it apparent that the South African government is indeed willing to conquer the housing challenges it is facing, it has taken the necessary steps in doing so, however, the implementation of the developed policies remains a major challenge in the housing sector. The following chapter focuses on the study area. It will present the research findings as well as the analysis and interpretation of data that was collected during the field survey.

CHAPTER 4: FINDINGS AND ANALYSIS

4.1 INTRODUCTION

This chapter presents the interpretation of the data that was acquired during the data collection process and the research findings. It will start by giving the location of the study area and its socio-economic profile where it will look at the challenges facing the Eikenhof informal settlement as well as the status core of the area. Thereafter, the chapter will analyze the data collected during fieldwork and present the findings.

4.2 STUDY AREA: EIKENHOF INFORMAL SETTLEMENT

Location

Eikenhof Informal Settlement is located in South Africa which is divided into nine provinces. Eikenhof is located in one of the provinces namely Gauteng. Gauteng province comprises three Metropolitan municipalities and the City of Johannesburg Metropolitan Municipality (COJMM) is one of them. The COJMM is divided into seven administrative regions where Eikenhof Informal Settlement is in Region G which is in the Southern Part of Johannesburg.

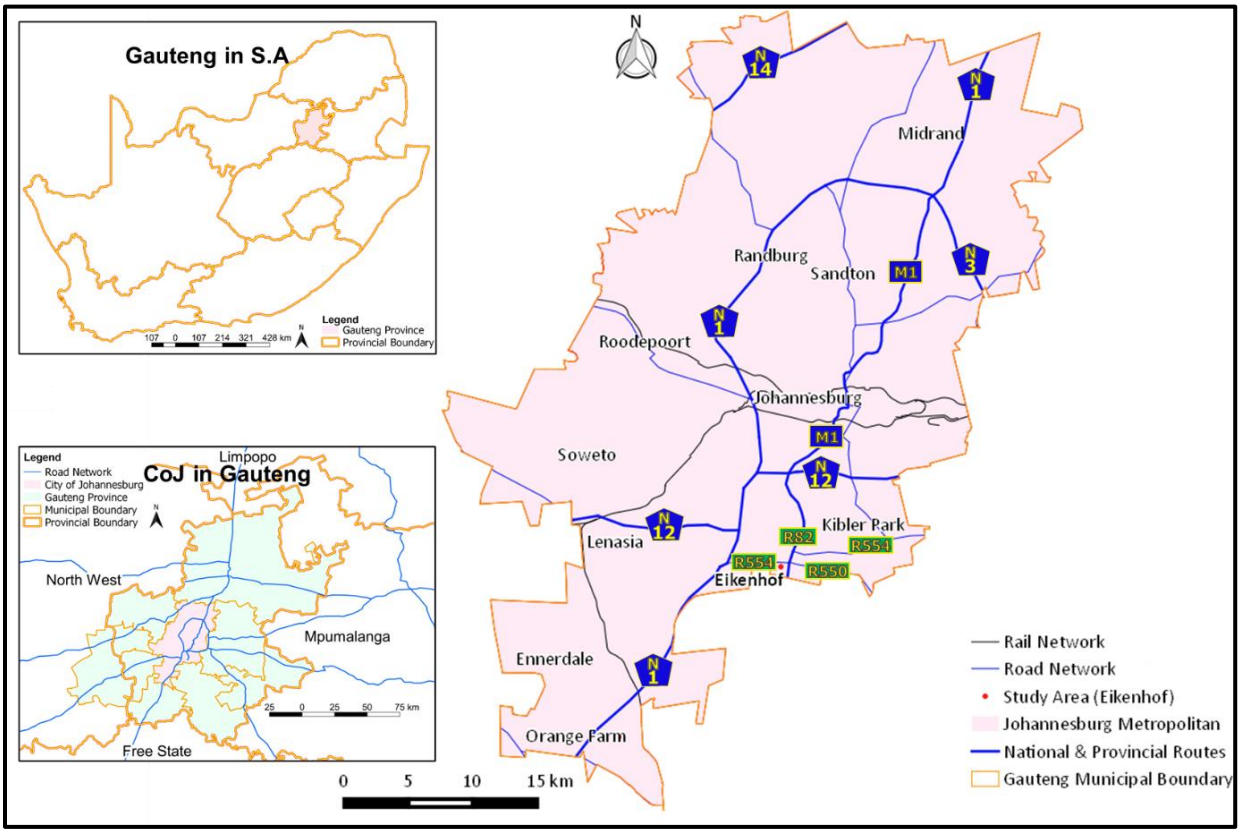


Figure 4.1: Location of Eikenhof Informal Settlement *Source: Researcher, 2021*

Eikenhof informal settlement forms part of the 300 informal settlements currently existing within the City of Johannesburg Metropolitan Municipality. It is located in the Eikenhof Farm 332 IQ which covers approximately 58.4 square kilometers. The land on which this informal settlement is located is relatively flat in terms of topography. Eikenhof informal settlement lies approximately 22 kilometers away from the Johannesburg city center which is relatively far from the business hub and employment centers.

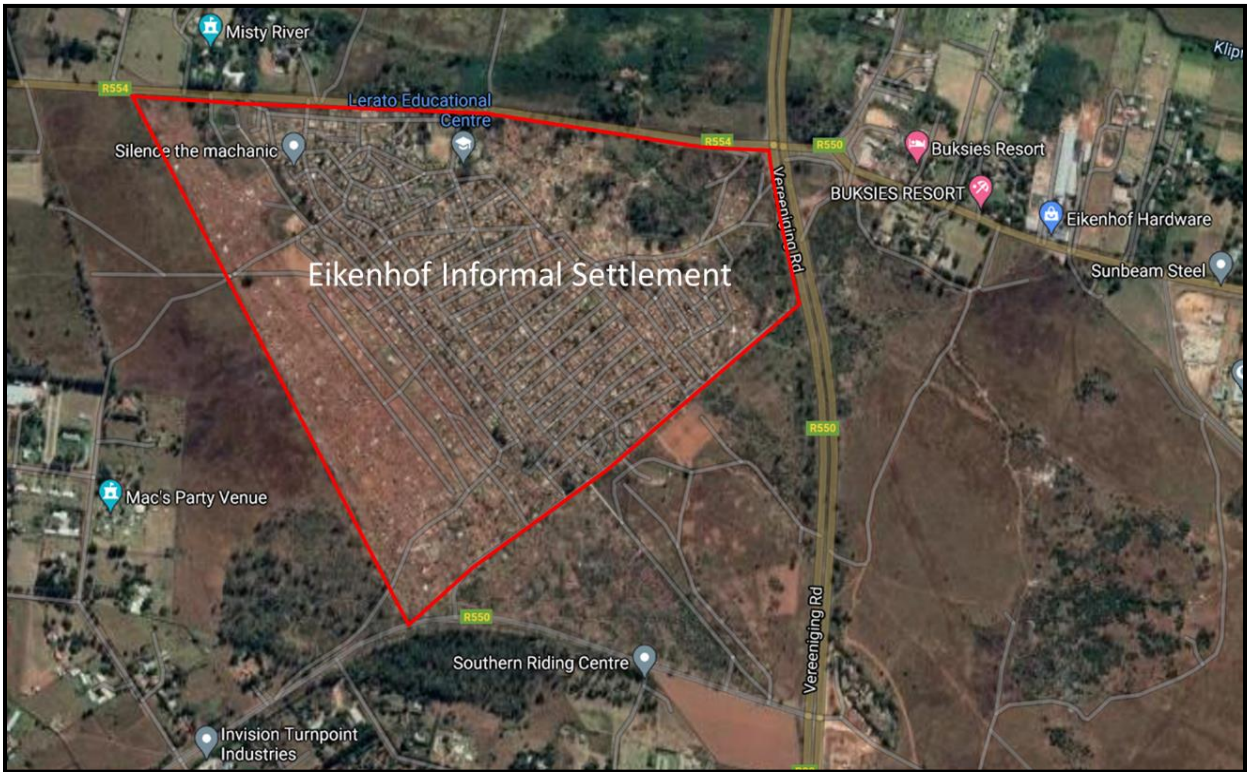


Figure 4.2: Eikenhof Informal Settlement *Source: Researcher, 2021*

Eikenhof informal settlement is along the Vereeniging Road known as the R82 and the Nirvana Road, which is the R554, which goes to Lenasia. The ward in which Eikenhof informal settlement is located has an estimated population of 47 276 with 14 567 households. 34% of this population, resides in shacks. The Eikenhof informal settlement was started more than 30 years ago. It was started by a group of people who were working for the white people who were residing in the nearby suburbs. This group of people did not like staying at the suburbs and thus decided to build informal structures just nearby. Post 1993 most white people left the nearby suburbs however the Eikenhof informal settlement had already mushroomed.

4.3 SOCIO-ECONOMIC PROFILE OF EIKENHOF INFORMAL SETTLEMENT

4.3.1 Basic services

Eikenhof informal settlement like most informal settlements lacks proper basic services. According to a study by Ngonyama (2012), Eikenhof informal settlement has no access to basic services such as running tap water and proper flushing toilets. Furthermore, residents do not have access to bulk infrastructures such as proper roads. The City of Johannesburg Metropolitan municipality however makes provision to the Eikenhof informal settlement for tankers to provide communal tap water and chemical toilets which are also known as portable toilets. Eighty (80) portable toilets were provided for 1493 households that were currently existing in 2012 (Ngonyama,2012). This equates to 1 toilet per 18 households. The government has also provided electricity in this settlement. With regards to the educational needs of the community, there is an early childhood development center and a primary school by the name of Lerato Educational Center, however, this is an independent institution. Nonetheless, it services the primary educational needs of the Eikenhof informal settlement. There is no secondary school in Eikenhof informal settlement nor is there one in the vicinity, thus the secondary educational needs of the community are not addressed.

4.3.2 Environmental challenges

Eikenhof informal settlement is also faced with environmental challenges such as water, air, and land pollution. There is no proper water system that delivers water to the respective sites of the residents, thus the water utilized by residents is not entirely clean. The City of Johannesburg municipality also does not collect waste in the Eikenhof informal settlement, nor does it provide bins for waste. This results in littering all over the community as depicted by the picture below.



Figure 4.3: Land pollution in Eikenhof informal settlement *Source: Researcher, 2021*

4.3.3 Safety and Security

Informal settlements usually have a high rate of crime and violence. Crimes such as rape, robbery, murder, and the sale of drugs are more prominent in informal settlements. Ngonyama (2012) mentions that the majority of the residents of Eikenhof informal settlement are unemployed, however, some residents have temporary jobs in the neighboring areas. Thus, this can lead to crime as most are unemployed. Ngonyama (2012) adds that some residents have recycling businesses and that only a few are formally employed in the surrounding farms and industrial areas. The lack of jobs in Eikenhof informal settlement has therefore contributed to the high level of crime rate area in the area. Residents resort to crime in order to be able to put food on their tables. The local newspapers such as Alberton Record, and the Southern Courier have reported on crime activities that take place within the Eikenhof informal settlement. Of these reporting, although unacceptable to human nature, one can conclude that dwellers are trying to find a means to survive.

4.4 FINDINGS

The purpose of the interviews that were conducted was to find answers to the research questions which mainly related to the implementation of the Upgrading of Informal Settlements Programme and its effectiveness thereof. The idea was to allow the interviewees to share their knowledge

and opinions with regard to the UISP. This section of the chapter analyses the data that was collected during the fieldwork phase through the identification of themes. During this process, four (4) City of Johannesburg Metropolitan Municipality officials from the Housing Department were interviewed. The first interview was with an official responsible for policy formulation (Official one). The second interview was with the former project manager of Eikenhof informal settlement (Official two). The third and fourth interviews focused on policy implementation and were held with Official 3 and Official 4. Two community representatives from the Eikenhof informal settlement were also interviewed to obtain their view and understanding of the Upgrading of Informal Settlements Programme.

The study was set out to investigate the gaps in the Upgrading of Informal Settlements Programme. As part of the objectives, the study was also set to investigate the challenges which hinder the implementation of this Programme, its efficacy at the Eikenhof informal settlement, and also to determine the potential development interventions that can be made at Eikenhof informal settlement. The findings of this research are based on the objectives of this study as follows:

- To investigate factors which hinder the implementation of the UISP.
- To examine the effectiveness of the UISP in the Eikenhof Informal Settlement.
- To determine potential development interventions that can be made at the Eikenhof informal settlement.

4.4.1 Implementation of the UISP in Eikenhof Informal Settlement

The following codes stood out during the interview on factors that hinder the implementation of the UISP: adequate funding, community engagement, community leadership and community dynamics, and institutional capacity.

a) Inadequate funding

The literature review has revealed that the availability of funds to a certain extent impedes the implementation of housing policies. Collected data has also found that the availability of funds or rather inadequate funding plays a huge role in hindering the implementation of these policies. During the interview with CoJ official 3, it was highlighted that funds are not always available to implement the Upgrading of Informal Settlements Programme. Where the funds are available, the funds cannot cater to all the informal settlements which are

currently existing within the city. Currently, the city has approximately 300 informal settlements and the funds that are received to upgrade these settlements are not enough.

It was mentioned during the interview CoJ official 2 that Eikenhof informal settlement has been in existence for more than 30 years and apart from land ownership issues, one of the reasons it was not being upgraded, was due to the availability of funds. It is important to note that this settlement is categorized under Category B1 of informal settlements with land ownership being another major contributor to the delay in upgrading this settlement. Notwithstanding, the process to upgrade this settlement has been initiated in 2017.

According to an interview with CoJ official 2, phases 1 and 2 have been successfully implemented. Furthermore, records that were accessed from COJMM on Eikenhof informal settlement confirm that engagements with the community through semi-structured interviews or focus groups, geotechnical investigation, pre-planning layout, and site pegging have been done so far in this settlement as a way of implementing the UISP. Although the interview and municipal reports indicate that Phases 1 and 2 of the UISP have been completed, evidence during site visit prove otherwise with regards to the provision of services. Eikenhof informal settlement still lacks services such as proper toilets, proper taps, roads/ streets etc.

> *"…there's an allocation to the city every year and therefore it made funding easier. Although the funding is not enough to cover all the informal settlements depending on the number that we have, it goes a long way…" (CoJ official 2, 2021)*

It was also revealed during the interview that although funds availability is an issue, the national government has made it easy for the metro municipality to obtain funding for informal settlements. The COJMM receives approximately 646 million Rands every year meant for upgrading informal settlements, however, this amount is not adequate as it has to be shared amongst other entities such as Joburg Water and City Power for the installation of bulk services. COJMM made reference to funding for informal settlements being received in bulk, and that no specific allocation was made for the Eikenhof Informal settlement out of the existing budget. The City of Johannesburg further alluded that the funding received is not enough, however it does assist in implementing the UISP as the amount can upgrade close to 40 informal settlements in a year. However, no substantial evidence indicating the number of upgraded settlements thus far was provided by COJMM.

b) Community engagement

An interview with CoJ official 1 has highlighted the importance of involving the community. It has revealed that community involvement is the pillar of the UISP and that the government ensures that the community has all the relevant information regarding the UISP. Making reference to Eikenhof informal settlement upgrading, CoJ official 2 indicated that the community fully understands the programme and that the community has been engaged accordingly in the process. The interview with said official has also indicated that the community has to be involved from the policy formulation stage and not only on the policy implementation stage. That way, community issues can be identified at an earlier stage.

> *"If you want me to ask me if people are understanding this programme, I will say yes. If they were not, we wouldn't have achieved the outcomes of all these phases basically. So, we are there, and we are walking with them throughout. We have been engaging them as we should." (CoJ official 2, 2021)*

On the contrary, an interview with one of the Eikenhof community representatives indicated that the government has not been very transparent with the Upgrading of Informal Settlements Programme. The interviewee indicated that there was a project going on in the Eikenhof informal settlement however they are not fully informed of what the project entails. This interview discovered that while community participation is the pillar of the UISP, not all community members are well informed of the Programme. CoJ official 1 has indicated that since the UISP is a four-phase Programme, it is impossible to move to the next phase without consulting the community first. However, it seems the community is not on par with what the government deems the community to know. Thus, this is one of the gaps found in the UISP making it difficult to be implemented in communities and also as mentioned by one of CoJ officials that "If we don't carry the community aspirations some problems, then fail" (CoJ official 1, 2021).

> *"The mistake we make is that think we know what communities want… We need to take the aspirations of the communities along; the baseline of the policy formulation should be what the desired outcomes from the communities themselves are." (CoJ official 1, 2021)*

c) Community leadership and community dynamics

Through interviews, community leadership and dynamics were identified as some of the factors that play a role in hindering the implementation of the UISP. Community leaders in the form of councilors, business forums, youth committees and ward committees have a great influence on what happens in a community as they believe that they know best what the community needs.

When a new political party comes into power, there is a shift in terms of focus where the political party starts to focus more on its organization than the needs of the citizens. Corruption by the political party that are in power can result in citizens not getting houses due to them.

During an interview with a member of the Eikenhof informal settlement youth committee, it was revealed that community leadership and community dynamics have negatively affected the way in which government implements the UISP. Since its existence, the community has been led by different councilors. Some councilors were not interested in the needs of the community as a whole but their own needs i.e., they did not see the need to improve the living conditions of their settlement. For instance, councilors would not participate in projects that are meant to improve the community but would be more focused on private work that does not involve or even assist the community. In some instances, the community leaders are not in agreement with what the government wants to do for it, even if it is for the greater good. With regards to the Eikenhof informal settlement, although housing was a burning issue, the community was in dire need of electricity. This led to the community going on strikes for electricity than for housing. This, therefore, is another gap in the UISP that contributes to housing policies not being implemented because the municipality because forced to provide electricity as per the community's needs and shy away from implementing the policy that will see the community having houses.

d) Institutional capacity

For the UISP to be implemented, there has to be enough institutional capacity. Interviews with the City of Johannesburg officials have revealed that the Department of housing in the City of Johannesburg currently does not have enough staff to implement the UISP. However, there is staff allocated for the Eikenhof informal settlement as there are plans underway to relocate this informal settlement. Notwithstanding, the staff appointed by the COJMM Housing Department is not adequate to address all the informal settlements within its area of jurisdiction. COJMM stated that "It is not geared to implement the UISP" (CoJ official 4, 2021). The department is however trying to build capacity so that the UISP can be implemented better. The interview also found out that even though the municipality does not have enough capacity, it does get support from the national department however the support is not enough to cover all the informal settlements currently within the City of Johannesburg. The fact that the municipality does not have enough capacity impedes to a certain extent the implementation of the UISP. The findings on this factor agree with literature that was reviewed in chapter 2 which identified institutional capacity as a gap that exists with the UISP making it difficult to be implemented.

"We are trying to build the capacity but currently we do not have that capacity to cover all the number of informal settlements" (CoJ official 4, 2021)

4.4.2 The effectiveness of the UISP in the Eikenhof informal settlement

The effectiveness of the Upgrading of Informal Settlements Programme has been questioned due to the ever-increasing number of informal settlements that are still found within the country, particularly within the City of Johannesburg. One of the objectives of this research is to determine the effectiveness of the UISP at the Eikenhof informal settlement as well as other informal settlements as a whole. It should be noted that for the purpose of this research, effectiveness in relation to the UISP is defined as the extent to which the policy has yielded positive results. While this is the adopted definition of effectiveness for this study, interviews with the community representatives have indicated that this policy has not been as effective as expected by the residents of the Eikenhof informal settlements. This is due to the fact that residents of the Eikenhof informal settlement are still without formal houses. Nonetheless, minor positive results such as the provision of electricity have been provided to the residents as a result of the UISP.

An official from the department of housing from the policy formulation section in the COJMM has indicated that the UISP has created a base for other informal settlement policies. He also made mention that the UISP, although slow, is responsive to informal settlements and thus it can be used as an effective tool for upgrading the Eikenhof informal settlement and other informal settlements in general. The section in the housing department responsible for the implementation of the UISP has echoed that indeed the UISP is a good tool that can be used to respond to informal settlements. They highlighted that the UISP covers in-situ upgrading as a priority and where you cannot develop, relocations are a last resort. The interviews revealed that the upgrading of informal settlements is the future and that if the municipality has a good project pipeline, the UISP can be successfully implemented. The criticism that was drawn from the policy by CoJ official 3, is that it is slow in responding to informal settlements and informal settlements keep mushrooming however, it does respond to informal settlements.

During the interview, the former project manager of the Eikenhof informal settlement also emphasized that the UISP can be seen as an effective tool for upgrading the Eikenhof informal settlement however only relocation will be considered. He mentioned that it was found that the number of households in Eikenhof settlement has decreased from 3343 in 2019 to 1702 in 2021. The number decreased due to the relocation of Eikenhof informal settlement dwellers to Lehae township which was the chosen site for the relocation of Eikenhof informal dwellers. Reports from COJ on Eikenhof informal settlement however indicate that this settlement has 1449 confirmed

households. Furthermore, the interviewee indicated that phases 1 and 2 of the UISP have been implemented at the Eikenhof informal settlement and that the municipality is currently implementing phase 3. With the geotechnical investigations that were conducted, it was discovered that Eikenhof informal settlement is badly affected by D4 dolomite, and that in-situ upgrading would not be possible, thus the community of Eikenhof informal settlement will have to be relocated.

> *"Like in Eikenhof, it's the last resort there is nothing much we can do, we will have to move them and that's how we are dealing with the issue*." *(CoJ official 3, 2021)*

On the contrary, interviews with the Eikenhof community representatives indicated that the number of shacks is increasing. The community representatives indicated that Eikenhof informal settlement now has more than 4000 shacks. This number is a result of COVID-19 where lots of people moved to the informal settlement due to job losses. Although the geotechnical investigations have revealed that in situ upgrading would not be possible for these settlements, the community is of the view that the Eikenhof informal settlement will be upgraded in-situ as it does not believe that the area is heavily affected by dolomite.

One of the CoJ officials is also of the view that Eikenhof informal settlement can be upgraded in situ regardless of its soil structure. During the interview, he mentions that "there are no reasons to say you cannot develop Eikenhof because there's a dedicated grant meant specifically to augment or to support such a situation /challenge" (CoJ official 4, 2021). Although this statement was mentioned by a CoJ official, it was not followed by any substantial evidence to support it, thus it cannot be considered to be relevant in this research. Moreover, it is clear that the land rehabilitation has not been done at the Eikenhof Informal Settlement due to the fact that there are plans underway to relocate this settlement to a different location. Furthermore, the statement is contradictory to information provided by one of CoJ officials and the Geo-tech revelations because the Geo-tech report has revealed that the site cannot be developed for human habitation. The City of Johannesburg has also prepared a relocation plan for the Eikenhof informal settlement due to dolomite.

Important to note is the fact that the Eikenhof informal settlement cannot be upgraded in-situ brings the UISP policy into dispute. It opens an argument on whether the UISP policy still upgrades a settlement if it is via relocation, or the social aspect of the people being relocated. It is the researcher's view that when the Eikenhof informal settlement will be relocated to another area, the settlement itself will not be upgraded but the people's lives. According to El Menshawy

and Salman (2011), upgrading an informal settlement entails the provision of bulk infrastructure, basic services, and formal housing structures. Satterthwaite (2012) adds that informal settlement can also include the provision of legal tenure to the occupants of the land. The benefit of an informal settlement upgrade is that residents' living environment is improved without the residents being displaced. It appears though that the UISP does not only see upgrading an informal settlement as improving those settlements but also relocating an informal settlement to a different location. The CoJ officials also appear to have a misunderstanding on the difference between *Upgrading* an informal settlement and *relocation of informal settlement residents (as* a method of informal settlement upgrading). This could be a matter of a narrow interpretation of the UISP as the policy itself aims to upgrade informal settlements *in-situ* or through *relocation.*

4.4.3 Potential interventions that can be made at the Eikenhof informal settlement

The Eikenhof informal settlement has been in existence for more than 30 years and in the previous years, no interventions to upgrade this informal settlement were made except for the communal services and electricity that has been recently provided. One of the reasons why the community was left neglected was due to the availability of funds and land ownership issues. It is one of the objectives of this study to determine interventions that can be made at the Eikenhof informal settlement which will result in the settlement being upgraded. During an interview with the former project manager of Eikenhof informal settlement, it was found that the City of Johannesburg Metropolitan Municipality, had already made interventions in this settlement. The intervention is implementing the Upgrading of Informal Settlements Programme in this settlement. However, the programme has not been fully implemented as the government is still on phase 3 of this programme. The full upgrading of this settlement will however be through relocation as the site is not suitable for human habitation due to dolomite.

> *"The programme itself is a good intervention for in-situ upgrading of informal settlements" (Coj official 3, 2021).*

The interviewee mentioned that the municipality is currently in the process of upgrading this settlement and is currently on the third phase of the Programme. However, this upgrade will eventually lead to the relocation of the community as the Eikenhof informal settlement is affected by dolomite. Before this major intervention, the government provided interim services such as electricity and toilets. Thus, the UISP has yielded positive results on this settlement even though it has not been fully upgraded. Contradicting information was received from the section responsible for the implementation of the UISP. One official indicated that the only intervention that can be done at Eikenhof informal settlement which would result in the settlement being

upgraded is relocation as the area is affected by D4 dolomite and not recommended for residential purposes.

On the other hand, the other official is of the view that the Eikenhof informal settlement can be upgraded in situ through land rehabilitation which would address the dolomitic issue that has been found in this settlement. The officials mention that the grant comes with a budget for land rehabilitation in situations such as Eikenhof informal settlement. This process has however not been done as no reports were provided to support this statement. A relocation plan for the Eikenhof informal settlement has however been developed to relocate the Eikenhof informal settlement dwellers due to the fact that the area is dolomitic. Nonetheless, the UISP is deemed to be a great intervention for upgrading of informal settlements as this is the first policy ever developed for in situ upgrading or relocation (as last resort) of informal settlements.

Based on the findings provided above, it appears that the City of Johannesburg Metropolitan Municipality has done some interventions at the Eikenhof informal settlement which will see this informal settlement being upgraded. Although the Eikenhof informal settlement can only be upgraded through relocation, the researcher is of the view that services such clean water, waste collection, proper toilets, and street/roads can be provided in the interim to better the lives of the Eikenhof informal settlement dwellers until such time they are relocated. The COJMM can also consider doing Reblocking at the Eikenhof informal settlement as a way to improve the settlement and the lives of the people residing in it.

4.5 CHAPTER SUMMARY

Making reference to the literature review and the conceptual framework that was developed in the literature review chapter (chapter two), one can conclude that there are similarities with regards to the concepts that came out on the literature review and during the interview process. It has been argued that most policies intended to upgrade informal settlements are faced with multiple challenges. Similarities that came out on challenges impeding the implementation of such policies included institutional capacity, limited funding, corruption and politics, and community participation. The data that was collected during the interviews with City of Johannesburg officials has also confirmed that indeed housing policies (specifically the UISP) incurs challenges which make it seem ineffective.

The data that was conducted was to answer the research questions and archive research objectives. This chapter has looked closely into the study area and highlighted the challenges that are facing the Eikenhof informal settlement. Furthermore, the chapter has presented and

analyzed data that was collected from the field during fieldwork. The research questions of the study have been answered during data analysis. The objectives of the study have also been achieved through the data that was collected. Interviews were conducted with the community representatives of the Eikenhof informal settlement as well as the officials from the Department of Housing within the City of Johannesburg Metropolitan Municipality. These interviews enabled the researcher to achieve the objectives as outlined in Chapter 1 of this research report. The next chapter will present recommendations and the overall conclusions of the study.

CHAPTER 5: CONCLUSION AND RECOMMENDATIONS

5.1 INTRODUCTION

The previous chapter has analyzed the collected data and presented the research findings. This chapter will provide concluding remarks and recommendations based on the data that was collected and analyzed in Chapter 4. The chapter will then conclude by providing limitations to the study, suggesting areas for future research, and an overall conclusion on the entire report.

5.2 CONCLUDING REMARKS

As per the discussions and findings in the previous chapters, the Upgrading of Informal Settlements Programme is a great tool for upgrading informal settlements. However, like any other policy, it also has its limitations. The gaps that have been identified in this tool negatively affect the implementation of this policy thereby making it seem like it is not effective. The implementation of the UISP has been slowed down or even hindered by the provision of inadequate funds, institutional capacity, community engagement, and community leadership and community dynamics.

It has been discovered that the 646 million Rands USDG grant that the City of Johannesburg receives for the upgrading of informal settlements is not adequate for all the existing informal settlements within the COJMM. The COJMM however allocates the grants across several informal settlements to ensure that upgrading takes place. Institutional capacity in the form of shortage of staff and skilled personnel is also another gap that has been identified in the UISP that negatively affects its implementation. The City of Johannesburg has mentioned that the department of housing within COJMM does not have enough staff and highlighted that it is not geared to implement the UISP. Without capacity, the City will not be able to implement the UISP at the pace it wants.

Community leadership and dynamics are other factors that potentially hinder the successful implementation of this Programme. Community leadership which does not care about the needs of the community affects how the government implements policies. The community representatives are partially responsible for holding regular meetings with the community to inform them of all proposed developments the government intends to do, thus, if the community is not informed, it is likely to work against the government. While the Programme makes provision for effective community participation, it is also up to the City of Johannesburg to ensure that

community participation is effective and up to the level that the community wants. Although the community also has a role in ensuring the successful implementation of this programme, the ball is in the municipality's court to ensure that all other gaps identified in this policy are covered and also ensure that the Programme is implemented successfully. It is the government's responsibility to ensure that there is adequate finance, that the gap between the community and community leadership is covered, and that the community is well informed of the UISP.

The effectiveness of the Upgrading of Informal Settlements Programme has been questioned due to the number of informal settlements that currently exist within the city. Although not specified in the policy itself, the UISP was developed with the perception that it will "eradicate" all informal settlements by 2014. However, old informal settlements still exist today while new ones are mushrooming. Nonetheless, the City of Johannesburg is of the view that the UISP can be used as an effective tool to upgrade informal settlements and the Eikenhof informal settlement in particular. However, the Eikenhof informal settlement will be upgraded through relocation as the studies have indicated that the site is dolomitic. A relocation plan has also been developed in this regard.

From the researcher's perspective, the fact that data was collected from interviews which were held with the selected few, the evidence collected is not adequate to draw a conclusion on the effectiveness of the UISP and whether it can be used as an effective tool for the upgrading of informal settlements. The researcher is of the view that a wider spectrum of interviews would have provided more information to support or even be against the assumption that the UISP can be used as effective tool for upgrading informal settlements as highlighted by COJ officials during interviews. The City of Johannesburg officials applaud this policy for being the first that deals specifically with upgrading informal settlements and for creating a base for other policies that can assist in improving informal settlements. Thus, they are of the view that it can used as an effective tool for upgrading informal settlements.

Considering the current state of the Eikenhof informal settlement, one would say that the Constitution has failed the Eikenhof informal settlement as residents are still unable to exercise section 26 (1) of the Constitution. The Eikenhof informal settlement has been in existence for more than 30 years and the government has only recently attempted to upgrade this settlement in 2017. Furthermore, the Upgrading of Informal Settlements Programme which vouches for in-situ upgrading of informal settlements does not allow the Eikenhof informal settlement to be upgraded in-situ due to the dolomite and land ownership issue. The last resort for this settlement

is upgrading through relocation even though the community might be against such identified solution. The findings have indicated that the area is affected by dolomite and therefore not suitable for residential development. This finding is supported by the fact that the COJMM has developed a relocation plan which has identified an alternative site that the Eikenhof informal settlement residents can be relocated to. This plan is a result of the dolomite that has been found at the Eikenhof informal settlement. The identified site is located approximately 6.2 km from the Eikenhof informal settlement which is relatively close to the Eikenhof informal settlement making it more desirable.

5.3 RECOMMENDATIONS

The above section of the chapter has discussed concluding remarks. It is therefore equally important that recommendations be provided to close the gaps found within the UISP. The recommendations are based on the data provided by the respondents who were interviewed during the fieldwork as well as the findings of the study. The intended aim of this section of the research is to explore options and opportunities to improve the Upgrading of Informal Settlements Programme and also to find ways that can improve the Eikenhof informal settlement.

5.3.1 More participatory approach

Every community has a part to play in improving their living space and its functionality thereof. This part can be achieved through effective public participation. The Upgrading of Informal Settlements Programme itself is a policy that encourages the community to participate in the upgrading process. The City of Johannesburg is conducting public participation or is including the community in the process, but the question remains on the effectiveness of the community participation process that it is undertaking. To a very large extent people should feel fully heard, that way they will be able to and willing to work with the municipal officials.

The researcher, therefore, recommends a more participatory approach to public participation at the Eikenhof informal settlement regarding upgrading it. Juillet, Sauriol, and Rochette, (2015) make mention that a more participatory approach in public participation is an approach that is more inclusive of all members of the community that are affected by a development. Rania (2017) adds that this approach utilizes different methods such as online platforms such as polls, surveys, websites and even social media platforms to ensure that all community members are involved in public participation. This means that the community has to be present in the decision-making process as well. It is imperative to only allow community representatives to make decisions on

behalf of the community as this sometimes leaves the community not fully aware of what is happening in its community.

Through public participation, the city can also be able to address the issues of community leadership and community dynamics. Most of the time, these issues arise because the community is not aware of the decisions that the government is taking over their living space. An informed community is critical in avoiding conflicts and containing the further mushrooming of unplanned and substandard human settlements. This can subsequently lead to a manageable and reduced housing backlog. Therefore, the City of Johannesburg needs to rethink the public participation process and the approach for it to be a success.

5.3.2 Understanding the demographic patterns of Eikenhof informal settlement

It is a prerequisite of planning to understand the patterns of current settlements before planning new ones. How a settlement is situated in terms of pattern determines the type of infrastructure, the costs involved, and the type of settlement that can be developed. For informal settlements situated in adverse environments and geographical conditions, costs may rise due to engineering modifications. It is recommended that the COJMM studies the demographics of Eikenhof informal settlement. Understanding the demographics of this settlement will assist the COJMM to determine the next step that it can take in improving this settlement. Demographics are important in determining the project type and its target in a community. They show the dominant age group in the society, the population growth, the employment status, and the migration pattern of the settlements. The employment status of the Eikenhof community will assist in determining the type of project suitable for it.

It is also important that the COJMM understands the citizenship status of the residents in Eikenhof informal settlement. It was revealed by one of the community leaders that most of the foreigners are undocumented, thus the COJMM can easily identify land and package the project best suitable to accommodate South African citizens and documented foreigners. Migration status is also important because it helps to understand, where people go, where they come from, where they shop, work and why they settle where they are. Although not categorized as the high-income group, some of the residents in this settlement are employed and can afford to build their own houses. Others may not be looking to build houses but to rent out a space for such a time they are employed in and around Eikenhof. Therefore, some residents may be willing to settle there for temporary accommodation, and therefore alternative plans are needed to accommodate this

type of housing need. This would be critical in avoiding upgrading the Eikenhof settlement for people who will move out and sell or rent the houses.

5.3.4 The Need for More Streamlined Funding

The local sphere of the state is tasked with executing and administering the Upgrading of Informal Settlement Programme by providing land, engineering services, and ensuring that town planning procedures are followed. The provincial government provides support to the local government and ensures that the UISP is implementable. The national department is responsible for funding and the provision of other national departmental services. However, the national sphere of the state, for the most part, usually does not have adequate funds secured for the local government to execute its function. Furthermore, the National Upgrading Support Programme has also identified concerns regarding the availability of funding to implement the UISP. It makes mention that funds for the installation of bulk services by the municipalities are not always available, thus the UISP's implementation is hindered. Every policy requires funding to be implemented successfully. The funds that are allocated to the COJMM are divided amongst three entities namely the housing department, Joburg water, and City Power for the installing of services, making them inadequate for informal settlements upgrading which are currently within the city.

It is recommended that a proper streamlined funding mechanism be put in place, both for full upgrading and for the provision of interim relief measures. This will ensure that the COJMM is able to upgrade informal settlements set to be upgraded for that financial year. There are also circumstances where funds are misused by the government and not used for the upgrading of informal settlements. In such instances, it is recommended that a monitoring and evaluating program be developed to hold municipalities and provincial governments accountable.

5.4 LIMITATIONS OF THE STUDY

The Covid-19 pandemic had a negative impact on how the research was conducted. Due to this pandemic, interviews were conducted virtually. This affected the quality of the interviews as internet/ connection problems occurred in several instances. Body language plays a role when conducting a face-to-face interview. Because the interviews were conducted virtually, the researcher was unable to read the body language of the interviewees. Ideally, the researcher would have loved to interview the informal settlement residents. This would assist the researcher in getting views from the community itself about their living situation, however, due to safety issues associated with informal settlements, only the community representatives were interviewed.

5.5 AREA FOR FUTURE RESEARCH

This research has identified and discussed the factors found within the UISP which potentially limit its implementation. One of the factors which play a major role in hindering the implementation of the UISP is finance (the availability of funds). This factor was broadly discussed in the entirety of the UISP. The USIP consists of four phases which are all funded separately. The allocation of funds per phase of the UISP can be researched further and contribute to other studies that have been done on this policy and informal settlements as a whole, thus, this could be an area for future research.

5.6 CONCLUSION

This chapter discussed the concluding remarks and provided recommendations that can possibly be adopted by the City of Johannesburg Metropolitan Municipality to try and come up with a solution to deal with the Eikenhof informal settlement and other informal settlements that exist currently within the City of Johannesburg and also to close the gaps in the Upgrading of Informal Settlements Programme making it less effective. While the recommendations provided may not be applicable to all informal settlements, it is advisable that the City of Johannesburg Metropolitan Municipality considers these recommendations in trying to curb informal settlements in its area of jurisdiction.

REFERENCES

Ahmad P., Stone K., Viruly F., and Adam A., (2020, April 16). Talking Transformation: On your Marks, [Re] set, Go!? Considering the structural and institutional Opportunities for Socio-economic and Spatial Change Post COVID, Available from https://podcasts.google.com/

Akhmat, G. and Khan, M.M., 2011. Key interventions to solve the problems of informal abodes of the third world, due to poor infrastructure. Procedia-Social and Behavioral Sciences, 19, pp.56-60.

Akinsola, B.N., Tunde, O.T. and Olusegun, A.T., 2014. Effective sites and services scheme as a means of solving low-income housing need in Nigerian cities.

Alliance, S.A.C., 1955, June. The Freedom Charter. In As adopted by the Congress of the People, Kliptown, on (Vol. 26).

Amao, F.L., 2012. Housing Quality in Informal Settlements and Urban Upgrading in Ibadan, Nigeria [A Case Study of Apete in Ibadan]. Developing Country Studies, 2(10), pp.68-80.

ATC210517: Report of the Portfolio Committee on Human Settlements on Budget Vote 33: Human Settlements, and on the revised Strategic Plan for the coming Medium Term Expenditure Framework (MTEF) period and Annual Performance Plan 2021-22, dated 14 May 2021.

Beardsley, J. and Werthmann, C., 2008. Improving informal settlements. Harvard Design Magazine Spring, pp.31-34.

Bob Hudson, David Hunter & Stephen Peckham (2019) Policy failure and the policy-implementation gap: can policy support programs help?, Policy Design and Practice, 2:1, 1-14, DOI: 10.1080/25741292.2018.1540378

Brown-Luthango, M., Reyes, E. and Gubevu, M., 2017. Informal settlement upgrading and safety: experiences from Cape Town, South Africa. Journal of Housing and the Built Environment, 32(3), pp.471-493.

Cirolia, L.R., Görgens, T., Van Donk, M., Smit, W. and Drimie, S., 2017. Upgrading informal settlements in South Africa: An introduction. Upgrading informal settlements in South Africa: Pursuing a partnership-based approach, pp.3-26.

City of Johannesburg Metropolitan Municipality, Department of Housing. Interview with Official 1, 11 October 2021

City of Johannesburg Metropolitan Municipality, Department of Housing. Interview with Official 2, 09 November 2021

City of Johannesburg Metropolitan Municipality, Department of Housing. Interview with Official 3, 23 November 2021

City of Johannesburg Metropolitan Municipality, Department of Housing. Interview with Official 4, 26 November 2021

Del Mistro, R. and A. Hensher, D., 2009. Upgrading informal settlements in South Africa: Policy, rhetoric, and what residents really value. Housing Studies, 24(3), pp.333-354.

Department of Human Settlements: White Paper: A New Housing Policy and Strategy for South Africa,1994

Department of Human Settlements: A Comprehensive Plan for the Development of Sustainable Human Settlements, 2004

Department of Human Settlements: National Housing Code, 2009

Department of Human Settlement, 2010. National Housing Policy and Subsidy Programmes.

Dovey, K. and King, R., 2011. Forms of informality: Morphology and visibility of informal settlements. Built Environment, 37(1), pp.11-29.

Dowall, D.E., 2006. Brazil's urban land and housing markets: How well are they working? (No. 2006, 08). Working Paper.

Eikenhof Informal Settlement. Interview with Community Representative 1, 2021.

Eikenhof Informal Settlement. Interview with Community Representative 2, 2021.

El Menshawy, A., Aly, S.S. and Salman, A.M., 2011. Sustainable upgrading of informal settlements in the developing world, case study: Ezzbet Abd El Meniem Riyadh, Alexandria, Egypt. *Procedia Engineering*, *21*, pp.168-177.

Fiori, J., Riley, E. and Ramirez, R., 1992. Urban poverty alleviation through environmental upgrading in Rio de Janeiro: Favela Bairro. Development Planning Unit, University College London.

Georgiadou, M.C., Loggia, C., Nunez Ferrera, I. and Fagan-Watson, B., 2016, June. An overview of top-down vs. bottom-up models for informal settlement upgrading in South Africa. In 52nd International Society of City and Regional Planners (ISOCARP) Congress. ISOCARP (The Hague).

Gilbert, A., 1992. Third World cities: housing, infrastructure and servicing. Urban Studies, 29(3-4), pp.435-460.

Housing Development Agency, 2012. Gauteng; Informal settlements Status.

Housing Development Agency, 2013. Gauteng: Informal settlements status.

Hennings, Z., Mollard, R., Moreschi, A., Sawatzki, S. and Young, S., 2012. Supporting reblocking and community development in Mtshini Wam. Interactive Bachelor of Science Qualifying Project, Worcester Polytechnic Institute. Cape Town.

Huchzermeyer, M., 2001. Housing for the poor? Negotiated housing policy in South Africa. Habitat International, 25(3), pp.303-331.

Huchzermeyer, M., 2004. Unlawful occupation: Informal settlements and urban policy in South Africa and Brazil. Africa World Press.

Huchzermeyer, M., 2006. The new instrument for upgrading informal settlements in South Africa: Contributions and constraints. Informal settlements: A perpetual challenge,

Huchzermeyer, M., 2009. The struggle for in situ upgrading of informal settlements: a reflection on cases in Gauteng. Development Southern Africa, 26(1), pp.59-73.

Huchzermeyer, M., Karam, A. and Maina, M., 2014. Informal settlements. Changing space, changing city: Johannesburg after apartheid. Wits University Press, pp.154-75.

Informal Settlements in South Africa, available at: https://www.borgenmagazine.com/informal-settlements-in-south-africa/

Informal settlements in Joburg. Available at: https://www.joburg.org.za/media_/Newsroom/Pages/2016%20&%202015%20Articles/More-informal-settlements-in-Joburg-get-electricity.aspx#:~:text=This%20is%20over%20and%20above,over%20the%20past%20five%20years.

Is this the end of slum upgrading in Brazil October 25, 2021 accessed at: https://theconversation.com/is-this-the-end-of-slum-upgrading-in-brazil-67208

Juillet, A., Sauriol, R. and Rochette, A., 2015. Participatory urban planning: Planning the city with and for its citizens. Montreal: Urban Ecology Centre.

Kalonda, J.K. and Govender, K., 2021. Factors Affecting Municipal Service Delivery: A Case Study of Katima Mulilo Town Council, Namibia. *African Journal of Public Affairs*, *12*(2), pp.1-26.

Khan, F., 2003. Supporting people's housing initiatives. Housing Policy and Practice in Post-Apartheid South Africa: Heinemann Publishers, Sandown.

Krenz, K., Kostourou, F., Psarra, S. and Capille, C., 2016, July. Understanding the city as a whole: An integrative analysis of Rio de Janeiro and its informal settlements. In City as Organism. New Visions for Urban Life-ISUF Rome 2015-Conference Proceedings (Vol. 22, pp. 647-660). U+ D Edition Rome.

Mabin, A. and Smit, D.,1997, Reconstructing South Africa's Cities? The making of Urban Planning 1900-2000, Planning Perspectives, 12:193-223

Mackay, C.J., 1996. The development of housing policy in South Africa in the post-apartheid period, Housing Studies, 11:1, 133-146, DOI: 10.1080/02673039608720849

Makanyeza, C., Kwandayi, H.P. and Ikobe, B.N., 2013. Strategies to improve service delivery in local authorities.

Malinga, S.S., 2000. The Development of Informal Settlements in South Africa, with particular reference to informal settlements around Daveyton on the East Rand, 1970-1999 (Doctoral dissertation, Rand Afrkaans University).

Maluleke, W., Dlamini, S. and Rakololo, W.M., 2019. Betrayal of A Post-Colonial Ideal: The Effect of Corruption On Provision Of Low-Income Houses In South Africa. International Journal of Business and Management Studies, 11(1), pp.139-176.

Marutlulle, N., 2017. Causes of informal settlements in Ekurhuleni Metropolitan Municipality: An exploration. Africa's Public Service Delivery and Performance Review, 5(1), pp.1-11.

Marutlulle, N.K., 2019. Government contribution to housing delivery challenges in Ekurhuleni Metropolitan Municipality: An exploration. Africa's Public Service Delivery and Performance Review, 7(1), pp.1-12.

Mardeusz, J., 2014. Housing Policy and Formalization Strategies in Africa's Growing Cities: A Case for the Informal Settlement.

Marginalized Communities Spreading dangerously, 25/05/2020 available at: https://www.dandc.eu/en/article/covid-19-strikes-hard-rio-de-janeiros-many-informal-settlements

Masram, H. and Misnan, S.H., 2019. Evolution of policy for affordable housing programmes in Malaysia. International Journal of Accounting, Finance and Business, 4(17), pp.86-98.

McGuirk, J., 2016. Failing the Informal City: How Rio de Janeiro's Mega Sporting Events Derailed the Legacy of Favela-Bairro. Architectural Design, 86(3), pp.40-47.

Merrifield, A., van Horen, B. and Taylor, R., 1993, May. The politics of public participation in informal settlement upgrading: A case study of Bester's camp. In Proceedings ot the 21 st IAHS World Housing Congress (Vol. 10, p. 14).

Meth, P., 2017. Informal housing, gender, crime and violence: The role of design in urban South Africa. The British Journal of Criminology, 57(2), pp.402-421.

Mohamed, S.E.E., 2009. The participation of informal settlement communities in city-level policy-making processes in Johannesburg (Doctoral dissertation, University of the Witwatersrand).

Moser, C. and Satterthwaite, D., 2008. Towards pro-poor adaptation to climate change in the urban centres of low-and middle-income countries, Human Settlement Development Series: Climate Change and Cities Discussion Paper 3. International Institute for Environment and Development (IIED): London.

Muller, G., 2011. The impact of Section 26 of the Constitution on the eviction of squatters in South African law (Doctoral dissertation, Stellenbosch: Stellenbosch University).

Msimang, Z., 2017. A study of the negative impacts of informal settlement on the environment: a case study of Jika Joe, Pietermaritzburg (Doctoral dissertation).

Nevondwe, L. and Odeku, K., 2012. Challenges of housing delivery in South Africa: Lessons learnt from jurisprudence. African Journal of Business Management, 6(45), pp.11327-11341.

Ngonyama, H.L., 2012. Urbanization and the development of informal settlements in the City of Johannesburg (Doctoral dissertation), University of South Africa.

Nhlapo, M.P., 2013. The experience of moving from an informal settlement to a secure stable home (Doctoral dissertation), University of South Africa

Nwaka, G.I., 2005. The urban informal sector in Nigeria: towards economic development, environmental health, and social harmony. Global Urban Development Magazine, 1(1), pp.1-11.

Olajide, O., 2010. Urban Poverty and Environmental Conditions in Informal Settlements of Ajegunle, Lagos Nigeria. Proceedings of the Real Corp Conference. Vienna, Austria: May 18-20.

Onyekachi, A.F., 2014. Prospects and challenges of informal settlements and urban upgrading in Abuja.

Rania, Q., 2017. Using social hub media to expand public participation in municipal urban plans. Procedia engineering, 198, pp.34-42.

Ren, X., 2018. Governing the informal: Housing policies over informal settlements in China, India, and Brazil. Housing Policy Debate, 28(1), pp.79-93.

Rio de Janeiro: Morar Carioca accessed at: https://www.c40.org/profiles/2013-riodejaneiro

Satterthwaite, D., 2012. Upgrading informal settlements. International Encyclopedia of Housing and Home, 7, pp.206-211.

Samper, J., Shelby, J.A. and Behary, D., 2020. The paradox of informal settlements revealed in an ATLAS of informality: Findings from mapping growth in the most common yet unmapped forms of urbanization. Sustainability, 12(22), p.9510.

SERI, 2018, May Informal Settlements and Human Rights in South Africa

Smith, R. and Smith, L., 2018. Qualitative methods. In Research methods in human rights (pp. 70-93). Routledge.

Sibiya, M., Aigbavboa, C. and Thwala, W.D., 2013. Barriers to informal settlements upgrading in the Gauteng province of South Africa. In International Conference on Innovations in Electrical and Civil Engineering.

Sofaer, S., 1999. Qualitative methods: what are they and why use them?. Health services research, 34(5 Pt 2), p.1101.

South Africa. 1996a. The Constitution of the Republic of South Africa, Act 108 of 1996. Pretoria: Government Printer.

South Africa. 1997a. Housing Act No 107 of 1997. Pretoria: Government Printer.

South Africa. 1998a. Prevention for The Illegal Eviction from and Unlawful Occupation of Land Act No. 19 of 1998: Government Printer.

South African Human Rights Commission. Report on the State of Human Rights in Gauteng. Towards Ensuring the Right to Adequate Housing through the Upgrading of Informal Settlements, 2020/2021.

Steiker-Ginzberg, K., 2014. Morar Carioca: The dismantling of a dream favela upgrading program. *Retrieved September*, *11*, p.2014.

Taruza, T.C., 2016. An analysis of planning intervention in the formalisation of informal settlements in Ikageng Township within the Tlokwe Local Municipality (Doctoral dissertation, North-West University (South Africa)).

The commonwealth Nigeria. Accessed at: https://thecommonwealth.org/our-member-countries/nigeria

Tissington, K., 2010. A review of housing policy and development in South Africa since 1994. *Studies in Poverty and Inequality Institute (SPII). Socio Economic Rights Institute. Typescript*.

Tissington, K., 2011. A resource guide to housing in South Africa 1994-2010: Legislation, policy, programmes and practice. SERI.

Tissington, K., 2012. Towards greater community participation in informal settlement upgrading: A case study from Slovo Park, Johannesburg. putting participation at the heart of development//putting development at the heart of participation, p.50.

Tissington, K., 2012. Informal settlement upgrading in South Africa: linkages to livelihood creation, informal sector development and economic opportunity generation. *Working Paper No. 2*.

Tshabalala, T. and Mxobo, S., 2014. Reblocking as an Attempt at Reconfiguring and Improving Socio-Economic Conditions in Informal Settlements: The Case of Mtshini Wam, Cape Town. *Planning Africa*, *2014*, p.240.

Tshikotshi, V., 2009. The challenges of eradicating informal settlements in South Africa by 2014. The case of Seraleng sustainable human settlement, Rustenburg local municipality, North West Province. Johannesburg: Unpublished Thesis, Faculty of Engineering and Built Environment of University of the Witwatersrand.

Tulier, M. and Gossmann, C., Slum Upgrading in Rio de Janeiro: Favela Bairro. University of California, pp 1–8

Usoro, U., 2015. Effectiveness of Sites and Services Schemes in Low- and Medium-Income Housing Provision in Nigeria. International Journal of Economic Development Research and Investment, 6(2), pp.39-50.

Vahapoğlu, Lisa. Strategies for Improving Informal Settlements. Global Health Equity Research in Translation. Eds. Frimpong Boamah, Kordas, and Raja. Community of Excellence in Global Health Equity, October 2019)

Van der Westhuizen, C. March 2017. How are Upgrades to Informal Settlements Financed in South Africa's Metropolitan Municipalities? IBP South Africa. pp.1-13

Wahab B (2017) Transforming Nigerian informal settlements into Liveable communities: strategies and challenges. In: Ogbazi J (ed) Enhancing the Liveability of informal settlements in Nigeria. Abuja, Nigerian Institute of Town Planners, pp 3–121

Watson, V. (2009). Seeing from the South: Refocusing Urban Planning on the Globe's Central Urban Issues, Urban Studies, 46: 2259-2275.

Yuen, B., 2007. Squatters no more: Singapore social housing. Global Urban Development Magazine.

Ziblim, A., Sumeghy, M.G. and Cartwright, A., 2013. The dynamics of informal settlements upgrading in South Africa. Habitat International, 37, pp.316-334.

APPENDICES

APPENDIX A: PARTICIPANT INFORMATION SHEET- GOVERNMENT OFFICIALS

Dear Sir / Madam,

My name is Mulalo Hlungwana. I am a master's student in Development Planning, in the school of Architecture and planning, at the University of the Witwatersrand, Johannesburg. As part of my studies, I must undertake a research project. I am investigating the gaps in the Upgrading of Informal Settlements Programme under the supervision of Neil Klug. The aim of this research project is to find out about the factors that arise during the implementation of the Upgrading of Informal Settlements Programme with a specific focus at the Eikenhof informal settlement (also informally known as Jackson Informal Settlement).

As part of this study, I would like to invite you to take part in an interview. This activity will involve answering questions about the Upgrading of Informal Settlements Programme itself and the Eikenhof Informal Settlement. The reason you have been selected for this interview is because you work in a Department responsible for housing and the implementation of housing policies in the City of Johannesburg. Furthermore, your expertise in the upgrading of informal settlements will assist in answering the research questions for this study. The questions that will be asked will relate to the state factors that arise during the implementation of the Upgrading of Informal Settlements Programme. The interview will be conducted virtually, via Microsoft teams, in the next coming month (date and time to be confirmed). With your permission, I would also like to audio record the interview using a digital device. This recording and any other data collected will be stored in a password protected computer and a locked drawer where only the researcher will have access to it.

Please note that Interviews will be conducted individually however confidentiality and anonymity will be compromised as government officials may be easily identified due to the positions they hold in the City of Johannesburg municipality. Confidential information/details will not be disclosed to any other person outside the organization.

If you have any questions during or afterwards about this research, feel free to contact me on the details listed below. If you have any concerns or complaints regarding the ethical procedures of this study, you are welcome to contact the University Human Research Ethics Committee (Non-Medical), telephone +27(0) 11 717 1408, email hrecnon-medical@wits.ac.za

Yours sincerely,

Mulalo Hlungwana

Researcher : Mulalo Hlungwana
Email : 0707014v@students.wits.ac.za

Supervisor : Neil Klug
Email : Neil.Klug@wits.ac.za
phone number: 011 717 7729

APPENDIX B: PARTICIPANT INFORMATION SHEET- COMMUNITY REPRESENTATIVE

Dear Sir / Madam,

My name is Mulalo Hlungwana. I am a master's student in Development Planning, in the school of Architecture and planning, at the University of the Witwatersrand, Johannesburg. As part of my studies, I must undertake a research project. I am investigating the gaps in the Upgrading of Informal Settlements Programme under the supervision of Neil Klug. The aim of this research project is to find out about the factors that arise during the implementation of the Upgrading of Informal Settlements Programme with a specific focus at the Eikenhof informal settlement (also informally known as Jackson Informal Settlement).

As part of this study, I would like to invite you to take part in an interview. This activity will involve answering questions about the Upgrading of Informal Settlements Programme itself and the Eikenhof Informal Settlement. The reason you have been selected for this interview is because you work closely with the Eikenhof informal settlement residents and represent this ward and its developmental needs. The questions that will be asked will relate to the role that the community plays which potentially hinders the implementation of the Upgrading of Informal Settlements Programme. The interview will be conducted virtually, via Microsoft teams, in the next coming month (date and time to be confirmed). With your permission, I would also like to audio record the interview using a digital device. This recording and any other data collected will be stored in a password protected computer and a locked drawer where only the researcher will have access to it.

Please note that Interviews will be conducted in the form of a group, thus confidentiality and anonymity will be compromised. Confidential information/details will, however, not be disclosed to any other person outside the ward committee.

There will be no personal costs to you if you participate in this project. You will not receive any direct benefits from participation but there are no disadvantages or penalties if you do not choose to participate or if you withdraw from the study. You may withdraw at any time or not answer any question if you do not want to. If you experience any distress or discomfort at any point in this process, we will stop the interview or resume another time.

If you have any questions during or afterwards about this research, feel free to contact me on the details listed below. If you have any concerns or complaints regarding the ethical procedures of

this study, you are welcome to contact the University Human Research Ethics Committee (Non-Medical), telephone +27(0) 11 717 1408, email hrecnon-medical@wits.ac.za

Yours sincerely,

Mulalo Hlungwana

Researcher : Mulalo Hlungwana
Email : 0707014v@students.wits.ac.za

Supervisor : Neil Klug
Email : Neil.Klug@wits.ac.za
phone number: 011 717 7729

APPENDIX C: CONSENT FORM

TITLE OF PROJECT:

IDENTIFYING GAPS IN THE UPGRADING OF INFORMAL SETTLEMENTS PROGRAMME: A CASE STUDY OF EIKENHOF INFORMAL SETTLEMENT

Researcher: Mulalo Hlungwana

I, ……..., agree to participate in this research project. The research has been explained to me and I understand what my participation will involve. I agree to the following:

(Please select the relevant options below).

I agree that my participation will remain anonymous	YES	NO
I agree that the researcher may use anonymous quotes in his / her research	YES	NO
I agree that the interview may be audio recorded	YES	NO
I agree that the information I provide may be used in an anonymized format after this project has ended, for academic purposes by other researchers, subject to their own ethics clearance being obtained.	YES	NO

…… (Signature) …… (Signature)

…… (Name of participant) …… (Researcher)

…… (Date) …… (Date)

APPENDIX D: INTERVIEW GUIDE

POLICY FORMULATION

1. Please tell me about your section, the work that you do. What is your mission?
2. What policies are in place to address informal settlements in the City of Johannesburg?
3. What informed the formulation of the UISP?
4. What is the main purpose of the UISP? (Do you think the programme is serving its purpose)
5. How is the programme financed?
6. What are the general challenges facing the UISP with regards to policy formulation?
7. Can this programme be used as an effective tool for *in situ* upgrading of informal settlements?
8. How is the relationship between the three spheres of government with regards to policy formulation in general?
9. What other stakeholders are involved in the policy formulation (UISP)?
10. How do you ensure community participation in policy formulation?

PROJECT MANAGER: EIKENHOF INFORMAL SETTLEMENT

1. When did Eikenhof informal settlement start/ how old is it?
2. How did it start? (Background information)
3. When it started, how many households were there?
4. How many households are there now?
5. What interventions have been made/ what potential interventions can be made at the Eikenhof informal settlement?
6. Has the UISP been implemented at the Eikenhof informal settlement
7. Considering the years of existence for the Eikenhof informal settlement, would you say there is hope for this informal settlement to be upgraded, whether in-situ or through relocation?
8. Is the community well informed of the Upgrading of Informal Settlements Programme? To what extent?
9. What are the planning challenges facing the government, specifically with the Eikenhof informal settlement?
10. Making reference to the Eikenhof informal settlement, what challenges occurred during the planning phase of the programme?

POLICY IMPLEMENTATION

1. How has the city implemented this programme?
2. How has the implementation of the UISP been undertaken?
3. How is the programme financed?
4. What are the steps required to fully implement this programme?
5. Who are the stakeholders involved in the implementation of this programme? What are their roles?
6. Is there any advanced move that has been undertaken by the government to implement this programme at the Eikenhof informal settlement? If yes, what has been done so far? Are there any supporting documents which can be made available?
7. What are the challenges that arise when the UISP has to be implemented?
8. Do you think that this programme can be implemented in the Eikenhof informal settlement?
9. What are the objectives of the UISP, and which factors are limiting its effective implementation of the objectives?
10. Does the municipality have enough capacity for the implementation of this programme?
11. What positive results has this tool brought to Eikenhof informal settlement and other informal settlements within the jurisdiction of COJMM in general?
12. What are the challenges that you have experienced in implementing the UISP there?
13. What are the factors hindering the implementation of the UISP (both from the government and community)?
14. Do the following factors play a role in impeding the implementation of the UISP (Politics & corruption, availability of funds, institutional capacity, duplication of policies and functions, intergovernmental relations)
15. To what extent is the UISP implementable and can it be used as an effective tool for in-situ upgrading of informal settlements yes, best for in situ
16. What interventions have been made at the Eikenhof informal settlement if any? If not, what potential interventions can be made?

POLICY IMPLEMENTATION

1. Briefly explain the UISP?
2. How IS the implementation of the UISP been undertaken in the CoJ?
3. How is the programme financed?

4. What are the steps required to fully implement this programme?
5. Who are the stakeholders involved in the implementation of this programme? What are their roles?
6. What are the challenges that arise when the UISP has to be implemented, particularly at the Eikenhof informal settlement/Princess informal settlement?
7. What positive results has this tool brought to Eikenhof informal settlement/ and other informal settlements within the jurisdiction of COJMM in general?
8. What are the factors hindering the implementation of the UISP (both from the government and community)?
9. Do the following factors play a role in impeding the implementation of the UISP (Politics & corruption, availability of funds, institutional capacity, duplication of policies and functions, intergovernmental relations, community participation)
10. To what extent is the UISP implementable and can it be used as an effective tool for in-situ upgrading of informal settlements
11. What interventions have been made at the Eikenhof informal settlement if any? If not, what potential interventions can be made?
12. Does the municipality have enough capacity for the implementation of this programme?

APPENDIX E: INTERVIEWEE REFERENCE

INTERVIEWEE	ORGANIZATION	DATE OF INTERVIEW
Official 1	City of Johannesburg Metropolitan Municipality	11 October 2021
Official 2	City of Johannesburg Metropolitan Municipality	09 November 2021
Official 3	City of Johannesburg Metropolitan Municipality	23 November 2021
Official 4	City of Johannesburg Metropolitan Municipality	26 November 2021
Community Representative 1	Eikenhof Informal Settlement	12 November 2021
Community Representative 2	Eikenhof Informal Settlement	24 November 2022

APPENDIX F: ETHICS CLEARANCE

UNIVERSITY OF THE WITWATERSRAND, JOHANNESBURG | SCHOOL OF ARCHITECTURE PLANNING

07 February 2022

Faculty of Engineering and the Built Environment:

Ethics clearance letter:

Dear Mulalo Hlungwana

Student number (0707014v), this letter confirms that your ethics application has been cleared. Your clearance/protocol number SOAP114/06/2021

Yours sincerely

Lerato Nkosi

School of Architecture and Planning, Faculty of Engineering and the Built Environment, John Moffat Building, Wits, 2050, South Africa
Tel: +27 11 717- 7692| Email: lerato.nkosi@wits.ac.za | **www.wits.ac.za**

APPENDIX G: PLAGIARISM DECLARATION

Faculty of Engineering and the Built Environment

Private Bag 3, Wits 2050, South Africa • Telephone (011) 717 – 7007 • Fax: (011) 717 7009 • Email: febe.pg@wits.ac.za

PLAGIARISM DECLARATION TO BE SIGNED BY ALL HIGHER DEGREE STUDENTS

SENATE PLAGIARISM POLICY: APPENDIX ONE

I Mutalo Hlungwani (Student number: 0707014V) am a student registered for the degree of MscDP in the academic year 2022.

I hereby declare the following:

- I am aware that plagiarism (the use of someone else's work without their permission and/or without acknowledging the original source) is wrong.
- I confirm that the work submitted for assessment for the above degree is my own unaided work except where I have explicitly indicated otherwise.
- I have followed the required conventions in referencing the thoughts and ideas of others.
- I understand that the University of the Witwatersrand may take disciplinary action against me if there is a belief that this in not my own unaided work or that I have failed to acknowledge the source of the ideas or words in my writing.

Signature: Hlungwani Date: 23/02/2022