

**MANAGEMENT & FUNCTIONAL
REVIEW OF THE
MINISTRY OF LANDS, COUNTRY
PLANNING, AND THE
ENVIRONMENT**

2010

FINAL Draft

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EXECUTIVE SUMMARY

In keeping with Government of Sierra Leone's policy to strengthen public sector institutions for effective and efficient delivery of services, the Public Sector Reform Unit has undertaken a Management and Functional Review of the Ministry of Lands, Country Planning and the Environment with a view to (i) aligning the mandate and vision of the Ministry to the National Agenda For Change, and (ii) facilitating effective structures and processes. The team reviewed and made recommendations on the mandate of the Ministry, alongside its functional and administrative structures. The methodology included interviews with staff including top management and document reviews, for the identification and analysis of problems and possible solutions.

The Ministry is primarily responsible for the management of land in Sierra Leone. This is especially important given the multiplicity of land ownership categories. The Ministry is expected to direct the government on matters relating to ownership, acquisition and use, as well as all the implications for sustainability. As the central authority for land use and management, the Ministry is required to set policy on the efficient and sustainable use of land. Therefore, the mandate of the Ministry is not limited to land surveying but extends to the formulation and implementation of sustainable human habitat development policies, a process which includes land mapping. The ultimate goal of the Ministry, as reflected in its Mission statement, is to administer effectual policies for land use which contribute to overall socio-economic development. These objectives are vital considering the issues of rural-urban migration and its attendant social, economic and political challenges for the city of Freetown. Similarly, issues surrounding land tenure outside of the Western Area also require urgent attention.

Numerous laws, some dating as far back as colonial period, have been formulated to regulate land acquisition and use in Sierra Leone. Efforts have been made to update and revise some of the legislation to take account of modern practices and developments. However, much more has to be done to ensure effective land management in the country.

In as much as the role of the Ministry is defined within the policy framework of Sierra Leone, for a variety of reasons identified during this review, it has not been able to translate its mandate into first-rate policies and work processes.

Factors affecting the productivity of the Ministry include the lack of effective national policies on land use and management, lack of essential tools and resources, lack of well-trained professionals, limited implementation and employment of good management systems and processes resulting in increased opportunity for corrupt practices, and inadequate coordination amongst stakeholder institutions.

Several developments at the national level have had implications for the work of the Ministry. Over the years, there have been several changes made in its nomenclature as well as its structure, with accompanying modifications to its functions. In particular, the devolution process as provided for in the Local Government Act 2004 will have to be appropriately coordinated if at all it is to be aligned with the goals of the Ministry.

SUMMARY OF RECOMMENDATIONS

- 1. That the Ministry should be capacitated by the recruitment of technical staff and the provision of appropriate equipment and tools, including motor vehicles and motorbikes, in order to improve the efficiency and quality of its service to the community. We recommend that some of the individuals currently assisting in the Ministry who hold relevant qualifications should be appointed substantively after going through the official recruitment process into the civil service.**
- 2. We recommend that all rules and regulations regarding the primary functions of the Ministry be incorporated into one composite Law, and that a sector policy for Surveys and Lands should be developed as a first step to concretize all its rules and regulations into this composite Law.**
- 3. We uphold the recommendations of ‘The Report of the Mrs Justice Laura Marcus –Jones Commission of Inquiry on the Leasing and Sale of State Lands in the Western Area’ and recommend that the Ministry implements them as approved by the Government White Paper .**
- 4. We recommend that the practice of statutory declaration be reviewed by the Government to provide clarity and direction.**

LEASING OF STATE LANDS

- 5. We recommend that the ban on private sale of land be lifted as this is stifling development especially considering that the construction industry is one of the most progressive and vibrant sectors in the economy. This will also create legitimacy to land purchasing.**
- 6. We recommend that the Ministry develop an effective monitoring system of all State lands transactions to ensure compliance with the terms of the leases.**
- 7. We recommend that considering the number of pending land cases, a special court be established to handle all land matters expeditiously.**
- 8. We recommend that the leasing of State lands be done in a systematic manner to allow for effective monitoring and record-keeping.**
- 9. We recommend that the processes, particularly the authorising roles, guiding land leasing are clearly defined to reduce duplication and overlap, and enhance transparency.**

APPROVAL OF SITE PLANS

10. We recommend that the Ministry should set up a Town Planning Committee to review all site plans before approval is made. For this we recommend the following as members: -

- **Ministry of Lands, CP and the Environment** **CP Division**
Chair
- **Ministry of Energy and Power**
- **National Power Authority**
- **Guma Valley Water Company**
- **Ministry of Works and Housing**
- **Freetown City Council**
- **Director of Surveys and Lands**
- **A representative from Civil Society**
- **Co-opted members of the wards when consideration pertains to the ward.**

FUNCTIONS

11. We recommend that the land mapping and registration project be integrated into the normal working processes in the Ministry. This is important and Government should provide support for new technologies in land reform.

DECENTRALIZED FUNCTIONS

12. We recommend that the devolved functions to councils by MLCPE be put on hold until the Ministry has clarified its new functional role and until such time that the councils are capable of undertaking the new devolved functions. In that way both parties will understand what is required of them and the inter linkages would have been established for the new functions to be undertaken. We understand that one benefit of the devolution process will be that central Ministries are less burdened with implementation, enabling them to prioritize their policy-making and monitoring functions.

13. We recommend that the functions of the Freetown City Council relating to land management be reviewed with a view of subdividing into several administrative workable councils to enable it to effectively undertake its numerous responsibilities created by the devolution process as the case may be.

STRUCTURES AND MANAGEMENT ARRANGEMENTS

14. We recommend that roles within the two remaining technical divisions and administration be clearly defined in the new Organogram, to avoid duplication and unproductive overlaps.

15. With the new functions, the following directorates are recommended for the Ministry:

- **Land Surveying and Registration**

- **Country Planning**
- **Environmental Affairs**
- **Information, Education, Communication**
- **Government Property and Archiving**
- **Administration and Finance (this includes HR Management and Training/ Capacity Building)**
- **Legal Affairs**
- **Monitoring and Evaluation**
- **Policy and Planning Unit**

16. We recommend the creation of a Land Value Assessment Committee to support the Ministry.

17. We recommend that as soon as the proposed structure is approved, the Ministry should develop complete functions of each directorate for submission to the regrading committee of the Human Resource Management Office. Both the Ministry and the HRMO should develop a comprehensive scheme of service including clear job descriptions.

18. We recommend that the Ministry seek support from the PSRU, HRMO, and Office of Diaspora Affairs to capacitate the various units and provide additional staff in line with the reform programme and the needs of the Ministry.

19. We recommend that a Change Management Team should be established to guide the Ministry through effective change and institutionalizing a results-based management system.

TRAINING AND STAFF DEVELOPMENT

20. We recommend that the Ministry approaches tertiary education institutions to provide courses in surveying and land management or related technical courses to support the human resource needs of the Ministry.

21. We recommend that the Ministry seeks support from the Human Resource Management Office in acquiring training for professional and administrative staffs.

MINISTRY OF LANDS, COUNTRY PLANNING AND THE ENVIRONMENT

1.0 INTRODUCTION

1.1 As part of the Government of Sierra Leone's continued effort to enhance good governance, particularly in the area of public service delivery, the Public Sector Reform Unit in the Office of the President has undertaken a Management and Functional Review of the Ministry of Lands, Country Planning and the Environment (MLCP).

2.0 TERMS OF REFERENCE

2.1 The following terms of reference were agreed for the study:

a) **Review and Redefine the Ministry's Mandate**

- **Objectives:** Review and Redefine the mandate and role of the MLCPE to ensure that it directly relates to, and is consistent with the development objectives of Government, including the consequences of decentralization, the devolution plans of the Ministry, budget reforms and its role in the Poverty Reduction Strategy Paper II , 'Agenda for Change'.
- **Output:** Redefined mandate of Ministry, Vision and mission statement, new functions of Ministry.

b) **Review of Organizational Structure**

- **Objective:** Review organisational structure to determine how the functions and responsibilities of the various units relate to the attainment of the mandate and mission of the Ministry.
- **Output:** Redefined organisational structure setting out functions, responsibilities and priority areas of the units within the Ministry.

c) **Review of Administrative Procedures**

- **Objectives:** Review administrative procedures, processes and facilities to determine efficiency and effectiveness in delivering mandate and mission.
- **Output:** Recommendations on changes required to administrative procedures to enhance decision making and delivery.

d) **Existing Staff Inventory and Staff Requirements for the Ministry**

- **Objective:** To document existing staff inventory, qualifications and skills; undertake sample job inspections, additional job analysis and evaluations, develop selected job descriptions and establish the future staffing requirement with necessary skills to achieve the mandate and perform the functions identified.
- **Output:** Detailed existing staff inventory, scheme of service including job descriptions and detailed staff requirements which can be used for manpower planning.

e) **Staff Rationalization**

- **Objective:** Determine the “fit” between existing and future staff requirements of the Ministry.
- **Output:** Detailed information on the rationalization of staff to be retained, retired, retrenched, or devolved to local institutions.

f) **Communication**

- **Objective:** To review the pattern of communications between the Ministry and the public to assess whether the public’s interests are being satisfactorily communicated to the Ministry and whether Ministry decisions and policies are being satisfactorily communicated and understood to them.
- **Output:** Recommendations on improvements in communications.

g) **Equipment Estimates.**

- **Objective:** To support the Ministry in the identification and preparation of estimates of equipment required for effective performance of its mandate.
- **Output:** Equipment estimates.

3.0 APPROACH TO THE STUDY

3.1 The main tool employed was the process approach which entailed the involvement of the staff of the Ministry, particularly top management, in the identification of the problems, finding solutions to them, and decisions on implementation of the necessary changes/recommendations.

3.2 Prior to the commencement of the assignment, the Minister and top management of the Ministry were briefed about the review, the parameters and the expected roles they are to play in the process, particularly the setting up of the Change Management Team/Contact Group. This was to ensure acceptance, ownership, transfer of skills and smooth implementation of the recommendations.

3.3 Questionnaires were used as the basis for the structured interviews. Completed questionnaires and the follow-up interviews gave a picture of the existing situation with regards to mandate, vision, mission, functions, and organisational structures, staffing and working arrangements including policy formulation processes as well as internal and external relationships.

3.4 In addition to the interviews and meetings, information on workloads, staffing numbers, skills mix and vacancies (where available) were collected and analyzed. Relevant Reports and Documents e.g. MTEF Reports, Poverty Reduction and the Horizontal Review Report; Mrs Justice Laura Marcus-Jones Commission of Inquiry on “ The Leasing and Sale of State lands in the Western Area”, were studied.

3.5 Contentious issues identified during the review were discussed thoroughly with the Minister, the Permanent Secretary (PS) and top management.

3.6 However the team faced difficulties as the Ministry was undergoing internal restructuring resulting from the appointment of a new minister. Before the completion of the study, 14 senior officers, including the Acting Director of Surveys and Lands, were sent on 60 days leave. This created some difficulties in soliciting the views of the personnel that were sent on leave. This notwithstanding, the team was able to carry out its review.

4.0 RESPONSIBILITY

4.1 The Public Sector Reform Unit takes full responsibility for this report. The report will be presented to the Steering Committee on Public Sector Reform (SCPSR) for discussion and approval. Thereafter, the Report and its Recommendations will be submitted for the consideration of Cabinet.

5.0 ACKNOWLEDGEMENTS

5.1 We are very grateful for the support and facilities provided by the Minister, Dr. Denis Sandy; Deputy Minister, Mr Sylvanus Goba; former Permanent Secretary, Mr. J. Sanah Mara; Permanent Secretary, Mr. Jacob Quee; and the staff of the Ministry of Lands, Country Planning and the Environment.

6.0 OVERVIEW OF PRESENT ARRANGEMENTS

6.1 LEGISLATION

6.2 There are a plethora of laws regulating land acquisition and use in Sierra Leone, many dating back to the colonial days. A good number of these laws are outdated and should be revised to facilitate the effective management of land in the country. Several key pieces of legislation relating to the work of the Ministry include:

- The Crown Land Act 1960 No. 19 of 1960, otherwise known as the State lands Act
- The ‘Protectorate Lands’ Act Cap. 122, Act No. 14 of 1960
- The Survey Ordinance, Act No. 42 of 1961
- Surveys Act, Cap. 128
- Registration of Instrument, Cap 256
- The ‘Compulsory Acquisition of Property’ Act, Cap 116
- The ‘Public Lands’ Act, Cap. 117
- The ‘Unoccupied Lands’ Act, Cap. 118
- Crown Land (Amendment) Act No. 18 of 1963,
- Transfer of Defence Lands No. 8 of 1961,
- The Legal Practitioners (Amendment) Act No. 5 of 1984.
- The Freetown Improvement Act, Cap. 66
- The Town and Country Planning Act, Cap. 81
- The (SLEPA) Act

6.3 The large number of outdated legislation and rules dealing with land management has hindered the work of the Ministry; some staff are not familiar with these numerous rules and regulations, including the numerous customary

law and practices which provide guidelines for provincial lands. Some work had begun on revising key pieces of legislation including the Town and Country Planning Act and the Freetown Improvement Act. These should be pursued urgently.

7.0 LAND OWNERSHIP

7.1 There is a range of land ownership in Sierra Leone, including state land private land, communal land, and family land. State or Public lands are defined as lands ceded by the Colonial government to the government of Sierra Leone after independence in 1961, unoccupied lands and land compulsorily or otherwise acquired by the government. Private land is land in which the owner has a freehold interest. Communal land sometimes referred to as chieftdom or community land, is land held in trust by a Chief on behalf of the community, while family land is that in which the principal interest in the land is vested in a family group with a common ancestry. The state land and private land categories predominate in the Western Area while communal and family land categories are predominant in the Provinces, although private freehold is progressively creeping into the tenure system, particularly in the urban centres. Land holding in the Western Area is governed by the general law, derived from the English law of property, while that in the Provinces is governed by customary law. Laws governing provincial land are outdated and must be revised especially within the context of facilitating private sector investment.

7.2 The Ministry is primarily responsible for the facilitation of a rational and effective system of land administration in Sierra Leone. This is especially important, given the multiplicity of land ownership. To this end it is expected to advise the government on matters relating to land management, including ownership, acquisition and use, as well as the implications for sustainability.

This has proven difficult because of a variety of issues including lack of professionals, limited equipment and tools, and the absence of a comprehensive national land policy.

8.0 STRATEGIC OBJECTIVES

8.1 The overall goal of the Ministry as reflected in its Mission Statement is:

“The achievement of effective and efficient land management patterns through development control and enforcement for the attainment of a well-planned urban environment for sustainable social and economic development in Sierra Leone.”

8.2 The Vision Statement of the Ministry similarly emphasizes planning and efficiency in land use:

“To ensure a well-planned environment and affordable housing opportunities within settlements in all parts of the country.”

8.3 Primary objectives include:

- The enhancement of effective and efficient land management and land administration system
- The control of rapid growth of spontaneous urban settlements
- To determine land use patterns countrywide
- The identification of land for commercial and residential development

- The generation of revenue for government from land leases, sales and building permits in conjunction with the NRA

8.4 The Ministry is charged with the responsibility of ensuring effective access to land and sustainable management of all land resources, through the following activities:

- Administration of all State/Public Lands
- Acquisition of Property and the payment of compensation
- Undertaking of National Lands Surveys and Mapping
- Licensing of Land Surveyors and verification of Survey Plans
- Maintenance of up-to date Scientific Data, Maps and Plans
- Production of Geographic Database and Land Information Systems
- Preparation of Town Planning Schemes and Land Development Standards
- Approval of Settlement Development Plans
- Preparation of Development Control guidelines and procedures
- Undertake the Enforcement of Town Planning and Building Codes

9.0 ROLE OF MINISTRY OF LANDS, COUNTRY PLANNING AND THE ENVIRONMENT

9.1 The role of the Ministry is clearly defined within the policy framework of the country, though this has not been effectively translated into practice. As the

central authority for issues on land use and management, the Ministry is the central depository on data relating to land resources belonging to Sierra Leone, and is expected to set policy on the efficient use of this resource, particularly with regards to issues of scarcity and environmental sustainability. The mandate of the Ministry is therefore not limited to land surveying and management but extends to the formulation and implementation of detailed town and country planning schemes. The country planning role has not received much attention from the Ministry. With very limited capacity, the Ministry is often overwhelmed, particularly in carrying out its functions within the Western Area. As such the Ministry has not been able to perform its arbitration functions effectively.

9.2 In carrying out its mandate, the Ministry has to collaborate with the Office of the Administrator & Registrar-General, Ministry of Works and Technical Maintenance, Sierra Leone Roads Authority, Ministry of Agriculture, Forestry and Food Security, and local councils, because of functional overlaps. However, these coordination mechanisms must be formalized and strengthened. Over the past ten years, the nomenclature of the Ministry has been changed several times, along with its functions. For instance in 2008, the Housing division was moved to the Ministry of Works and Technical Maintenance. However, the Building Inspection unit, which remains the primary function of the Housing Division, was still maintained within the Ministry. In June this year, that assignment was moved to the Ministry of Works and Technical Maintenance. The Environment function as relating to land matters remains with the Ministry, with regulatory oversight being provided by the Sierra Leone Environmental Protection Agency (SLEPA).

9.3 As a result of the overlaps in functions, lack of role clarity, and inadequate deployment of personnel, the Ministry finds itself unable to

effectively carry out its mandate. Also, it has not been able to develop substantive national policies on land use, country planning and sustainable development, all of which would effectively guide the government and residents. Certainly, there is an urgent need to review and update the current National Lands Policy which was developed several years ago, giving emerging challenges on land management created by rural/ urban migration and human settlements, as well as land rights and ownership.

10.0 FUNCTIONS/STRUCTURE

10.1 The present structure of the Ministry provides for a Permanent Secretary (PS), who is the administrative head. There are two political heads, the Minister and a Deputy Minister. Section 62 of the Sierra Leone Constitution 1991 provides, albeit only tenuously, clarification on the roles of the Minister and Permanent Secretary. The proposed Civil Service Codes also provides guidance on the role of the PS. The Minister and his Permanent Secretary must co-exist to manage the establishment, with the latter providing administrative leadership and guidance to all staffs. In practice, however, the functions of the Permanent Secretary do not seem to be clearly defined, except for the fact that s/he provides advice to the Minister and the Minister delegates functions to him. It has been the case in the Ministry that the PS is not always consulted on human resource matters including decisions on leave, nor always included in the reporting line vis-à-vis the technical staffs.

10.2 The Ministry currently has three main technical divisions, namely, Surveys and Lands, Country Planning, and Environment.

10.3 All technical divisions are headed by Directors. With regards to the Surveys and Lands and Country Planning divisions, there is very little cross-

referencing between the two until the very latter stages of the land acquisition and development process. The lack of technical and administrative capacity, as well as effective collaboration between the two departments has hindered the work of the Ministry, and has resulted in tremendous mismanagement and maladministration in the allocation of state lands. Prior to the commencement of this study, the Ministry provided the review team with a copy of its organogram (Appendix D), which shows the existing organizational structure and the line management relationships in place at the time of the study. The current structure of the Ministry does not enhance management for results; the functions within the two divisions are not clearly defined, and staff find themselves undertaking too many overlapping functions. For instance, review team noticed that both divisions employ surveyors. The internal monitoring and audit unit within the administrative and technical divisions is non-functioning, and the review team found no evidence of a procurement committee as required by law.

11.0 SURVEYS AND LANDS

11.1 This Division is primarily responsible for the surveying and mapping of all lands. It is also responsible for the administration of State lands. The Division keeps a record of all licensed surveyors and approves all survey plans, both for State and private lands. As such, the Division should ensure that private surveyors maintain standards of excellence. Personnel in this Division include surveyors, cartographers and draughtsmen.

11.2 The majority of problems regarding lands stem from the processes and systems utilized in the Division of Surveys and Lands. The systems and processes in place to facilitate the allocation and sale of State lands have not

been adhered to over the years, leading to maladministration and allegations of corrupt practices. Regarding the practice of leasing State lands for dwelling purposes, testimony from the Marcus-Jones Report indicates that the Government had originally intended to assist civil servants with housing by granting them financial loans to develop their own privately acquired lands. The process evolved to application to Government for lease of State lands, and later on to the present system wherein nationals are granted residential leases for a minimal amount of annual rent on the condition that they develop the land within three years and, once this has occurred, can then apply for freehold. According to the Ministry, a decision was made to increase the minimal rent on these leased State lands from the previous range of Le 1,500-Le5, 000. Current rates go up to Le 250,000. Over the years, numerous allegations of corrupt practices have been levied against the Ministry, including requiring applicants to pay commercial rate prices for the State lands, illegal sales, overestimating the land size on survey plans, approving applicants without meeting the conditions, and leasing the same piece of land to several applicants.

11.3 Problems with Surveys and Lands:

- Weak land administration and management systems: there is a lack of comprehensive land policy framework, standards, guidelines, and inadequate institutional capacity for policy implementation. Laws dealing with land use and tenure must be modernised and related to effective policies.
- There is no comprehensive legislation clearly defining the functions of the central Ministry and the local councils; the schedule of functions listed in the Local Government Act is not appropriate given the nature of the work performed by the Ministry.

- **Indiscipline in the Land Market:** this is characterized by the current spate of land encroachments, falsification of documents, multiple sales and registrations, unauthorised/haphazard development, and improper land demarcation.
- **Indeterminate Boundaries:** political, administrative, and government and private property boundaries have not been clearly defined. This has resulted from the lack of reliable maps/plans, improper survey practices, and the use of unapproved, old and inaccurate maps.
- **Lack of Technical Experts and Equipment:** a majority of the staff lack the qualifications/training to effectively manage land use and development. In addition, the systems and processes used to administer land use are limited and outdated. For instance, the Ministry lacks a cadastral system through which maps and land listings could be verified.

12.0 COUNTRY PLANNING

12.1 The Country Planning Division is responsible for physical/land use planning in the country, providing guidelines for the growth of settlements within the context of a plan indicating the nature, form and direction of growth of such settlements. The purpose of such plans is to ensure the efficient use of land and the provision of amenities to improve the quality of life for the residents. In short, the division is responsible for the preparation, implementation and monitoring of various town planning schemes including urban structured plans, detailed plans, action area plans and subject plans. The Division is divided into two sections, Physical Planning, responsible for the preparation of various town planning schemes and manned by town planning officers and Development Control, which is responsible for ensuring that construction and other uses of the land are in accordance with approved plans

and in compliance with building regulations and town planning schemes. This section is manned primarily by building inspectors.

During the course of this review, this division was transferred to the Ministry of Works, Housing and Infrastructure. According to staff, the Country Planning Division will now primarily focus its attention on the preparation of land use plans, strategic subject and structure plans and enforcement.

The Division faces a series of problems in carrying out its functions, including:

- Refusal to comply with enforcement notices: due to delays in the enforcement procedure, many developers refuse to both apply for permission to develop and to comply with enforcement notices
- Blockage/Lack of Access Roads: due to improper survey practices, lack of coordination between the two technical divisions, and weak enforcement mechanisms, many properties end up being land-locked without established access roads
- Haphazard, illegal and unsustainable construction: the lack of a comprehensive urban development plan has resulted in illegal settlements and hazardous developments, especially within the city of Freetown. The lengthy and congested judicial process has ensured that defaulters go unpunished. In the absence of an effective Lands Commission, there is urgent need for a judicial entity primarily dedicated to the pursuit of lands-related matters.

12.2 Environment

This Division is responsible for the ensuring that land use occurs in a responsible manner with minimal negative impact on the natural

environment. Land use and development must occur within the context of sustainable development.

12.3 Sierra Leone Environment Protection Agency (SLEPA)

This agency was created by an Act of Parliament in 2008. It has the mandate of managing and coordinating activities related to the protection of the environment. In particular, SLEPA provides technical support to the Ministry on environmental matters including the management of industrial waste, and pollution levels. The Agency is governed by a Board of Directors appointed by the President on the recommendation of the Minister of MLCPE; it is comprised of senior level representatives from the Ministry itself, as well as one each from other ministries relating to local government, mineral resources, marine resources, agriculture, tourism, trade, transport, and health.

13.0 AUXILIARY INSTITUTIONS

13.1 Several administrative and regulatory bodies have been set up over the years to facilitate the work of the Ministry.

14.0 Presidential Task Force on Infrastructure and Urban Development

14.1 This Task Force was created to examine delays in the processes for administration of justice in land cases. The Task Force is chaired by the Vice-President and members include representatives from the Ministry including the Minister, the Administrator & Registrar General, and representatives from the Institute of Architects, Law Officers Department, and private sector advisers. In November 2008 Cabinet agreed to place a six month moratorium on the allocation of State lands and all private land transactions in the Western Area. The Task Force conducted a review of this issue and is in the process of finalizing its draft report.

15.0 WORKING ARRANGEMENTS

15.1 DECENTRALIZATION

15.2 The Local Government Act 2004 devolves certain functions of central Ministries to local authorities throughout the country. With relation to the Ministry of lands, Country Planning and the Environment, the schedule states that the functions of land surveying, land registration and control of illegal sale of land, leasing government land, strategic local plans, issuance of building permits, “sand dues”, preparation of land use plans, and education and sensitisation on environmental issues, should be devolved to local councils. The decentralisation of land management has been easier in the provinces because of the strict limits placed on communal land which predominate in those regions. In the Western Area however, the Ministry has understandably found it difficult to concede these most essential functions, some of which are of a highly technical nature and require substantial staff and equipment. Nevertheless, the Freetown City Council continues to make claims to these functions. Presently, the City Council only handles the function of collecting sand dues. Regardless of the provisions of the Local Government Act 2004, the local councils are not equipped to undertake their intended roles. Not only do they lack the capacity, they may not be able to effectively handle the volume of work this would entail. Regarding the issue of land registration, best practice and logic as reflected in Cap 255 of the Registration Act and Cap 256 of the Registration of Instruments Act suggests that it must remain a centralized activity done only by the Office of the Administrator and Registrar-General. As such Government has to review the Local Government Act 2004 and the decentralization policy to assess its relevance and implementability.

16.0 STAFFING

16.1 According to the information provided by the Ministry, there are 134 names on the current staff list. None of the staff interviewed during this review have job descriptions and there is no recent scheme of service available. As with other similar institutions, the Ministry has a substantial number of personnel who have not been absorbed into the government payroll. Data collected from the Ministry places this number at around 120 personnel including clerks, drivers, architects and draughtsmen. Appendix E provides a list of these personnel. The review team observed that the Ministry is in the process of implementing numerous projects; it is important that project staffs are competitively hired and possess the necessary qualifications if they are to add value to the Ministry and the people of Sierra Leone.

16.2 The Ministry lacks essential technical and qualified personnel, and has an abundance of periphery support staff with little added value; both the Surveys/Lands and Country Planning Divisions report an urgent need for trained personnel. Several key positions including those at the Director level have been vacant, with temporary officers filling in the capacities. During this review a total of 14 personnel from the technical divisions of the Ministry, including the Acting Director of Surveys and the Chief Building Inspector, were provided with letters for 60 days leave from the HRMO.

17.0 TRAINING

17.1 Training remains one of the key deficiencies in the Ministry. According to information provided both in the Justice Marcus-Jones Commission of Inquiry Report and by the Ministry, there was a training school for student surveyors located at New England, which provided training for a period of three years before their appointments with the Ministry are confirmed. However, the

school has not been operational in over eight years. In general, training opportunities, particularly for junior staff, have been very limited, and often not available. The Ministry faces a severe shortage of technical staff in both surveying and country planning, which continues to compromise its work. The Ministry not only faces challenges in managing State lands, but also finds it challenging to monitor the licensed surveyors who work on private lands, resulting in numerous cases of land grabbing, encroachment, and illegal sales. The lack of training is especially evident in support services where very few of the clerical staff interviewed during this study had attended any formal training courses.

18.0 ACCOMODATION & MATERIAL RESOURCES

18.1 Accommodation standards at the Ministry headquarters at Youyi Building are reasonably good. However, the Ministry lacks essential equipment in all Divisions, both administrative and technical. The Ministry is a key revenue-generating institution. NRA records from 2005 to 2008 indicate substantial revenue to the government:

YEAR	TOTAL
2005	Le 970, 340,000.00
2006	Le 1, 171, 455,738.00
2007	Le 1, 999, 273,730.00
2008	Le 1,459,668,239.00

18.2 It is important that the Ministry and the government develop a mechanism through which some percentage of this revenue can be retained in the Ministry to be used for covering material expenses.

19.0 DONOR SUPPORT AND PROJECTS

19.1 Land Registration and Mapping Project

19.2 The Investment Climate Facility for Africa (ICF) is currently funding a 9 month project within the Ministry to improve land registration and develop a computerized mapping system using GIS/GPS. It entails collating all land registration records held within the Administrator & Registrar-General's Office into a database which will be linked to the cadastral mapping system developed at the Ministry. The objective is to have complete computerized records of land ownership. This will ensure accuracy of records, reduce land and property disputes, and most importantly, improve the systems and processes within the Ministry, significantly reducing incidences of corruption. It is envisaged that the project will eventually be integrated into the daily systems used within the Ministry and that, coupled with effective legislation and policies, will create an effective and modern land management system with significant gains for development.

20.0 ANALYSIS AND RECOMMENDATIONS

20.1 This section of the report deals with the analysis of our findings, the function and structures and the driving force within the Ministry. The issues arising during our investigations are discussed and reviewed and recommendations offered. We conducted approximately 80 interviews with staff of the Ministry of Lands, Country Planning and the Environment, Freetown City Council, the Decentralisation Secretariat, and Civil Society. Views and issues were discussed for the purposes of clarification. We also

studied the ‘The Report of Justice Laura Marcus-Jones Commission of Inquiry on the Leasing and Sale of State lands in the Western Area’. The Government White Paper on the report was also a useful resource.

20.2 We observe that for the past 20 years governments have had problems with defining the mandate and areas of responsibility for the Ministry of Lands, Country Planning, and the Environment, as evidenced by the numerous changes in its nomenclature. The Ministry, in implementing its functions, is faced with several challenges. It does not have the manpower to cover the vast area and demands of the nation. Additionally it does not have the capacity of trained surveyors or trained land management officers. We also observe that the equipment needed for an effective, genuine and verifiable survey document does not exist. Measurements are still done using tapes compromising accuracy.

20.3 This lack of clarity is manifested in the internal workings of the Ministry as well. In one of the documents made available for the study, the Ministry indicated that its vision was

“To ensure a well planned environment with affordable housing opportunities within settlement in all parts of the country”.

Its Mission Statement is:

“The achievement of effective and efficient land management patterns through development control and enforcement for the attainment of a well planned

urban environment for sustainable social and economic development in Sierra Leone”.

There is a need to develop a dynamic vision and mission for the Ministry in line with its mandate and goals.

21.0 STATUTORY FRAMEWORK

21.1 Legislations relating to Surveys and Lands Division

21.2 The laws detailed in Appendix C relate to the Ministry, but most are not known to its entire staff. Only a select few individuals have knowledge of, and access to them, and only to those referring to their own specific department. As stated earlier these laws provide legitimacy to the Ministry and provide boundaries in the environment it operates. It is important that all staff are familiar with the laws governing their work. **We therefore recommend** all rules and regulations regarding the primary functions of the Ministry be incorporated into one composite Law, and that this be disseminated to all staff. Awareness of the legal boundaries will also reduce the incidence of illegal land sales and other corrupt practices.

21.3 We have studied both the statutory requirements and the daily operations of the Ministry and have come to the conclusion that professional staffs need clarity and guidance to fully implement operations and effectively perform their responsibilities. **We therefore recommend** that a sector policy for Surveys and Lands, providing strategic guidance, should be developed as a first step to concretize all its rules and regulation into one composite Law.

21.4 The present magnitude of the problem in the Ministry cannot be solved by a Task Force or Committee. It will need a concerted effort on all fronts, including sustained support from the Government.

We endorse and support all the recommendations relating to the improvement of the law in “The Report of The Mrs Justice Laura Marcus – Jones Commission of Inquiry on The Leasing and Sale of State lands in the Western Area,1999”

21.5 The legislation regarding Statutory Declaration of Land ownership remains unclear and this has been one of the avenues used by land grabbers to acquire land illegally. We hope that the government will provide clarification and guidance on this issue to facilitate the work of the Ministry. We understand that it is the place of the Government via the Courts to determine the claims on land, but believe that the Ministry may have been co-opted into this process because of the lack of clarity on lands owned by the State. It is therefore necessary that the Ministry develop accurate records on all lands owned by the State and be able to distinguish these from unoccupied and private lands. There is great potential for conflict arising from land ownership and this must be addressed expeditiously. There is also a clear need for review of ‘Section 4 of Cap. 117 Unoccupied Lands Acts, in the Laws of Sierra Leone, 1960’, to protect the interests of the people of Sierra Leone. The provisions regarding this issue must be made clear in the composite law on lands and surveys being advocated for in this report.

22.0 Leasing and Sale of Lands

22.1 We observe that the recommendations of the ‘Report of the Mrs Justice Laura Marcus- Jones Commission of Enquiry on the Leasing and Sale of State lands in the Western Area, 1999’ and the Government white Paper thereon was not implemented. **We uphold these recommendations and recommend** that the Ministry implements them as approved by the Government White Paper.

22.2 We **recommend** that the ban on private sale of land be lifted as this is stifling development as the construction industry is one of the most progressive and vibrant sectors in the economy. This recommendation will create legitimacy in land purchasing as we observe that notwithstanding the ban, the sale of private land continues.

22.3 We **recommend** that the Ministry develop an effective monitoring system of all State lands transactions to ensure compliance with the terms of the leases.

22.4 There is need to fast track all land cases and disputes in the Ministry and the courts of law. **We recommend** that a special court for land cases be established to handle all land matters. We believe that the Commercial Court proposed by the Justice Sector will serve as a legitimate forum. We support the Ministry’s recommendation to integrate alternative dispute resolution (ADR) mechanisms into the land arbitration process, and suggest the Ministry make it a point of developing a concept paper to be presented to the Ministry of Justice on it. We advocate for support for legal experts in the Ministry, and believe these officers will provide the necessary expertise.

22.5 **We recommend** that the leasing of State lands be done in a systematic way to allow for effective monitoring and record-keeping.

22.6 We observed that the problems faced by the Ministry are not replicated at the district level, as town planning officers and Paramount Chiefs with the help of the Town Planning Committees of councils, are working amicably. Other reasons for this are that the Paramount Chiefs are respected as the legitimate custodians of land, and there is less pressure for land in these areas unlike Freetown. **We recommend therefore** that the processes, particularly the authorising roles, guiding land leasing are clearly defined to reduce duplication and overlap, and enhance transparency and accountability.

23.0 APPROVAL OF SITE PLANS

Private site plans for land are prepared by private Licensed Surveyors and submitted to the Ministry for the approval of the Director of Surveys and Lands. This action does not guarantee ownership or title in itself, and the process is fraught with inconsistencies. We observed that, notwithstanding the right to prepare conveyances, other parties can stop construction on the land without recourse to the Ministry. In the Regional Headquarter Towns, for example, approval of site plans is made by a Town Planning Committee that considers all the issues surrounding the land before permission is granted. However, the Sierra Leone Roads Authority can stop construction on the claim that the building is on its Right of Way. We understand that the current process calls for consultations with service providers. However, to institutionalise this good practice, embedding it into the culture of the Ministry, and to ensure consultations with all stakeholders and relevant authorities, **we recommend** that the Ministry sets up a Town Planning Committee to review all site plans before approval is given. Accordingly, **we recommend** the following as members: -

- Ministry of Lands, CP and the Environment CP Division Chair

- Ministry of Energy and Power
- National Power Authority
- Guma Valley Water Company
- Ministry of Works, Housing, and Infrastructure
- Freetown City Council
- Director of Surveys and Lands
- A representative from Civil Society
- Co-opted members of the wards when consideration pertains to the ward.

24.0 FUNCTIONS

The environment within which the Ministry of Lands, Country Planning and the Environment operates is changing and its functions should reflect these changes. The devolution of functions from the Ministry to the local councils as stipulated by the Local Government Act 2004, and the transfer of the housing directorate to the Ministry of Works, as well as the creation of SLEPA call for strategic realignment of the functions of the Ministry.

24.1 Government should demonstrate its commitment to providing and managing the use of land in order to meet, as far as possible, the increasing needs of the community. This can be done through effective policies to guide land use and management. There should be, within the context of the scarcity of land, sufficient amounts of land available which are suitably located and provided with adequate infrastructure, both balanced against environmental requirements, at reasonable costs and endowed with security of clearly defined tenure.

24.2 For the realization of an appropriate land policy, various instruments and tools are necessary, including, but not limited to:

- Land information system (GIS/LIS)
- Land tenure and land registration within the Office of the Administrator and Registrar-General
- Regional and Municipal planning
- Valuation and taxation
- Land acquisition and delivery
- Institutional components such as effective intra/inter-ministerial coordination and cooperation mechanisms, organization, financing systems, legislation information, communication, training, and research.

24.3 The Land Registration Project (LRP) with the objective of fostering the development of an effective land administration system, and creating a healthy climate for investment and ensuring that property rights are upheld and formalized, is a positive exercise. Coupled with the proposed registration of land titles, we believe this will ensure efficiency in land administration.

24.4 We observe that while this project seeks to put the Ministry in the right direction for development, additional support may be needed to ensure comprehensive coverage. **We recommend** that this project be extended to form part of the working processes in the Ministry, and that, as appropriate, the Government should provide support for system-wide implementation that will provide the sector with new technologies and adequate support in land administration.

25.0 DECENTRALIZED FUNCTIONS

The Local Government Act 2004 makes provisions for a variety of functions from central Ministries to be devolved to the local councils, including the Freetown City Council. In as much as we support the rationale behind decentralization, we maintain that local councils are not capable of undertaking their new functions at this time. It is vital that the local councils be provided with the necessary support and capacity. It is important that the Ministry work with local councils to develop a plan of action that ensures efficiency, transparency, and coordination. Because of the technicalities involved in land management and use, it is important that the functions to be devolved to the local councils be properly assigned and monitored. **We therefore recommend** that the devolution of functions to councils by MLCPE be put on hold until the Ministry has reviewed and clarified its new functional role, and at the same time prepared the councils to take over the devolved functions.

25.1 The Western Area remains particularly problematic as Freetown has outgrown its original boundaries and the Freetown City Council cannot affectively provide services as envisaged. The pressures created by the population movement and its attendant social, economic and political challenges make implementation of the devolved functions increasingly impossible. **We recommend** that the structure and functions of the Freetown City Council relating to land management be studied with a view to dividing the Western Area into several sub-administrative areas.

26.0 STRUCTURES AND WORKING ARRANGEMENTS

26.1 With the transfer of the Housing unit to the Ministry of Works and Housing, the remaining functions provide an opportunity for the MLCPE to

concentrate on land allocation, use, physical planning, and management. **We recommend that roles within the remaining technical divisions and administration be clearly defined in the new Organogram, to avoid duplication and unproductive overlaps.**

26.2 **We recommend** the following Directorates vis-à-vis the new functions of the Ministry:

- Land Surveying and Registration
- Country Planning
- Environmental Affairs
- Information, Education, Communication, and Technology
- Government Property and Archiving
- Administration and Finance (This includes HR Management, Training/Capacity-building, Finance/Accounting, Auditing and Procurement)
- Legal Affairs
- Monitoring and Evaluation
- Policy and Planning

26.3. The function of land value assessment is performed within the Ministry, and we observed a variety of problems with it including arbitrary values being placed on leases in Freetown. As the process is a technical one prone to corrupt practices, we recommend a participatory approach that incorporates not only the expertise of the Ministry but also of other stakeholders and experts. The Ministry has proposed a zoner price index. We support this and further **recommend** the creation of a Land Value Assessment Committee. The following composition is proposed:

Ministry of Lands and Country Planning
Ministry of Finance and Economic Development
Ministry of Internal Affairs, Local Government and Rural Development
Ministry of Works and Technical Maintenance
Office of the Administrator and Registrar-General
Freetown City Council
District Councils
Association of Architects
Builders' Union
Licensed Surveyors
Legal expert in land use and management
Private citizens with expertise in geography, topography, estate development,
and construction

27.0 Issues with Working Arrangements and Management

27.1 In analyzing the questionnaires completed by the staff of the Ministry, and from our various interview sessions, a number of issues were identified in the organizational procedures, processes and work practices that should be addressed.

- Work schedules and job descriptions are indicated, but in reality they do not exist. Similarly, there are no established communication channels or management practices such as mandatory staff meetings, appointment books, or minute reports.
- The limited coordination between the technical divisions has led to a variety of problems regarding inaccurate survey plans, lack of alignment between survey plans and building plans, and improper and unsustainable town and country development planning. While both

divisions perform particular tasks, these are nevertheless interrelated and require coordination throughout.

- There seems to be little regard for official command structure; instructions and requests are not made through the legitimate channels, creating confusion and dissension in the organization. It is important that the functions of all managers are clarified, and that the role of the Permanent Secretary is utilized, as indicated in the General Orders and the draft Civil Service Code of Conduct /Rules and Regulations.
- Reliable land records are essential to protect the rights of citizens and Government. These records legitimize transfer ownership of and establish title to real property. The records can be in the form of technical survey plans denoting dimensions and topographical specifications, as well as precedence records that provide historical records of ownership, tenancy, and changes made to the property. The records may attest to the owner's age, place of birth, citizenship, military service, literacy, and economic status and may even include similar information about family members. Land records are generally a reference resource for genealogists seeking evidence of ownership and entitlements. The land entry case files document the transfer of public lands from the GoSL to private ownership. Land case entry files contain a wealth of genealogical and legal information and can also establish locations of land ownership or settlement. The case file may present new insights about ancestors, family history, title, and land use issues.
- Expertise in the creation, storage, and retrieval of land records should be acquired to ensure that technical and precedence records are properly managed and easily retrievable. Record keeping is not centralized and divisional heads maintain their own individual filing systems, creating isolated islands of information, distorting power relationships in the organization. Attempts to capture data from land records and automating

without classifying, indexing and describing the hard copy records may result in making access difficult and expensive. Once hard copy files are systematically arranged and control systems put in place, migrating data into an automated system will be cost effective.

- There is need to improve the Internal Audit Unit, as financial and budgetary controls are not unified. For instance, while Civil Servants travelling to the regions receive Per Diem only, Ministers are entitled to both Per Diem and travelling allowances. The Audit unit should be expanded to include monitoring functions; there should be a monitoring mechanism emphasising transparency and accountability.
- We note that there is no utility vehicle to transport workers to sites for surveying or inspection. If there is a complaint by the public, the aggrieved is requested to provide transport for inspection, exacerbating the incidence of corruption. **We recommend that priority be given to the Ministry in provision of vehicles as their work justifies having transportation.**

27.2 Modernization of the Ministry of Lands, Country Planning and the Environment includes expanded use of information technology to improve efficiency and quality of its services to the community. This could be accomplished by establishing a computerized on-line land registry processing system for all registration directorates.

27.3 At the Ministerial level, this will satisfy many objectives. Most important of them include:

- Provide efficient and fast transactional services to the community.
- Automation of registration procedures.
- Production of error free high quality documents.

- Automated documentation of transactions.
- Direct update of land ownership record at the moment of transaction execution.
- Introduction of additional hardware and software necessary to satisfy the needs of other organizations via electronic facilities.
- Capacity building and staff development

At the National level, the following objectives would be met:

- The ability to investigate land records will necessitate the formal identification and recognition of the ownership of the land.
- Security of tenure, by saving an additional copy of the land register and cadastral maps.
- Reduction in land disputes, by the capability to check any corresponding information related to the disputed parcel.
- Improved conveyance transaction by reducing costs and delays in transferring property rights.
- Encouragement of the land market by introducing fast, cheap, secure and effective system for recording and transferring transactions.
- Monitoring of the land market and controlling land transactions and ownership.
- Successful land reform through the permanent availability of information regarding who owns what rights in what land.
- Better management of state domain lands. This gives a rise to improved revenue collection from the land which it leases gives for rent or authorizes.
- Support for land taxation. Improvements in the cadastral system lead to great efficiency in tax collection and the consequential greater amount of tax recovered.

27.4 The proposed changes to the MLCPE require substantial changes in staff capacity, organizational structure, and management practices. Professionals are required for information technology management, monitoring and records management. **It is recommended** that the Ministry identify its capacity gaps and seek support from the HRMO, PSC, PSRU, and the Office of Diaspora Affairs. It is important that the Ministry is able to align its internal vision with the objectives identified in the Government's Public Sector Reform Programme. The Ministry should be guided in this process by a team familiar with its roles and mission. **We recommend** that a Change Management comprising staff from all levels be developed to ensure effective implementation of good management practices and advocate on behalf of the Ministry.

28.0 TRAINING AND STAFF DEVELOPMENT

28.1 We were informed of the former Surveys Training School at New England which has been defunct for over five years. A majority of the present crop of surveyors had their initial training at this school. We note however that the training provided was inadequate and that participants were expected to seek further professional training from other tertiary institutions. The building that housed the school is in ruins and is in need of repairs. In light of the lack of funding and management challenges, resuscitating the school is not a cost effective short-term measure. Until such time that the immediate pressing challenges have been addressed within the Ministry and the Civil Service **we recommend** that the Ministry should seek support from Tertiary educational institutions in the form of inclusion of basic courses for training of surveyors in their curriculum. This will be in line with the requirements of the Tertiary

Education Act. The HRMO serves as a valuable recourse in accessing training for Ministry staffs and **we recommend** that the Ministry discuss its needs with them.

29.0 COMMUNICATION

The Ministry deals directly with the community as it allocates Government land and arbitrates disputes on land matters. However communication with the public is weak and not constructive. We noted that the public is unaware of the mandate, structure, functions, and procedures of the Ministry. The Ministry is also reportedly noted for having a slow response rate to public concerns. This perception of non responsiveness has created a situation wherein the public seek high-ranking staff to address their problems, compromising the command structure, and creating an incentive for corruption. We have made provision for enhanced communication in the proposed functional directorates.

29.1 A meeting was held with civil society representatives to discuss their perceptions of the Ministry of Lands and Country Planning. We attach as appendix F the issues and recommendations made at the meeting.

Appendix A

PROPOSED FUNCTIONS FOR THE FUNCTIONAL UNITS

ADMINISTRATION, FINANCIAL AND TRAINING

- Provide administrative and management support for the Ministry
- Ensure that the Ministry's Organisational structure is properly designed and functions, duties and responsibilities clearly defined and that this is communicated to the rank and file.
- Manage the Performance Management System being developed by the HRMO
- Ensure that all Units are adequately resourced and that these are judiciously utilized.
- Provide input for formulating HRM policies and practices for Human Resources development
- Establish and maintain procedures for planning and controlling human resource development
- Develop appropriate training programmes for all categories of staff
- Periodically review rules, regulations and procedures relating to training and staff development
- Ensure that procurement rules and regulations as stipulated in the 2004 Procurement Act are adhered to ensure that Finance and Budgetary procedures, rules and regulations are strictly followed

LANDS, SURVEYING AND REGISTRATION

- Identify and report the location of the boundary lines of all parcels of Land.
- Develop comprehensive and accurate maps of State lands, private lands, and unoccupied lands in the country
- Arbitrate on Land encroachment
- Provide physical evidence of property boundaries
- Arbitrate on Land disputes in terms of correctness of documentation and other details

COUNTRY PLANNING

- Develop policies for effective Country Planning
- Develop policies and strategies for :
 - Land Use Planning
 - Programming
 - Improvements in physical planning
 - Land Administration
 - Development Control
- Develop links with Local Planning authorities
- Develop Planning Policy guidelines
- Support implementation of the Town Planning Act

ENVIRONMENTAL AFFAIRS

- Develop policies and support the formulation of policies for responsible development
- Implement all activities necessary for the effective operationalization of the SLEPA Act 2008

- Collaborate with all stakeholders, including local communities, to ensure proper environmental management
- Support the Ministry in effective land use and management

GOVERNMENT PROPERTY AND ARCHIVING

- Provide regulation and requirement related to Government Property
- Develop work processes in coordination with the Government Assets Commission
- Administer and manage the sale of State Land
- Provide information and records of all Government Properties
- Custodian of all maps and documents relating to Government Lands

INFORMATION EDUCATION COMMUNICATION

- Support the computerised land mapping project and other technical innovations in the Ministry
- Facilitate the production of error free documentation
- Provide support to all IT users in the Ministry
- Training to IT Users and support for the proposed National ICT policy

LEGAL AFFAIRS

- Provide Legal Support Services for the Ministry
- Liaise with the Administrator-General on matters relevant to the Ministry

- Support the creation of a new Lands Policy
- Prepare litigation for the Ministry for offenders of the Law

POLICY AND PLANNING UNIT

- Assessment of sectoral strategies and work plans to ensure coherence and alignment with national goals
- Development of national policies and strategies relating to the mandate
Development of Departmental work plans in line with sectoral plans
- Provide a coordinating mechanism and forum for institutions within the sector to ensure synergy and cooperation at national and local levels
- Provide technical backstopping in the Ministry
- Facilitate implementation of activities in Work Plan
- Strengthen institutional relationships i.e. promoting dialogue with local councils, partner agencies and other stakeholders through participation in M&E work, joint evaluations and interagency collaborations
- Provide planning guidelines to regional offices
- Provide technical assistance to regional offices / local councils in development of work plans
- Assist the Ministry in development of Cabinet Papers
- Collaborate with research institutions to collect, collate and analyse data on Ministry's activities

- Conduct research activities
- Monitor the implementation of approved programmes and projects
- Ensure feedback and promote knowledge management i.e. supporting the improvement of institutional effectiveness through introduction of methodological innovations and support to the Change Management Teams, application of results-based management and by promoting the effective dissemination and use of M&E findings, lessons and recommendations.

Sub-unit: MONITORING AND EVALUATION

- Develop a monitoring system for the sale of State lands and other activities within the mandate of the Ministry
- Collaborate with stakeholders and other MDAs in evaluation of activities related to the mandate of the Ministry
- Assist with the development and maintenance of the records especially those relating to lands registration

APPENDIX B - LIST OF PEOPLE CONSULTED

MINISTRY OF LANDS, COUNTRY PLANNING AND THE ENVIRONMENT

Dr. Denis Sandy, Minister of Lands, Country Planning and the Environment
Mr. Syl Goba, Deputy Minister, Lands, Country Planning and the Environment
Johnsen Marrah, Permanent Secretary
Mr. M.B. Mussah, Deputy Secretary
Dr. William Farmer, Director, Surveys and Lands
Donald Jones, Former Director, Surveys and Lands
Mr. Alex Tamba Konoyima, Ag. Assistant Director, Surveys and Lands
Mr. Bob Mishek-Koker, Surveyor/Draughtsman

Country Planning Division

Mr. Augustine Ollman Fomba Kai-Banya, Ag. Director, Country Planning
Mr. C.K. Jarret, Chief Building Inspector
Mr. Horatio O. Peacock-Sawyer, Senior Building Inspector
Mr. Emile During, Building Supervisor (East)

Administration

Mr. Hardin Bob-Bockarie, Sub-Accountant
Diana Cregeen, Staff Superintendent, Ag. Executive Officer
Mrs. Aminata Yullah, Ag. Staff Superintendent, 2nd Grade Clerk
Khadijatu Kamara, 3rd Grade Clerk
Fatmata B. Samura, Temporary Clerical Assistant
Mariama Williams, 3rd Grade Clerk
Elizabeth Jackson, 3rd Grade Clerk
Alice Kanu, 3rd Grade Clerk
M'balu Sheriff, 3rd Grade Clerk

Decentralization Secretariat

Mr. Alhassan Kanu, Ag. Director, Decentralisation Secretariat

Presidential Task Force on Infrastructure and Urban Development

Dr. Lancelot Ayo Lake, Co-Chair and Technical Adviser

Freetown City Council

Bowenson F. Philip, Chief Administrator

ENCISS

Jemila K. Massallay, Governance Advisor
Samuel Mokuwa, Ag. Director, Policy and Programme
Kadie B. Jackson
Joseph Bash Kamara
Lovetta A.R. Pratt
Esther Ndomahina

YAPAD

Bockarie Enssah
Albert K. Cowan
Abu Bakarr Turay
National Commission for Democracy
G. Coderidge-Taylor
Network Movement for Justice and Development
Aminata Kelly-Lamin
AMNET
Medely M. Mansaray

Awoko NewsPaper

William Freeman

Awareness Times

Augustine Samba

SFCG/TDS

Alimamy B. Kamara

CSM

Silas Kamara

TEDEWOSIL

Miriam H. Sesay

National Union of Sierra Leone Students

Vandy Siaka

AFFORD-SL

Mamie Bobor-Kandeh

Forum for African Women Educationist

Ann-Mamie Kandeh

Campaign For Good Governance

Alusine Sahid Kamara

Sierra Leone Teachers Union

Hariyatu A. Bangura

50/50 Group

Iyesha Kamara

APPENDIX C

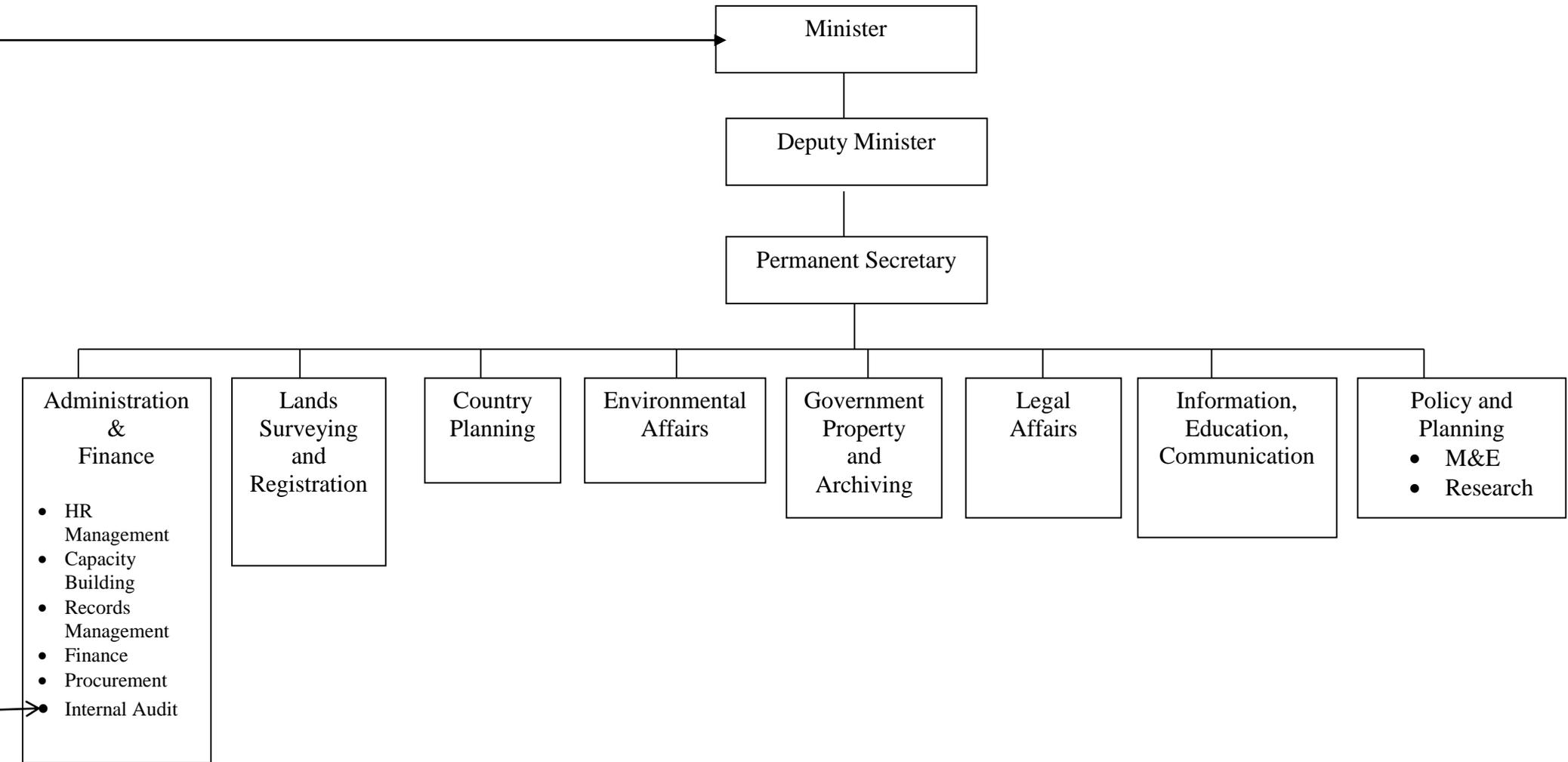
Acts and Statutory Instruments relevant to the Ministry of Lands, Country Planning and the Environment.

- (1) Crown Land Act 1960 No.19 of 1960 – Legislation of Sierra Leone 1960.
- (2) Crown Land (Amendment) Act No. 18 of 1963 – Laws of Sierra Leone 1963
- (3) Transfer of Defence Lands No. 8 of 1961 – Legislation of Sierra Leone
- (4) The Legal Practitioners (Amendment) Act. No. 5 of 1984. (Being an act to amend the Legal Practitioners Act (Cap. II)
- (5) Vol. 1 Chapter 51 – Speedy ejection of persons unlawfully lands within the Western Area
- (6) Vol. III 116 Vol. III – Public Lands 3/61/21/72
Vol. III 117 Vol. III – Unoccupied Lands 121/60
Vol. III 118 Vol. III – Crown Lands Conservancy 19/60
Vol. III 119 Vol. III – Defence Lands Acquisition
Vol. III 120 Vol. III – Airfields and Defence Lands 48/82
Vol. III 121 Vol. III – Concessions 17/76
Vol. III 122 Vol. III – Provinces Lands 15/61,11/65, 29/72,18/76
Vol. III 123 Vol. III – Admiralty Lands
Vol. III 124 Vol. III – war Department Lands
Vol. III 125 Vol. III – Ordinance Lands
Vol. III 126 Vol. III – Fortification Sketching
Vol. III 127 Vol. III – Kroo Reservation
Vol. III 128 Vol. III – Survey 14/50, 45/65, 48/65
- (7) Vol. III Survey Rules
Chapter 138 Inland Waters
Chapter 148 Territorial Waters
Chapter 149 Foreshores
Chapter 248 Copy Right
Chapter 256 Registration of Instruments
Chapter 279 Church and Church Lands (C.M.S.)
Chapter 281 Methodist
Chapter 282 Methodist

The ‘Protectorate Lands’ Act Cap. 122, Act No. 14 of 1960

The Survey Ordinance, Act No. 42 of 1961
Surveys Act, Cap. 128
Registration of Instrument, Cap 256
The ‘Compulsory Acquisition of Property’ Act, Cap 116
The ‘Public Lands’ Act, Cap. 117
The ‘Unoccupied Lands’ Act, Cap. 118
Transfer of Defence Lands No. 8 of 1961,
The Freetown Improvement Act, Cap. 66
The Town and Country Planning Act, Cap. 81
The SLEPA Act 2008

APPENDIX D – PROPOSED ORGANOGRAM FOR MINISTRY OF LANDS, COUNTRY PLANNING AND THE ENVIRONMENT



APPENDIX E

Recommendations of ‘The Report of the Justice Laura Marcus-Jones Commission of Inquiry on the Leasing and Sale of State lands in the Western Area 1999’ and GOVERNMENT WHITE PAPER THEREON

1. Government policy on land should be made known to all.
2. Only one State Land should be granted per person.
3. All files on an Area applied for should be properly investigated. An Area could have three files.
4. No grants should be made in areas which are too steep in mangrove swamp areas: within river valleys
5. The Public should be educated about the importance of Beacons.
6. All Beacons destroyed in State Land should be replaced. Control beacons should be protected and made accessible.
7. All leased lands should be fenced by lessee within six months of grants.
8. Institutions, Departments, Cemeteries should be demarcated and fenced.
9. Land taken by encroachers should be reclaimed.
10. All private plans should go through clearance section, surveys and lands department before being processed.
11. In addition to Director’s signature at bottom of plan a special seal should be placed in middle of Survey Plan with Signature of the Director and date.
12. Weekly Returns of Plans signed by Survey and Lands Department should be made to the office of the Administrator and Registrar General
13. Prompt and Positive Action should be taken by the Authorities concerned on Reports of Encroachment

14. Lands Assistants should be provided with Police escort.
15. In preparation of Layouts for land development there should be close cooperation between Surveys and lands Division and the Housing Division.
16. All lands which have been sold and have not been developed should be repossessed by Government.
17. That leasing of State Land be done on a yearly allocation system. That time be allowed for identification and documentation of State Land.
18. That the names of persons who apply to purchase or lease State land, and the acreage involved should be published in the Sierra Leone Gazette. Names of persons to whom lands have been conveyed should be likewise published.
19. Lands Record Section should be made more secure.
20. That vehicles be provided for all Division of the Ministry.
21. Staff and Equipment should be provided for Surveys and Lands Training School.
22. Training School should be upgraded to offer higher level courses in Town Planning Surveying, Land Management.
23. To update survey methods and equipment. Modern up-to-date equipment should be provided and staff should be trained in the use.
24. Foreign Aid should be solicited towards the complete overhaul and restoration of Maps and other equipment in Cartographic Section of Surveys and Lands Department; and Technical Assistance for capacity Building.
25. Land use Committee of Ministry of Agriculture, Forestry and the Environment and Ministry of Lands, Housing and Country Planning should be encouraged to go on.

26. Additional staff should be recruited for the Ministry of Lands, Housing and Country Planning. Care should be exercised to see that staff are of the required disciplines for their various sections of the Divisions of the Ministry.
27. Scholarships should be procured for further training for existing Staff.
28. Politics should not be used to influence officers in the performance of their duties
29. Possibility of a Land Bank should be explored.
30. Reduce the population pressure in Freetown by planning e.g. by process of rehabilitating war affected areas in the district centres. Ensuring that social services and sustainable security are provided there.
31. Some of the Laws relating to allocation and use of State lands should be amended.
32. Relevant Legislation should be made easily available to all officers of the Ministry
33. All provisions of the law should be utilized as and when necessary. When there is power to make rules, it is expedient to use it to achieve fairness, stability and good administration.
34. Freetown Improvement Act, Cap 66 Laws of Sierra Leone, 1960 should be amended to give legal standing to Stop Work Notice issued for unauthorized Development.
35. Town and Country Planning Act. Cap. 81 Laws of Sierra Leone, 1960 to be amended to give clear guidelines for enforcement procedures: to avoid delay and to avoid matters in Court being bogged down with procedural issues.
36. To consider special Magistrate to deal quickly with matters.

37. Unoccupied Lands Act. Cap. 117 Laws of Sierra Leone. 1960 could be useful in setting up Land Bank.
38. Section 4 of Cap. 117 Unoccupied Lands Act. Laws of Sierra Leone, 1960 could be useful in setting up Land Bank.
39. Section 4 of Cap. 117 Unoccupied Lands Act. Laws of Sierra Leone, 1960 need clarification. It is argued that the Section is mischievously interpreted by those grabbing land by means of Statutory Declaration.
40. Use of Statutory Declaration should be restricted.
41. Survey Act. Cap. 128 laws of Sierra Leone, 1960 should be amended to reflect changes in Survey Technology.
- A Committee of Survey Technocrats and Law Officers to make appropriate recommendations.
42. Consideration should be given to having a Registration of Land Title Act.
43. Act No.19 of 1960, as amended. Being an Act to make Further and Better Provision for the Management and Disposal of State Lands, should be revisited.

APPENDIX F

At the Meeting held with **ENCISS and Civil Society Organisations** on how to strengthen the Systems, Processes, Practices and Procedures of the Ministry of Lands and Country Planning, **the following suggestions were made:**

- That the Ministry's obsolete and complex legislations should be harmonised and reviewed in order to address the unfair distribution and management of land in the country
- It was noted that Land should be disproportionately distributed devoid of any political interference since the management and distribution of Land has become very sensitive in Post-War Sierra Leone especially in the capital City of Freetown.
- It was also agreed that a Land Court system be established in order to judiciously and effectively handle all Land matters especially in the Western Area where Land grabbers have intensified their nefarious activities thereby causing serious political and social implications for the Government and the people of Sierra Leone
- That Land management and Surveying be incorporated in the University curricular in order to strengthen and encouraged trained and qualified personnel that will effectively address Land issues in the country
- That a computerised Land information system be adopted across the country so as to avoid duplication and multiple claims to Land
- It was also agreed that the Ministry of Lands, Country Planning and the Environment continue to administer and manage all Land matters in the Western Area since the Freetown City Council lack the capacity and currently has so much on it plate to handle.
- It was further agreed that the capacity of the Ministry of Lands, Country Planning and the Environment be strengthened in order to deal with the growing technical and man-made problems that characterised the distribution and management of Land in the country
- That the Ministry of Lands, Country Planning and the Environment should be prepared to incorporate best practices from other Countries through training and the use of modern techniques
- That monitoring and evaluation division/Unit be established in the Ministry of Lands, Country Planning and the Environment in order to deal with the growing corruption scandals that have engulfed the Ministry for decades.
- That Government should allocate portion of Land for developmental purposes especially for agricultural use (wetland)
- It was resolved that the Freetown City Council be responsible for the beautification of the City.

APPENDIX G: ‘ATTACHED’ STAFF ¹

NO	NAME	
LANDS DIVISION		
1.	David Komba Kono	
2.	Albert Benjamin	
3.	Yayah Kamarakeh	
4.	Morison Sahr Kallay	
5.	Santos A. Kamara	
6.	Bunji Turay	
7.	Siaka Massaquoi Jr.	
8.	Foday Conteh	
9.	Ali Koroma	
10.	Daniel Sandy	
11.	Foday Sandy	
12.	Issa Sambray Kargbo	
13.	Ahmed M. Daramy	
14.	Alieu Bangura	
15.	Saidu Turay	
16.	Alpha Bangura	
17.	Alex M. Bureh	
18.	Henry Saccoi	
19.	Francis J. During	
20.	Musa Oldman Lamin	
21.	Umaru Turay	
22.	Mohamed Lansana	
23.	Alusine S. Kamara	
24.	Ibrahim Yankuba	
25.	Joseph K. J. Laval	
26.	Lansana Magba Koroma	
27.	Kelfa Koroma	
28.	Abdul K. Kargbo	
29.	Alex Kargbo	
30.	Peter K. Kamanda	
31.	Samuel Ngobeh	
32.	Numa Dauda	
33.	Joseph K. Davies	
34.	Bambay Kamara	
35.	Idrissa Koroma	
36.	Mustapha A. Kemokai	

¹ Staff working in the Ministry who were not recruited through the HRMO.

37	Omega Abdul Rahman Sesay	
38	Samuel Sondima Alliah	
39	Medwin M. Kargbo	
40	Sorie Mansaray	
41	Kenneth Bob Kandeh	
42	Ibrahim S. Dundu	
43	Victor Aiah Mondeh	
44	Solomon Lansana Sesay	
45	Alfred Dunstant Coker	
46	Lamin Sesay	
47	Abass Kamara	
48	Ansumana Abu Sesay	
49	Christian G. Samura	
50	Musa Conteh	
51	Cecil Junior Stanley	
52	Yusif Kargbo	
53	Mohamed Gardo	
54	Moses Macarthy	
55	Alimamy P. Sesay	
56	Alhassan Kanu	
57	James Albert Moiforay	
58	Umaru Bangura	
59	Mohamed H, Kallon	
60	Paul A. Sesay	
61	Mohamed Lansana	
62	Joseph M. Lahai	
63	Abdulrahman Sesay	
64	Jonathan V. Sherrif	
65	Augustine Sundima	
66	Suliaman Samura	
67	Usman Bangura	
COUNTRY PLANNING		
1	Daniel N. Lansana	
2	Abdul Razak Samura	
3	Henrietta E. Bennett	
4	Mohamed A. Conteh	
5	Shaka B. Kamara	
6	Sylvester J Johnson	
7	Salifu Kamara	
8	Lamin Ngobeh	
9	Jessie Lebbie	

10	Morison G. Hull	
11	Cyril L. Vandt	
12	Abass Sesay	
13	Maxwell Komeh Karim	
14	Mohamed K. Kamara	
15	Prince Moifula	
16	Habibu E. Deen	
17	Ezekiel K. Lebbie	
18	Unisa Mansaray	
19	Ahmed M. Sillah	
20	Anthony E. S. Kargbo	
21	Rodney R. A. Elliot	
22	Sahr Mongorquee	
23	Alfred D. Conteh	
24	Emmanuel Ndomaina	
25	Mohamed S. Koroma	
26	Alimamy Mansaray	
27	Baimba Koroma	
28	Ibrahim Samura	
29	Sahr Sessie	
30	Umaru Turay	
31	Alfred Dunstant Coker	
32	Francis Mansaray	
33	Mohamed I. Kamara	
34	Sorie Mansaray	
35	Medwin M, Kargbo	
36	Bobson Alpha-Kebbie	
37	Mohamed Kargbo	
ADMINISTRATION		
1	Henry J. Saccoi	
2	Abdul Bangura	
3	Princess Kamara	
4	Sia Kelly	
5	Hawa Turay	
6	Mohamed Conteh	
7	Ahmed M. Daramy	
8	Santigie Kanu	
TEMPORARY		
1	Fatmata Samura	

2	Onike Thomas	
3	Barbah Kamara	
4	Sam Gbla	
5	Santigie F. Koroma	
TEMPORARY ARCHITECT/DRAUGHTSMAN SURVEYOR		
1	Daniel Mohamed Allie	
2	Donald Hoyte	
3	Joseph M. Johnson	

APPENDIX H: STATUTORY RETIREMENT PLANNING LIST FOR 2009-2014

STAFF OVER-DUE FOR STATUTORY RETIREMENT

NO.	NAME	SUBSTANTIVE/DESIGNATION	DATE OF BIRTH	DUE RETIREMENT (YEAR)
1.	Micheal A.O. Kamara	Director	09/07/1948	Over-due for retirement
2.	Willie P. Momoh	Deputy Director	18/12/1947	Over-due for retirement
3.	Lawrence R. Sesay	Principal Town Planning Officer	15/06/1947	Over-due for retirement
4.	Abra A. Sesay	Senior Draughtsman	13/12/1942	Over-due for retirement
5.	Christopher K. Jarret	Chief Building Inspector	19/07/1948	Over-due for retirement
6.	George Harding	Building Inspector Grade 1	08/11/1948	Over-due for retirement
7.	Thomas S. Smith	Building Inspector Grade 111	13/02/1947	Over-due for retirement
8.	Aiah T. Senesie	Assistant Senior Building Inspector	01/08/1945	Over-due for retirement
9.	Sallu Kargbo	Class 11 Pensionable Officer	02/08/1948	Over-due for retirement
10.	Saidu Logba	Class 11 Pensionable Officer	05/01/1949	Over-due for retirement

DUE FOR RETIREMENT IN 2010

NO.	NAME	SUBSTANTIVE/DESIGNATION	DATE OF BIRTH
1.	Alice Hinga	2 nd Grade Clerk	23/12/1950
2.	Beatrice Leigh	3 rd Grade Clerk	11/12/1950
3.	Augustine Boima	Class 11 Pensionable Officer	19/02/1950
4.	Abu Mansaray	Class 11 Pensionable Officer	02/03/1950
5.	Abu Kargbo	Class 11 Pensionable Officer	07/10/1950
6.	Alpha Gbla	Class 11 Pensionable Officer	15/02/1950
7.	Joseph M. Johnson	Temporary Technical Officer	26/06/1950
8.	Abdul Densie-Kamara	Assistant Town Planning Officer	14/09/1950

9.	Mohamed Manley	Building Inspector Grade 111	19/03/1950
10.	Issa Rogers	Building Inspector Grade 111	01/08/1950

DUE FOR RETIREMENT IN 2011

NO.	NAME	SUBSTANTIVE/DESIGNATION	DATE OF BIRTH
1.	J.E. Quee	Permanent Secretary	01/07/1951
2.	Raymond Wilkinson	2 nd Grade Clerk	26/10/1951
3.	Sam Gbla	Temporary Clerical Assistant	04/03/1951
4.	Sulaiman Koroma	Building Inspectorate Grade 111	30/03/1951
5.	Abu B. Mansaray	Class 11 Pensionable Officer	01/02/1951
6.	Sahr E. Allieu	Class 11 Pensionable Officer	02/01/1951
7.	Brima Lamin	Class 11 Pensionable Officer	15/03/1951

DUE FOR RETIREMENT IN 2012

1.	Bockarie Kargbo	Class 11 Pensionable Officer	19/02/1952
2.	Sorie Kamara 111	Class 11 Pensionable	06/01/1952

DUE FOR RETIREMENT IN 2013

1.	Peter Kargbo	3 rd Grade Clerk	11/09/1953
2.	Sinne Kamara	Class 11 Pensionable Officer	01/09/1953
3.	Alpha Sesay	Senior Survey Assistant	25/04/1953
4.	Geoffrey C. Bob-Lucas	Computer Grade 1	21/04/1953
5.	Dephon Pratt	Senior Building Inspector	15/11/1953
6.	S.A. Suluku	Senior Building Inspector	09/07/1953
7.	Khalil Ibrahim Foday	Building Inspector Grade 111	08/10/1953
8.	George Beckley	Building Inspector Grade 111	18/03/1953
9.	Bockarie Juma Sheriff	Building Inspector Grade 111	02/04/1953

DUE FOR RETIREMENT IN 2014

1.	Evelyn Frazer	3 rd Grade Clerk	17/05/1954
2.	Samuel Conteh	Class 11 Pensionable Officer	13/09/1954
3.	Horatio O. Peacock	Senior Building Inspector	27/01/1954
4.	Bai M. Sesay	Building Inspector Grade 111	06/11/1954
5.	William L. Farmer	Director, Surveys and Lands	06/04/1954