

# **LAND USE POLICY AND ADMINISTRATION PROJECT- TRINIDAD & TOBAGO**

## **CONSULTANT REPORT ON PLANNING ISSUES**

By: Ken Kopstein  
Consultant to the Land Tenure Center, University of Wisconsin

March 2000

### **EXECUTIVE SUMMARY:**

#### **TERMS OF REFERENCE:**

The consultant was engaged under the Land Use Policy and Administration Project (LUPAP) component, of the Agricultural Sector Reform Project, for the purpose of providing observations and comments to assist the ACT team to:

- Analyze and describe the rationale and detail of the procedures for the devolution of development control and development planning as per interpretation of the Planning and Development of Land (PADL) Bill.
- Describe a policy agenda for central/local government relationships, including suggestions for dealing with likely difficulties in these relationships.

### **RATIONALE AND PROCEDURES FOR THE DEVOLUTION OF DEVELOPMENT PLANNING AND CONTROL**

#### **1. Rationale**

The Government of the Republic of Trinidad and Tobago (GORTT) seeks to better unite the country's citizenry and private sector resources to accomplish national development objectives by devolving significant responsibilities for development planning and control to local government. The second rationale for PADL is to make physical planning and development control more transparent and to encourage cooperation and coordination amongst Government Departments, local government and the private sector to make the national physical planning system efficient and effective.

#### **2. Background**

This section has been discussed in significant detail in several documents, including:

- “Short Term Development Plan for the Institutional Rationalisation and Design Of the National Planning Commission – Final Report”, 1998, PriceWaterhouseCoopers
- “National Physical Planning Commission, Strategic Review, 2000 – 2002”, INPPC, 25 October 1999
- “Progress Towards The Implementation Of A Reformed Land Use Planning Regime As Outlined In PADL”, LUPAP, January 8, 2000.
- “Plan of Operations for the Development Planning And Implementation In Growth Centres Project”, INPPC, March 2000
- Planning And Development of Land Act, 1999.

Background highlights include:

- Letter of Sectoral Policy, dated August 11, 1995, and signed by the Government of the Republic of Trinidad and Tobago (GORTT) and the Inter-American Development Bank (IDB) agreeing to reforms in physical planning policy and organization.
- Urban and Regional Planning Bill, 1996, which introduces new reforms, including the National Physical Planning Commission and devolution of certain development planning and control functions to municipal corporations and Tobago. Tobago is governed by a House of Assembly and has greater powers than municipal corporations in Trinidad. Bill is not adopted by Parliament.
- There are 14 municipal corporations, which comprises local government in Trinidad, and includes: two cities [Port of Spain and San Fernando], three boroughs [Arima, Point Fortin and Chaguanas] and nine regional corporations [DiegoMartin, San Juan/Laventille, Tunapuna/Piarco, Sangre Grande, Mayaro/Rio Claro, Princes Town, Couva/Tabaquite/Talparo, Penal/Debe, and Siparia].
- Urban and Regional Planning Bill renamed the Planning and Development of Land (PADL) Bill and re-introduced into Parliament in 1998. The Bill was not enacted into law. It was re-introduced into Parliament in 2000 and passage is expected this year.
- Land use decisions in Trinidad are reviewed under the National Physical Development Plan, adopted in 1984, and which has not been updated since. PADL provides for updating the National Plan.
- The 1984 National Physical Development Plan designated four Growth Centres nationwide to: a) ensure that the population is accommodated more evenly across the nation, b) improve the quality of life and delivery of services to rural and semi-rural settlements in the east and south, c) relieve urban growth pressures in the east-west corridor and d) take advantage of natural resources in less urbanized areas to promote

development. In short, the national development policy is to focus on decentralizing development away from Port of Spain and the east-west corridor. The concentration of development and economic activity in and around Port of Spain and the east-west corridor have resulted in substantial uncontrolled growth and overcrowding, with attendant problems in urban services delivery and quality of life. In 1996, the GORTT re-stated this policy by issuing Cabinet Minute No. 2588, October 3, 1996, which designated thirteen growth poles nationwide to disperse development. PADL was viewed as a measure to increase local citizen and investor involvement to spur implementation of these development objectives.

- The National Plan framework has not evolved to successfully accomplish GORTT national development objectives. The proposal for establishment of the Couva/Point Lisas Development Company encapsulates the situation: “The main Point Lisas Industrial Estate was developed in the decade of the 80’s and attracted considerable investment... While this industrial development process is advancing under its own internal dynamic, the development of the town of Couva and its environs has not kept pace and has stagnated in many ways... Ten years have elapsed since the proposals for the development of Couva/Point Lisas were elaborated and little planned urban development has taken place...”<sup>1</sup>
  
- The public perception is that development plan approvals are too complex and take an inordinate amount of time to be finalized. The standard is that development plan approval should be completed within two months. The Town & Country Planning Division (TCPD) has responsibility for development plan approvals and to coordinate technical reviews with relevant Government Departments. TCPD has no authority to compel Government Departments to provide technical reviews. According to an Auditor General report, when the TCPD professional staff establishment was over fifty percent larger in the late 1980s (e.g., 103 professional/technical staff positions in 1988 versus 60 positions in 1999), over 90% of development plan approvals were accomplished within the requisite two months. Even with a lower staff establishment (and nearly two-thirds of the positions vacant), TCPD stated that about/over 75% of development plan approvals were accomplished within the designated two month review period in 1993, 1995 and 1997 and the 80% level was reached or exceeded in 1995 and 1996. No international comparative analysis has been undertaken to evaluate the two month standard or the relative performance of TCPD. TCPD “corporate culture” is to keep development planning and plan approval a closed process and this may contribute to the public’s perception that the process is not responsive.
  
- In anticipation of PADL’s enactment, Cabinet issued Minute 2692 of October 17, 1996, which appointed an Interim National Physical Planning Commission (INPPC) to undertake preparatory measures to implement PADL by:

---

<sup>1</sup> Proposal for the Formation of the Urban Development Company of Couva/Point Lisas, Urban Development Company of Trinidad and Tobago, Ltd., 1999

- a. preparing a comprehensive and integrated physical plan for Trinidad and Tobago,
  - b. developing codes of appropriate building construction and development standards and practices, and
  - c. ensuring that all persons and agencies concerned adhere to both the requirements of the National Plan and the codes of standards and practices.
- INPPC performed several key activities leading to reform, including:
    - a. conducted a process of consultation and public comment on the draft PADL Bill in 1998 (which has not been follow-uped with a public education or public relations program),
    - b. provided technical advice to the Minister of Housing and Settlements,
    - c. initiated development planning functions, including the National Conceptual Development Plan, ten local area concept plans and one land use plan as a precursor to updating the National Physical Development Plan,
    - d. commenced defining and updating building codes and standards and
    - e. initiated studies on absorbing the functions of the Town and Country Planning Division (TCPD) into the NPPC (in anticipation of PADL's enactment, TCPD was transferred to the same ministry as INPPC, i.e., the Ministry of Housing and Settlements).
  - In the future, the NPPC is expected to undertake:
    - a. development of a National Land Use Policy and update the National Physical Development Plan,
    - b. preparation of Local Area Land Use Plans as the basis for updating the National Physical Development Plan and assuring consistency of Local Area Plans with the national planning framework and with other Local Area Plans,
    - c. full integration of TCPD into the NPPC, with a Chief Building Officer to oversee enforcement of building codes and standards,
    - d. building organizational capacity in municipal corporations to accomplish new physical planning and development control functions envisioned under PADL,
    - e. manage intersectoral and intergovernmental coordination for development plan approvals and physical planning, and
    - f. coordination with development planning and control functions performed by the Tobago House of Assembly.
  - PADL provides for NPPC to exercise an executive function in ensuring "...the integrity of the planning system, significant public participation and the

decentralization of plan making to appropriate entities...’’<sup>2</sup> This will include devolving certain responsibilities for development planning and control functions to municipal corporations. Municipal corporations are to undertake preparation and adoption of Local Area Development Plans and priorities and approve “simple plan” development plan applications (defined as single family, multifamily [under 300 metres] and small subdivisions).

- Planning and development have been highly centralized with little authority provided to local government for development planning, development plan approval and project implementation. Consequently, local government (cities, boroughs and regional corporations) evolved very limited capacity to undertake these sophisticated functions. National physical plans were prepared by Central Government, with limited consultation or consensus building at the local level. There was, also, no implementation mechanism for local business and local government to participate in implementation of these national plans and, consequently, the plans, and planning process, are perceived as not having generated any significant local involvement or commitment.
- The functions of local government have traditionally been: a) garbage collection and disposal, b) maintenance of water courses, c) provision and maintenance of drains, sidewalks, secondary roads and bridges, municipal buildings, parks, recreation facilities, cemeteries, public markets and street lighting, d) building and site inspection (but not development plan approval, which is conducted by Central Government), and e) examination and approval of building plans. Technical expertise is often supplied by Central Government (e.g., only Port of Spain has a qualified engineer, most municipal corporations rely on Ministry of Works for technical reviews) and, thus, local governments have minimal professional staff. Local government is financed primarily by Central Government from the Consolidated Fund and Central Government transfers can be quite variable depending on the economy and perceptions of priorities at the national level. Funding levels for local government have been inadequate and are only short-term commitments (annual), not permitting much local government long-range planning or development of major projects. Not having the authority or resources to undertake planning and development at the local level has resulted in a lack of experience and capacity necessary for devolution of proposed responsibilities to local government. Municipal corporations do not even control their staff. The Ministry of Local Government supervises staff within the Regional Corporations and can change staff at will, e.g., the Tunapuna/Piarco Regional Corporation has had fifteen Chief Executive Officers in just two years.
- There are many violations of the development plan approval process. Many developers and individual homeowners never even make application and enforcement is difficult. Even public agencies have been known to not comply with the official process, e.g., it was reported that Princes Town never applied for plan

---

<sup>2</sup> Final Report of the Cabinet Committee on the Establishment of an Interim National Physical Planning Commission, 1996/.

approval for the new regional corporation headquarters. If mortgage lenders did not require development plan approval as a condition of executing a mortgage, many additional development activities would probably avoid the formal approval system. The responsible Minister can overturn TCPD decisions on development applications and, in the past, the Minister has overturned a significant number of TCPD decisions.

- The GORTT has recognized the need to initiate local capacity for development and, through Cabinet Minute, No. 3398, December 1998, authority to establish local urban development companies, under the auspices of the Urban Development Corporation of Trinidad and Tobago, Ltd. (UDeCott), to promote participation of the private sector and other citizen groups at the local level to accomplish development objectives. State lands are to be transferred to UDeCott to provide equity and capacity to undertake local development. Two local development companies have been proposed, but, as of yet are not operational. The relationship between local development companies and devolution of development planning responsibilities to local government has not been defined.
- PADL is proposed to make the physical planning and plan approval process more transparent and more inclusive. To assist in the transition, the GORTT is undertaking the LUPAP to assist the INPPC with policy and implementation technical assistance and a second project, Development Planning and Implementation in Growth Centres, is proposed to test and evaluate the new local government and development company processes under PADL.

### 3. Description of PADL Compared With Existing System

There are differences between the existing physical planning and development control process and what is proposed under PADL. The major differences appear to be in how Central Government conducts these functions rather than a substantial devolution of responsibilities to local government. Although local government will be assigned new and important responsibilities, they remain under the close supervision of Central Government. PADL will significantly improve transparency, efficiency and inclusion of the broader public in the process. PADL provides for the establishment of the NPPC, with a broadly representative Board, to oversee physical planning reforms and perform certain functions for national physical planning and development control. A point of definition. Herein, municipal corporation, local government and local authorities are used interchangeably and refer to the same entity. Highlights of the proposed changes include:

- Physical Planning

The current physical planning system is highly centralized. TCPD undertakes national plan development with only limited consultation with local authorities and other stakeholders. It is a top-down process. There is limited integration of physical plans with

socio-economic planning and Government investment through the Public Sector Investment Programme (PSIP). Land use plans are not public documents easily accessible by the public.

Under PADL, physical planning is to be transferred to a new entity, the NPPC, and the physical planning role of TCPD is to be absorbed into the NPPC. NPPC is: a) to prepare a new National Physical Development Plan and make provision for periodic updates, e.g., every five years, b) to devolve responsibility for preparation of Local Area Development Plans and Land Use Plans and to have local government set local development priorities, and c) to assure consistency of Local Area Plans to the national planning framework and development priorities. Local government is to become much more involved in the planning process and setting local development priorities. Local Planning Authorities are to be established to oversee development planning and control in designated growth centers. However, it appears that these local Planning Authorities will be appointed by the responsible Minister, rather than municipal corporations. The Minister may appoint municipal corporation councils as the local Planning Authority or the Minister may appoint a separate entity. It is unclear as to what precisely will be the relationship of Planning Authorities with municipal corporations if the Minister designates a separate entity to constitute the Planning Authority. Will there be another local planning and development control structure outside growth centers, necessitating additional staff and oversight? In this report, we have assumed that municipal corporations will be designated local Planning Authorities, as we believe this is the general intent of Government. Local Area Development and Land Use Plans are to be adopted by municipal corporations for growth centres, and by extension, we assume for all areas within municipal corporation boundaries. NPPC is to review Local Area Plans to assure consistency with national plans and priorities. It is unclear whether NPPC is to undertake the coordination of Local Area Plans as being consistent and complementary from one local government to another if it does not impact on national plans or priorities. The Ministry of Housing and Settlements has engaged a foreign firm to undertake Local Area Conceptual Plans and Land Use Plans for selected growth centres. To date, the process appears to mirror more a traditional centralized planning process, with the only change being a broader consultation of local stakeholders. Local government has had only a limited role. If PADL is to devolve responsibility to local government for Local Area Plans, the current consultant preparation of Local Area Concept and Land Use Plans appears to pre-empt the intention of PADL. The new planning is to integrate socio-economic factors, but that, too, is limited, e.g., there appears to be no provision for integration of the PSIP into the local area plans and inputs by NGOs, various segments of the public [e.g., non-property owners, informal business sector and other local residents] and the private sector appear to be limited.

PADL does not contain provisions for initiation of local urban development companies. Local urban development companies will potentially have an impact on devolution of responsibilities for planning to local government under PADL. Local development companies could even be designated by the Minister as local Planning Authorities under PADL. Cabinet adopted a separate process and powers for local development companies, including the potential to use State lands for development projects or as equity to promote

development by the private sector. There will be significant involvement of the private sector in these local development companies, with only a very limited role now proposed for municipal corporations. Local development companies, and their Boards-of-Directors, will be approved by Cabinet and municipal corporations may only have a representative on the Board. UDeCott will serve as the managing director for the local development companies. It is unclear what the relationship of these local development companies will have with municipal corporations. Since many of the development company projects will be large-scale, development plan approvals will be undertaken by NPPC and not municipal corporations or planning authorities. Will local development companies also have the power to initiate local physical plans for designated areas, with or without municipal corporation approval? This possibility exists if the Minister designates the local development company as a Planning Authority for a particular growth centre. The Cabinet Minute does not specify the powers and relationships of the local development companies.

- Development Control

Development control encompasses several functions: a) development plan approval, b) environmental impact assessments and c) building plan approval and site inspection.

Under the current system, TCPD has responsibility for development plan approvals for all development nationwide, including single-family homes and large-scale developments. This entails TCPD coordinating Government Department reviews and approvals. TCPD has four regional offices to facilitate public access. The National Physical Development Plan of 1984 governs the permitted land uses. There is an appeals process for TCPD decisions on development plans. The appellant appeals to the responsible Minister (currently the Minister of Housing and Settlements) and the Minister makes the final determination. Local government has no role in this process.

Environmental Impact Assessment approvals are the responsibility of the Environmental Management Authority and TCPD has no role in this process. Building plan approval and site inspections are the responsibility of the municipal corporations, with technical support provided by the Ministry of Works.

Under PADL, TCPD development plan approval functions are to be undertaken by NPPC for “complex” developments, e.g., large-scale developments and developments of national importance (as defined by NPPC). “Simple plan” development applications, e.g., for single-family homes, small multifamily housing and general purpose building developments having a total floor area of 300 square metres or less and small subdivisions of 20 plots or less and measuring no more than 1,000 square metres, are to be approved by local Planning Authorities (for purposes of this report, we will assume that municipal corporations are designated local Planning Authorities). PADL establishes an office of the Chief Building Officer (within NPPC) to oversee building codes and standards compliance, revoking the powers of local authorities for this function. However, the Chief Building Officer can delegate certain responsibilities to municipal corporations, which, in effect, continues their existing responsibilities for building codes and standards compliance at the local level. The major difference is that the Chief



Building Inspector can over-ride local authority decisions or rescind their powers for development control functions. NPPC will initiate detailed national building codes and standards which will govern new construction and rehabilitation. These codes and standards will be used by the Chief Building Inspector, and by extension, municipal corporations for granting building permits. This Chief Building Inspector system may be viewed by some as centralizing development control functions, rather than devolving more responsibilities to local authorities.

NPPC envisions establishing a “One Stop Shop” process to facilitate development plan applications and will have the sole authority for approving development plan applications submitted to the Commission. NPPC retains the responsibility for coordinating Government Department reviews and approvals and has the ability to accept certifications from licensed professionals to substitute for Government Department approvals if they are not received within one month after the application has been submitted. NPPC will maintain a comprehensive register of all listed professionals, who would be eligible for certifying development plans. Although NPPC has the responsibility for coordinating Government Department approvals, it has no jurisdiction to compel responsiveness from these Departments. The professional certification procedure is a means to overcome barriers to efficient processing of development applications. The professional certifications will be obtained from professionals employed and paid by the developer, with NPPC conducting a sampling technique (e.g., 5% of professional certifications will be reviewed by NPPC) to assure quality control.

The process for appeals on development plan decisions will be removed from the Minister to a technical committee, i.e., the Development Control Committee under NPPC or to the Land Tribunal, a separate agency of Government. NPPC will be given increased enforcement powers to assure compliance with development plan approvals and expanded jurisdiction for preventing unwarranted demolition of buildings, promoting historic preservation, negotiating dedication of land in private developments for public purposes and correcting conditions detrimental to the environment. NPPC will have authority to intervene in development detrimental to the environment, but the Environmental Management Authority retains the responsibility for Environmental Impact Assessments. It is unclear as to how the relative responsibilities of the two agencies will be conducted in practice and whose determination will have the greater authority.

## **COMMENTS ON A POLICY AGENDA FOR CENTRAL/LOCAL GOVERNMENT RELATIONSHIPS**

### **1. Strategic Plan for NPPC**

The PriceWaterhouseCoopers report on the INPPC short-term development plan provides the basis for INPPC to begin preparing a Strategic Plan. It would be appropriate for INPPC to embark on a strategic plan process and adoption of a Strategic Plan so that its role and functions are clearly articulated and understood by the Commission,

Government Departments, municipal corporations and the public. The Strategic Plan will provide a road map for the INPPC to undertake its activities and provide benchmarks for assessing its accomplishments.

## 2. Financing Issues

### a. Inadequate Local Government Revenue Base

Local government is highly dependent on Central Government transfers to finance its operations. The GORTT reviews municipal corporation budget requests and determines the level of funding and timing of allocations. This system does not allow for municipal corporations to have independent financial resources to undertake any significant physical planning or development functions. Budget disbursement procedures often do not allow municipal corporations to even use the budget estimates provided. The Land and Building Taxes (property taxes) are assessed and collected by Central Government and the level of tax collections is grossly inadequate to support local government. Property taxes amount to less than 1% of GORTT's total tax collections, amounting to only TT\$ 40 million in 1992. In 1990, for the major urban centers of Port of Spain, San Fernando and Arima property taxes amounted to only TT\$ 17 million, which was 85% of the total local revenues in these jurisdictions, but only 17% of their total expenditures. Local user fee collections for building permits and other services are, similarly, a small percentage of annual local expenditures. Building permit fees do not even approach a level of cost recovery. It was estimated by Port of Spain officials that building permit fees would have to be raised 500% to 1,000% to achieve even cost recovery. Without an independent revenue base, municipal corporations will remain at a disadvantage in assuming greater functions for guiding local development.

### b. Reductions in GORTT Financing for Local Government & TCPD

Available information indicates a downsizing of the public service in general. That means financial support for expanding functions of local government may be contrary to trends and may indicate that new local government functions under PADL will not receive requisite funding to undertake new responsibilities in an effective manner. Staffing for municipal corporations is derived from the Ministry of Local Government and all municipal corporation positions to administer PADL functions will derive from that system. Further, the public service compensation structure under local government may not be flexible enough to permit employment of qualified personnel to administer new PADL functions. For example, Port of Spain has a vacancy for an assistant city engineer, but cannot find a qualified person to accept the compensation offered. Even on a contract basis, it will be difficult for municipal corporations to employ professionals at appropriate salary levels as that may clash with established compensation paid to other professionals.

Municipal corporations currently do not have requisite professional staffing to administer new responsibilities for planning and development control under PADL. Most municipal corporations are dependent on the Ministry of Works for technical engineering inputs because they do not have qualified engineers on staff (only Port of Spain has a city engineer).

TCPD staffing problems are also an indication of potential problems in implementing PADL. In 1988, TCPD had an establishment of 103 professional/technical positions, with approximately one-third of the positions vacant. By 1998, only ten years after, TCPD's establishment was reduced to 60 professional/technical positions, with over 50% (34 positions) vacant. TCPD had to seek contract professionals internationally to attract qualified personnel. The level of compensation and budget estimates are well-below levels necessary to effectively administer planning and development control functions.

### 3. Additional Costs Associated With Proper Implementation of PADL

Staffing requirements for administration of planning and development control activities in municipal corporations may not have received appropriate analysis. There are 14 municipal corporations in Trinidad, plus Tobago. Under PADL, each municipal corporation will be responsible for undertaking physical planning and development plan approvals. This will require additional technical staff and/or consultants to undertake these new responsibilities. INPPC envisions a broad participatory planning process, with plan updates every five years. To effectively conduct a participatory planning process, experienced technical staff is required. Consultants can fill much of the void, however, consultants are expensive and Government would have to provide the budget estimates to engage outside professionals.

The cost to engage a foreign consultant to prepare the recent National Conceptual Development Plan, 10 Local Area Conceptual Plans and one Local Land Use Plan was TT\$ 8.5 million and the projected cost for engaging a foreign consultant to prepare four additional local land use plans is TT\$ 8 million. It would be significantly lower cost to use primarily local planning consultants, with foreign consultant inputs, however, even that amount would be substantial. To place this cost in perspective, TCPD's actual total expenditures for all operations in 1997 was TT\$ 4.6 million and for 1998, the estimates was TT\$ 4.9 million and for 1999, the estimates were TT\$ 5.6 million. In summary, the costs of implementing PADL are substantial and there does not appear to a recognition of the budget support that will be required. Without appropriate budget support, the intent of PADL, i.e., to establish a broad participatory planning process to garner local support and investment, may be frustrated and may prove counterproductive to establishing the credibility of local government to undertake such responsibilities.

### 4. Political Issues

a. Potential of Unrealistic Expectations

There is an expectation that PADL will measurably improve the efficiency of development plan approvals. TCPD did achieve a 90% rate of processing within the two-month standard in the 1980s, when its staffing levels were much higher. Even with a reduced staff, TCPD reported a success rate at meeting the two-month standard for development plan processing in 1993 of over 77%, over 67% in 1994, 81% in 1995, 80% in 1996 and 74% in 1997. A lesson to be noted, here, is that, perhaps, TCPD did not accomplish as effective a public relations campaign as possible to let the public know about its development plan application processing record and this led to public perceptions that the process was flawed. Complex projects require concerted review that may not lend themselves to a short review period. There has been little analysis of how other countries process development plans and, without this comparison, Trinidad and Tobago may have unrealistic expectations of the time and effort that is prudent for public review of development plans. For example, Montreal takes an average of 18 months for plan review and Toronto averages four years. Furthermore, reliance on professional certifications may pose new issues for Government. It will speed the approval process, however, there is an inherent conflict of interest in accepting plans certified by professionals paid by developers without further review. Not that there would necessarily be mis-representations of fact, but rather, it is the interpretation of imprecise land use plans, or lack of familiarity with certain technical aspects by the certifying professional, that may affect the public interest.

b. Violations of Development Control by the Influential

There are pervasive violations of the development control procedures nationwide. As mentioned above, Princes Town Regional Council, reportedly, did not seek development plan approval for its corporation headquarters. It was also reported that TCPD, the agency responsible for development control, had its former Tunapuna offices in a building not approved for commercial uses. The National Housing Authority reportedly does not seek development plan approval for squatter regularization and other housing projects. If Government agencies do not comply, leadership by example is missing and undermines public confidence in the process. There are numerous reports of private investors building on inappropriate or unapproved sites. Other than mortgagees requiring development plan approval as a condition of obtaining a mortgage, what incentives are in place for the general public to comply with development plan requirements? PADL provides for strong powers of enforcement. There needs to be a long-term public education program to accompany PADL that changes the public's perception toward complying with development controls.

c. Ministry Vs. Regional Corporation Supervision of Staff

The Ministry of Local Government supervises staff in regional corporations. Placement and tenure are controlled by the Ministry. Local staff career paths are

through the Ministry. This results in a lack of effective control over local government staff by the local authorities. This could have implications for implementing new local government responsibilities for planning and development control. Local authorities will have the responsibility for planning and development control, but have little authority over the actions of staff. This could result in potential conflicts that will be counterproductive to the intended devolution process under PADL.

d. Potential Lack of Commitment to Devolution

It has been assumed that municipal corporations want the new responsibilities defined in PADL. Based on interviews conducted with local government representatives, there were significant questions about assuming the new responsibilities. This results from several key considerations, e.g., local authorities do not believe that there will be sufficient financial support to properly exercise their new responsibilities and the feeling, by some, that these functions are better administered by Central Government. Further, the structure proposed for local development companies does not provide for local control, only input, and this undermines local perceptions about Central Government's commitment to giving local authorities control over the processes anticipated under PADL. Without a firm commitment to make the new responsibilities an integral part of local government, there may not be the requisite local interest in achieving PADL's objectives.

5. Integration of TCPD into NPPC and Relationship to Local Planning

a. Public Service Commission Issues

NPPC is a commission that will be outside the public service system for staff compensation and retirement benefits. TCPD is a Ministry Department within the public service system. There may be difficulties in resolving some of the public service issues on integrating TCPD into NPPC. It will be even more difficult to implement proposals to integrate TCPD's regional staffs into municipal corporations. The public service levels in local government are lower than in TCPD and, thereby, it is doubtful that TCPD staff could become local government staff. If TCPD professional / technical staff were assigned or seconded to local government, there would be concerns over career advancement. The Change Management Committee of INPPC is considering these issues and should arrive at compromises that will address these personnel matters.

b. Preservation / Expansion of Technical Capability

INPPC anticipates absorbing the technical capabilities in TCPD and this should preserve this resource for implementation of PADL. The political issue is not merely preserving TCPD's existing organization, but, rather, the desirability of expanding TCPD's capacity for planning. TCPD has well-respected technical

capability. In fact, most town planners (public and private) in Trinidad have gained experience as TCPD staff. It has the largest concentration of planning and research capacity in Trinidad (especially if all its posts were filled), GIS capability for planning, Data Based Management Systems capability for land development, map preparation expertise and survey expertise and, as such, represents a significant technical resource for the nation. Ten years ago, TCPD had a much greater technical capacity, however, with Government down-sizing, TCPD had its establishment of professional / technical staff reduced by almost 50%. With Government's emerging commitment to development planning, TCPD could be a resource to assist local governments and local developing companies with planning issues and process. As such, TCPD capability should be expanded when integrated into NPPC. TCPD's "corporate culture" of a closely guarded system of planning and development control and the restricted consultative planning process with local government and stakeholders led to public mistrust and criticism. Under NPPC, the public relations problems can be redressed and the technical capability contained in TCPD can be re-oriented to gain more public acceptance through participatory planning and a more transparent development plan approval process.

#### c. Joint Planning / Regional Office Functions

PADL makes provision for NPPC to undertake assistance to local authorities in preparation of regional and local development plans. It also empowers NPPC, where necessary, to directly prepare regional and local development plans. TCPD has four regional offices, three in Trinidad and one in Tobago. These regional offices mainly serve a development control function. Under PADL, the regional office system could be expanded to include planning assistance to municipal corporations and planning authorities. This could be the basis for establishing a joint planning system under NPPC, with former TCPD staff serving as the technical resource for municipal corporations and planning authorities. With a reborn "corporate culture" under NPPC, participatory planning and more responsive development plan approval processes can be implemented with the assistance of TCPD technical capability.

#### d. Current Local Development and Land Use Planning Must Be Responsive to Local Processes

One criticism of the recent consultant Local Development Conceptual Plans and Local Land Use Plan is that they are not of sufficient detail for municipal corporation development plan approvals. In addition, there was some question of whether the planning process was truly a participatory planning process.

### 6. National Physical Planning Commission Issues

#### a. Budget and Technical Capacity Issues

NPPC requires adequate staff to accomplish its mission. The current budget and establishment of NPPC leaves it without sufficient capacity to fully undertake all the responsibilities and strategies to fulfill the mandate of PADL. For example, there is only a small professional staff to serve 16 standing and working committees and conduct all other business of NPPC, including LUPAP-related tasks and preparation for another donor project. Another example is the minimal funds available to conduct a public education program about PADL and, as the agency promoting participatory planning, this can be counterproductive for acceptance of NPPC operations and devolution of responsibilities to local government. As noted, above, TCPD has been reduced in its professional/technical establishment and has over 50% vacancies in positions. If this is indicative of the future for NPPC, it will be difficult for NPPC to be as effective as anticipated and this may undermine public confidence in planning reforms.

b. Establishing Participatory Planning Leadership and Public Relations

PADL mandates that NPPC is “...satisfied, on the whole, ...that the process of ... (local development plan) preparations was transparent and participatory.”<sup>3</sup> NPPC will have the responsibility to assure that there was a satisfactory participatory planning process in preparation of local development plans. There is little experience with, or understanding of, participatory planning in Trinidad. It was evident in discussions with local authorities that they do not understand what participatory planning truly is in the U.S./Canadian context and what benefits can derive from such a system. Physical planning has long been the domain of Central Government, which has engaged in only a basic consultative process with local government and stakeholders. Many people believe that a brief consultative process is participatory planning, such as was conducted under the recent Local Area Conceptual Plan process by foreign consultants. There are relevant examples of local experience, such as the 1985 TCPD planning process with Port of Spain, the OAS Environmental Impact Assessment process for southwest Tobago in 1995/96 and the Tobago economic development plan process. NPPC should undertake to educate the public and local authorities about participatory planning and provide pilot projects as demonstrations. This may be accomplished under the proposed Development Planning and Implementation in Growth Centres Project. However, a pilot project does not substitute for an extensive public education process. To introduce a new approach to development planning without proper preparation of prospective participants may fail to achieve the expectations of public involvement and support for plans produced at the local level.

---

<sup>3</sup> PADL, Section 21 (7).

- c. No Statutory Provision for NPPC Requiring Coordination by Government Departments / Development Plan Reviews are Secondary Role of Government Departments

NPPC has the responsibility under PADL to coordinate Government Department reviews and approvals for development plan applications. Although NPPC is charged with the responsibility for such coordination, nothing in PADL requires Government Departments to cooperate. NPPC does have the mandate to set time limits (now proposed at 30 days) for Government Department reviews and, if they are not met, NPPC can accept certifications from professionals on its list in lieu of Government Department approvals. This is the “hook” that NPPC hopes will make Government Departments more responsive. However, development plan approvals are a secondary concern for Government Departments and the proposed time limits may be a way for these Departments to abdicate their responsibilities. Would not it be easier for Government Departments to just do nothing on development plan applications that hold little interest for them or are controversial and, by default, leave the responsibility to NPPC? As discussed above (Political Issues, 4.b.), relying on professional certifications for complex development projects may not be in the best public interest. This system could prove precarious for NPPC and undermine its credibility sometime in the future.

- d. Relationship of NPPC to Environmental Management Authority for Determination of Environmental Effects and Compliance

PADL provides authority for NPPC to intervene in development projects if environmental concerns are evident. The Environmental Management Authority (EMA) has been charged with conducting environmental impact assessments and enforcement on development projects. It will be incumbent on NPPC to establish a working relationship with the EMA to determine on what issues, and under what circumstances, NPPC should intervene rather than the EMA. NPPC does not want to be involved in “turf” wars with another agency of Government. To sort out relationships, a Memorandum of Understanding should be adopted by both agencies to define roles, responsibilities and procedures.

- e. Codes and Standards Preparation

NPPC has the mandate to prepare national building and development codes and standards as the basis for providing development plan approvals. The codes and standards are in process and will greatly facilitate the process for developers and governmental review agencies. It is essential that the codes and standards are easily



interpretable so the public and municipal corporations can apply them without confusion.

f. Development Planning and Control / Relationship to Municipal Corporations

It is unclear as to the role of municipal corporations in the preparation of Local Area Development and Land Use Plans. It is similarly unclear as whether Local Area Plans will form the basis for preparing a new National Physical Development Plan or whether it will be a separate process. If the recent National Conceptual Development Plan, Local Area Concept Plans and Land Use Plan process is indicative, the role of municipal corporations will be consultative, not decision-making. That would reduce the importance of local participation and retain the process as largely a Central Government function. The intent of PADL to devolve important planning functions to local government would not be achieved in reality and this would not encourage much additional local involvement or support. TCPD undertook local consultation in preparing plans and this proved unsatisfactory. If devolution is to be meaningful, local government and stakeholders have to be in decision-making roles, albeit in the context of national plans and priorities. Local Area Plans should become the basis for a National Physical Development Plan, reversing the top-down system of planning now in practice.

g. Appointment of Local Planning Authorities

As discussed, above, in the section on Description of PADL Compared With The Existing System, Physical Planning, the relevant Minister will appoint local Planning Authorities, which designation is assumed by most persons will be given to municipal corporation councils. However, the Minister could appoint a separate body, not under the purview of municipal councils, as the Planning Authority for a designated area. For example, it is conceivable that a Minister could appoint a local urban development company as the Planning Authority for a designated growth center. In essence, the local Planning Authority serves under the responsible Minister. There are also other issues related to Planning Authorities:

1. Defining The Details

The organization of Local Planning Authorities has not been well defined in PADL. Will Planning Authority Board members be compensated (if so, at a uniform national level or locally determined) or be volunteer? Will municipal corporations have oversight over, and be able to over-ride, Planning Authority decisions, if a body other than the municipal council is designated as the local Planning Authority? Will there be more than one Planning Authority within a municipal corporation? If appointed directly by the Minister, Planning Authorities could remove municipal councils and the public from the process, which may engender a planning system less responsive to local involvement.

2. Local Coordinating Committees With Government Departmental Representation

PADL provides that “Every agency receiving a request for information or comment in connection with the preparation of a development plan shall, as soon as possible, provide the information or comment requested...”<sup>4</sup> There was, formerly, a system of inter-agency coordinating committees at the local level to coordinate development plan approvals. The writer has been unable to determine whether this inter-agency coordinating committee structure will be a part of the process for local planning and development control. In the 1970s this system functioned well, with senior Government Department staff representing their respective Departments. However, over time, more junior staff supplanted the senior staff and the system became much less effective, then was discontinued. It is essential that local government be able to coordinate planning and development control with Government Departments if it is to be an effective process. It appears that NPPC will be performing this role, but that may prove less effective than if Government Departments directly become participants in the local process under Local Coordinating Committees.

#### h. Integration of Socio-Economic Factors into Local and National Plans

NPPC has the responsibility, under PADL, for integration of socio-economic factors into the Development Plan process. This is a key objective. PADL does not give authority to NPPC to require cooperation from Government Departments to contribute to the physical planning process. NPPC needs to define how this planning integration will be accomplished at the national and local levels and reach accord with relevant Government Departments on the process. Has the Ministry of Planning and Finance agreed to a process for integrating socio-economic factors into physical plans? How will Government Departments provide the requisite information for plan preparation and review physical plans to assure consistency with their internal service plans? Cabinet issued a Minute (No.770, April 15, 1999) mandating that all Government Departments adjust their service boundaries to harmonize them with municipal corporation boundaries. Once accomplished, this will facilitate the integration of socio-economic factors into national and local physical plans.

#### i. Integration of the Public Sector Investment Programme into Local and National Development Plans

The PSIP governs GORTT infrastructure and development investment. As such, it is an essential element for implementing national and local development plans. The same questions and concerns described, above, for integrating socio-economic factors into national and local physical plans applies to the PSIP.

#### j. National Plan Updates

PADL mandates periodic updates to the National Physical Development Plan, i.e., every five years. How this will be accomplished merits up-front consideration. The current National Physical Development Plan was adopted in 1984 and has not been

---

<sup>4</sup> PADL, Section 21 (2)

updated since. That is nearly twenty years. Five-year updates will be an ambitious objective. More so, if Local Area Plans are essential elements in the National Plan and would be required to be updated at the same time. This is a much more complex issue than it appears on the surface. Development plan approvals are based on the National and Local Plans. Socio-economic planning will probably be amended even more frequently than five-year periods and how will those updates be expressed in National and Local Physical Development Plans? The PSIP is updated frequently and the same concerns pertain for integration into physical development plans. NPPC may wish to evaluate the planning process to make it more flexible for updating.

k. **New Oversight Responsibilities for Dedication of Private Land as Part of Development Approvals, Demolition and Historic Preservation**

PADL provides for new oversight and compliance enforcement responsibilities for NPPC in dedication of private land as part of development approvals, prevention of inappropriate building demolition and preservation of buildings of historic and national importance. These new responsibilities are indicative of the myriad tasks confronting NPPC on enactment of PADL. These responsibilities will require considerable staff time to administer properly and well-defined policies and procedures to gain public support. NPPC may not be able to accomplish all the objectives of PADL simultaneously and will have to prioritize its focus and strategy. That is one of the main reasons why a Strategic Plan for NPPC is so vital.

l. **Relationship to UDeCott, Local Development Companies and National Housing Authority**

UDeCott, the proposed local urban development companies and the National Housing Authority have key development roles as part of national policy. The role of UDeCott and local urban development corporations is potentially very encompassing in the development process and may extend to physical planning responsibilities in designated growth poles. The National Housing Authority has often not complied with the development plan approval process. These agencies could potentially establish a dual planning process that may not be consistent with the NPPC and local area planning process. NPPC needs to address incorporation of these agencies into its established planning and development control processes.

7. **Local Development Planning And Control Issues**

a. **Will Municipal Corporations Support New Development Planning and Control Responsibilities**

Local commitment is requisite for the success of devolution. Local authorities and the public are not fully acquainted with PADL and the benefits of devolution of responsibilities to local government. Interviews with a small sample of local officials indicates that there are mixed views about devolution of planning and control responsibilities to local authorities. It is not clear whether local authorities will

enthusiastically embrace their new role. Many are waiting to see if Government will truly devolve responsibilities and provide the requisite resources for local authorities to accomplish them. Devolution must be real, not rhetoric. The recent conceptual planning process did not encompass a broad participatory planning process nor fully integrate a system of local decision-making and may have indicated to local authorities that little may change under PADL.

b. Strengthening Municipal Corporation Capacity

There needs to be an express GORTT commitment to provide the necessary level of funding for the proper conduct of local planning, development control and implementation activities. There is a need to expand the local government revenue base to allow for local initiatives not dependent on Central Government transfers. There is a need for municipal corporations to have supervisory responsibility for staff if they are to truly be held accountable for planning and development control functions. These are all major issues affecting successful implementation of PADL at the local level. These issues were discussed in more detail above and do not need further elaboration here. As these issues are difficult to resolve in the near term, perhaps a transition strategy should be considered, which would establish a joint planning/development control process linking NPPC with municipal corporations and planning authorities. This would not be full devolution of responsibilities, but provides for movement toward that objective and will better prepare local government to gradually assume increased responsibilities over time.

c. Public Service Commission / Ministry of Local Government Issues for Regional Corporations

This issue is very important for local government to have the capacity to undertake, and be held accountable for, the proposed devolution of responsibilities and has been discussed several times above.

d. Lack of Experience With Participatory Planning

A broadly representative participatory planning process is not merely an expanded consultative process. It represents a commitment for extensive involvement of stakeholders in the planning process and decision-making. The current system of planning is to prepare draft development plans and present them for varying degrees of stakeholder review and comment. It is still a top-down planning process. If the objective of PADL to garner local involvement and support for physical plans is to be realized, the process has to be more participatory. What does that mean? It means involving local stakeholders in formulating the issues and objectives for local plans through an extensive stakeholder participation process, providing some sense of having decision-making capabilities. For example, in preparation of the Downtown Kingston (Jamaica) 20-year development plan, there was an extensive process to obtain initial stakeholder views, then formulate development plan proposals and repeat the process again to finalize the plan. Local Area Plans need to have some

process of formal adoption by local authorities and should form the basis for preparation of a National Physical Development Plan. There needs to be a commitment that local involvement will achieve some official status.

e. Relationship to NPPC for Development Planning and Control

This issue was discussed above, but is given a section heading to emphasize the importance of sorting out the relationship between NPPC and local authorities for implementation of PADL. In the Development Planning and Implementation of Growth Centres Project :Plan of Operation there is provision for adopting Memoranda of Understanding (MOU) between NPPC and participating municipal corporations. The MOU is to clarify roles, responsibilities and relationships to the satisfaction of both parties. That approach may be beneficial for NPPC to gain local authority support for PADL.

f. Development Plan Approval Administration

There are several issues related to local administration of development plan approvals. Sufficient technical expertise must be resident in, or conveniently available to, local administrators to properly review development plan applications in an expeditious manner. There needs to be back-up personnel and systems in the event local staff is unavailable for any one of a number of reasons, e.g., annual leave, sick leave or vacancy. Land Use Plans must be sufficiently detailed and easily interpretable to be used by municipal corporations (or Planning Authorities) for plan approval. In short, devolution of development plan approvals for “simple plans” needs detailed planning to properly implement.

g. Organization and Operation of Local Planning Authorities

Same issues as discussed under the National Physical Planning Commission, section 6.h.

h. Municipal Corporation Relationship to UDeCott and Local Development Companies

The Cabinet Minute providing for the establishment of local urban development companies does not specify a substantial role for local authorities in the affairs of these entities. Yet, local urban development companies, and by extension, UDeCott, are called upon to implement Local Area Plans. The issue of local authority relationship to local urban development companies has not apparently been focused upon to any extensive degree. However, the potential for conflict and misunderstanding does exist. As mentioned in other contexts, the MOU process may be beneficial for sorting out roles, responsibilities and relationships without the need for a new Cabinet Minute.

## TRANSITION STRATEGY

### 1. NPPC Strategic Plan

It is important for NPPC to sort out its priorities and formulate a plan of action to accomplish its objectives. Implementation of PADL has many facets and NPPC could end up responding to “the squeaky wheel” rather than focusing on its own priorities. A Strategic Plan, leading to a full business plan, should be undertaken in the near-term. The PriceWaterhouseCoopers report on the 1998 workshop held to discuss NPPC issues and strategies is an excellent starting point. Consultant assistance would be advisable to obtain expert, neutral advice.

### 2. NPPC Leadership in Introducing Participatory Planning and Development Implementation.

There is relatively little local experience with participatory planning and, based on a small sample of interviews, misunderstanding of what is entailed and the benefits to be derived. As NPPC is the proponent for participatory planning under PADL, it is incumbent upon this organization to provide leadership in informing stakeholders and the general public about this process to prepare for devolution of responsibilities to local authorities and to undertake the new National Physical Development Plan.

#### a. Need for Pilot Project / Development Planning and Implementation in Growth Centres Project

Fortunately, NPPC leadership and the IDB foresaw the need to test, and define best practices for, approaches toward intersectoral/intergovernmental coordination at the national level through NPPC and local area development planning, control and implementation at the early stages of PADL. The proposed Multisectoral Preinvestment Programme project, Development Planning and Implementation in Growth Centres, will provide valuable lessons to pursue widespread adoption of PADL through NPPC, municipal corporations and local development companies. This project should be a priority for NPPC.

#### b. Document Other Participatory Planning Efforts Nationwide as Models for NPPC / Local Government Adaptation

Nothing explains a concept as well as an example, especially a local example. There are excellent examples of participatory planning in Trinidad and Tobago, e.g., The Tobago Economic Development Plan process, OAS Southwest Tobago Environmental Planning Project, 1985 TCPD Land Use Plan for Port Of Spain and Sou Sou squatter regularization. These and other examples of local participatory planning should be documented and disseminated through conferences and other

public education techniques to assist stakeholders under PADL to understand what is participatory planning.

### 3. Prepare for Integration of TCPD into NPPC

#### a. Expand TCPD Planning Capability

This topic was discussed, above, under Comments On A Policy Agenda, Section 5.b. It is the writer's opinion that the technical capability now within TCPD should be expanded to serve the technical planning requirements for NPPC and to assist municipal corporations, planning authorities and local development companies with physical planning. The present establishment of 60 professional/technical officers is well-below historic staffing levels and with the over 50% vacancies in this reduced staff level, the situation of TCPD technical capability merits immediate consideration as it may impact on effective implementation of PADL. It would be considerably less expensive to build capability in TCPD than engage even local consultants. NPPC anticipates transferring this capability to the Commission under PADL and this should at least keep the technical capability in tact. A MOU between TCPD and INPPC on the merger would ease anxieties about the transition. INPPC's Change Management Committee is considering transition issues and this committee could also serve to work with TCPD on defining its future role under PADL.

#### b. Initiate Policies and Procedures on Joint Planning With Municipal Corporations

Given the unlikely situation where Government will fund the requisite local staff and consultants to properly implement PADL within municipal corporations, it would be advisable to consider utilizing NPPC (assuming TCPD is merged into NPPC) planning staff to undertake a joint planning structure with municipal corporations, planning authorities and local development companies. In this manner, the technical resource in NPPC would be constructively used to prepare local area plans and to educate NPPC staff about local issues and requirements for preparation of, and updates to, the National Physical Development Plan. It should create a bond between NPPC and local authorities, rather than a potentially adversarial relationship, which now appears to exist between TCPD and the public. To assess responsiveness of this joint planning structure, a method for local authorities to evaluate the performance of NPPC planning staff should be instituted. The local performance evaluations would factor into staff promotions, etc.

### 4. Memoranda of Understanding on the Roles, Responsibilities and Relationships Under PADL Between the NPPC and Local Authorities and UDeCott/Local Urban Development Companies

To promote the objectives of PADL and to avert any misunderstandings about devolution of responsibilities to local authorities, NPPC should undertake to prepare a

MOU between them and local authorities on the roles, responsibilities and relationships under PADL. The same conditions pertain to the relationship of NPPC to UDeCott and local urban development companies under PADL, where a MOU may serve to produce the basis for positive relationships. The MOU is an excellent tool to clarify a complex relationship with differing expectations between the participants. This strategy is proposed for pilot regional corporations, local development companies and INPPC under the Development Planning and Implementation in Growth Centres Project.

5. NPPC Initiation of Policies and Procedures for Evaluating Local Area Plans for Consistency With National Plans and for Resolving Planning Issues Between Local Jurisdictions

INPPC should prepare proposed policies and procedures for evaluating local area plans for consistency with national plans and priorities and for resolving intergovernmental planning conflicts between local jurisdictions. This should be accomplished early on to allow for an iterative process with Government Departments and local authorities before finalizing. Socio-economic factors should be defined and how they will be integrated into local plans. If possible, procedures for the integration of the PSIP into local plans should be incorporated into the policies and procedures. Emphasis should be accorded to the role Local Area Development and Land Use Plans will have in the preparation of the National Physical Development Plan and the responsibilities of local authorities in preparing and adopting local plans.

6. Terms of Reference for Local Land Use Plans

INPPC should determine requirements for Local Land Use Plans so that an appropriate level of detail is provided to make them useable for local development plan approvals. This is especially important given the impending contract to prepare four local land use plans.

7. Memorandum of Understanding Between NPPC and Ministry of Planning and Finance on Relationship of National and Local Development Plans to the Public Sector Investment Programme

The importance of integrating the PSIP into national and local area development plans is self-evident. The PSIP is amended periodically, which makes integration an on-going complexity. INPPC should begin to sort out with the Ministry of Planning and Finance a policy that would permit, and procedures for accomplishing, integration of the PSIP into national and local plans. If a MOU appears useful, that may provide for continuing the process as staff changes over time.

8. Memoranda of Understanding With Government Departments on Development Plan Approval Process



NPPC is charged with coordinating Government Department approvals for development plan applications, however, PADL does not provide any authority for NPPC to obtain cooperation. As discussed, above, under Political Issues, section 6.c., there are options for NPPC to exercise alternative procedures, but they might not be as beneficial as gaining Government Department inputs in a timely manner. To encourage Government Department cooperation, a MOU should be adopted by relevant Government Departments and INPPC to specify roles, responsibilities and relationships for development plan approvals. This will be beneficial for new staff changes in Government Departments over time, as they may not be familiar with commitments required in the development plan application process.

9. Policies and Procedures for Establishing Local Area Coordinating Committees

INPPC should analyze the desirability of re-instituting local area coordinating committees to bring together Government Departments and local authorities to address planning and development control issues and approvals. This topic was discussed, above, under Political Issues, section 6.h. If a positive determination is rendered, then INPPC should begin to organize the process for establishment and operation of local area coordinating committees. This may be included in the MOU between NPPC, Government Departments and local authorities.

10. Evaluation of Electronic Formats for Development Plan Submissions and Simultaneous Government Department Reviews

PADL provides authority for the submission of development and building plans in an electronic format. With reductions in cost and advances in computer and Internet technology, the electronic format may significantly enhance productivity in development plan and building plan approvals. The electronic format would allow for experienced technical staff in NPPC and Government Departments to simultaneously receive plan applications, facilitate review comments and expedite communications with applicants for further clarifications and information. It could also allow for less experienced local technicians to access technical advice from NPPC and Government Departments, which may reduce the need for expanded technical staff at the local level to implement planning and development control functions under PADL. NPPC should evaluate the feasibility of introducing electronic formats for development and building plan applications and the approval process. Under the proposed Development Planning and Implementation in Growth Centres Project, provision is made for INPPC to begin studying the electronic format, but the resources available under this project may not be sufficient to fully consider and design a system. INPPC may consider seeking additional Government or donor funding to accelerate the analytical and decision-making process for electronic formats.

11. Evaluation of Checks and Balances for Professional Certifications on Development Plan Applications

As discussed, above, under Political Issues, section 6.b., there are reasons for caution in relying on professional certifications to supplant Government Department reviews for development plan approvals. This system should receive concerted review and analysis before being implemented.

12. Issuance of Building Codes and Standards / Guidelines for Local Government Interpretation

INPPC is giving priority to adoption of new building codes and standards. This is a high priority and should receive necessary resources to complete in an expeditious manner. As the codes and standards are being finalized, INPPC should devote attention to preparing guidelines and interpretation materials to aid local authorities, professionals and the public to facilitate application of the new codes and standards. This is an important public relations aspect of INPPC's work.

13. Update for PADL the "Guide To Developers And Applicants For Planning Permission"

The Guide To Developers And Applicants For Planning Permission was prepared for the existing system of development plan approvals. It is the only resource guide for the public. This is an important public relations item for INPPC. As such, it should be updated to reflect changes under PADL and be made user-friendly. It is suggested that this guide be in a format where pages can be changed over time to reflect new policies and procedures without having to reproduce the whole guide. This procedure may provide for more timely updates and will reduce the cost of providing amended guidelines.

14. Memorandum of Understanding Between National Housing Authority and NPPC on Development Plan Approvals

The National Housing Authority has reportedly not adhered to development plan approval procedures in many of its squatter regularization and other housing developments. As a Government agency, this presents a negative image for compliance to planning control regulations. INPPC should endeavor to reach accord with NHA on adherence to development control procedures and seek to adopt a MOU specifying future compliance.

15. Define Training Requirements for NPPC and Municipal Corporations

PADL will engender substantial training needs for NPPC, municipal corporations and planning authorities. A training program should be prepared and costed by NPPC for future budget estimates requests and/or inclusion in a donor-funded project. Negotiations should be undertaken with the Ministry of Local Government to provide for some of the municipal corporation training needs.

16. NPPC Web Site

NPPC has the opportunity to create a Web site for public information. The Web site could contain a library of laws, regulations, codes, standards, policies, procedures, maps, planning techniques, articles of public interest, etc. The Web site would provide an easy mechanism to update important documents and allow government agencies, professionals and other members of the public convenient access to the latest versions. It could also contain applications and application procedures and provide for interactive public questions and answers concerning PADL and planning issues. LUPAP has begun creating a Web site that will have project-related materials; this Web site could form the basis for a future NPPC Web site.

17. NPPC Public Relations Programme

Discussion of a NPPC public relations programme is placed as the last item to emphasize its importance and, as it is the final section read, it should be remembered after completing this report. One cannot stress enough the importance of initiating, on a continuing basis, an effective public information and public relations programme. TCPD is an example of an agency that did not and suffered a poor public image as a consequence. INPPC conducted a round of consultations with stakeholders on PADL. Once. A single effort, no matter how effective at the time, is soon forgotten and does not reach all stakeholders or new stakeholders. There is uncertainty about PADL, there is a lack of knowledge about PADL, there are misconceptions about participatory planning and even a planning process, etc. In short, without an effective public relations programme, NPPC may encounter needless obstacles to accomplishing its mission. Through communication, laissez-faire attitudes and opposition can be turned into support.

Draft: 3/8/2000