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UNIVERSITY OF BIRMINGHAM

Institute of Local Government StudiesObtaining a standpipe water supply in Santa Squatter Settlement:
a Case Study¹Part A - The Case History1. The Settlement

Santa squatter settlement originated in the late 1950's, and is situated on a strip of fairly steep land which lies behind a residential area in a large city of over 1m population in a developing country in the tropics, with a federal system of government: this residential area lies on elevated ground looking out over the sea and consists mainly of large houses and high-rise flats (see map attached). The settlement is on State Government land and consists of 80 houses with about 120 families and about 1000 population. The settlement is purely residential and has no informal commercial or manufacturing activities. There are 2 shops, and a Community Centre built by the inhabitants recently. The population includes a majority of Christians (Roman Catholic) and some Muslims.

2. Previous Water Supply

Water was obtained by walking through the residential area and down a hill about ½ mile to a spring close to the sea shore. Water was carried in buckets or pots back up the hill. The water has become polluted as it was fed partly by seepage from the residential plots.

3. The first application

In early 1973 the residents on their own initiative decided to apply for a municipal standpipe connection. The application was made by the Santa Settlement Committee (SSC) which had recently been formed to promote the development of the settlement: under the Water Charges Rules, Appendix E, an association of not less than 10 member-tenants is a pre-requisite for an application from unauthorised settlements. The application was sent to the Assistant Water Engineer Water Ward 12 (AWE (12)) of the Water Supply Operations Division, Water and Sewerage Department (WSD), of

1. This case study describes a real situation but the names of places, people and organisations are fictitious.



the City Council. However this application, because it was not followed up, did not result in any action, and the matter rested there until later in the year when members of the community development organisation Social Action for Environmental Development (SAED) started taking an interest in the Settlement.

4. The second application

With encouragement from two members of SAED, one of whom came to live in the settlement at the end of 1973, SSC submitted a new application to AWE (12) in January 1974 supported by 80 signatures representing all the households in the settlement. This application was followed up by more than one visit to the office of AWE (12) to ensure that action was taken.

5. Design and Costing

At the same time an estimate of the cost of pipes and fittings and other costs was obtained from a licenced plumber in the locality as follows:-

	U.S. \$
Supplying and fitting 235m. of 1½" pipe	367.00
" " " 1½" tested meter	78.00
Other fittings, including 4 taps	38.30
Making connection and road opening charges	36.00
Security deposit to City Council for water charges	72.00
Council correspondence and supervision charge and stamp duty	24.00
	615.00

In addition SSC estimated the cost of bricks, cement, sand and gravel to construct the surround and washplace at \$30.

6. Checking the application

AWE (12) on 25th Jan., following the procedure of Appx B II (6) of the Water Charges Rules referred the application to

- (a) Asst. Eng. Buildings Ward 12, asking whether any action was pending against the settlement: AEB replied on 15th Feb. that no action was pending.
- (b) Asst. Valuation and Rating Officer, enquiring when the settlement had been assessed and whether it was paying its assessment charges: AV and RO replied on 14th Feb. that they were on government land and had not been assessed.¹

1. This was not in fact the case as the settlement had been assessed in 1967.

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AWE (12) then on 15th Feb. issued a proforma approval to SSC including the following conditions:-

- '2. subject to consent of the owner of the plot through which the pipe-line is to pass
- 3. This is a temporary connection for a period of 6 months.....'

7. Obtaining Landowner's Consent

At the same time as applying to AWE (12) for the connection SSC had in January taken action to obtain two further approvals:-

(a) Permission was required from the State Government as landowner of the settlement: SSC wrote to the Land Office (LO) of the State Government on 1st Feb. and this was supported by a handwritten note from the Councillor of the Ward. The LO replied giving permission on 26th March, subject to the usual conditions for such areas which included the liability to vacate the area without notice if asked, and without compensation for the water supply.

(b) Permission was required from the owner of the plot through which the connection had to run to reach the settlement: SSC first informally approached Mr T. who had leased a plot of land between the settlement and the road from the State Government, and was building on it a block of flats. Mr. T. belonged to the same ethnic sub-group as the majority of the settlement residents, but to the opposite end of the income scale. He declined to give permission. SSC then approached the neighbouring plot, which would have provided equivalent access. It turned out that the occupants of the property were renting it from the trustees of a family trust, whose solicitors SSC approached in writing on 27th Feb. No reply was received and only in late May did it prove possible to ascertain that there was no willingness to accede to the request.

SSC by mid-May had reached an impasse. Mr. T. refused even to discuss the matter with them. The Trust solicitors were located in the City Centre. Drafting letters to them was not an easy task and visiting the City Centre took time and money.

8. Further steps

During this period SAED tried to enlist the help of the Councillor for Ward 12 and arranged a meeting between him and the SSC. The Committee,

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having arrived very punctually for the meeting, were on the point of leaving when the Councillor arrived with apologies for being late. He recalled having visited the settlement once before, at election time, when he had promised help with their problems. As a result of this meeting SSC were given advice (without charge) by a lawyer known to the Councillor to the effect that powers² existed under the Municipal Act Sec. 180B for the City Commissioner to authorise a water connection to be taken over private land provided reasonable notice was given to the owner. The Councillor agreed to draw this to the attention of the Deputy City Commissioner Zone 3 (DCC (3)) which he did at a meeting in his office. SSC followed this up with a letter on 24th May asking the DCC (3) to exercise his powers in respect of Mr. T. On 29th May SSC wrote to Mr. T. asking him 'on humanitarian grounds' to give permission: this was followed up with a personal call, resulting in a reply to the effect that as the land is State Government property he was not in a position to give permission and it is for LO to do so. SSC, therefore wrote to LO on 1st June, and followed this up with a visit to his office (in the City Centre) to provide a diagram of the proposals. On 19th June the LO referred the matter to the Revenue Department of the State Government Secretariat saying that there appeared to be no objection to asking the lessee to allow the pipeline through the Government land and requesting the government 'be kindly asked to pass suitable orders in the matter'. This resulted on 31st July in a letter from LO to Mr. T. asking him to state whether he had any objection to allowing the pipeline, and asking for an early reply.

9. Appeal to the Mayor

In the meantime SSC were pursuing action under Sec. 180B, and since the DCC (3) had not apparently taken this matter up they sought a meeting with the Mayor and handed a letter to him on 2nd August, (with DCC (3) present), asking for intervention to issue a notice. This was followed up with a letter to DCC (3) on 13th August referring to this meeting, and with visits to the Zone Office, on 29th August and 5th September. On 6th September the DCC (3)'s assistant advised verbally that notice would be issued, and on the 9th September (DCC (3)) wrote to Mr. T. requesting him to comply or state reasons for not doing so within 15 days. On 13th September the Mayor wrote to DCC (3) referring to the meeting on 2nd August, and asking him to look into the case and 'send the legal opinion'.

10. The Connection

On 18th September AWE (12) wrote to SSC advising that the connection would be 'considered' on payment of \$240 deposit to cover the part of the

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work to be undertaken by the Council (laying the connection as far as the boundary of the colony) and subject to no objection being received from the owner. No communication was received from the owner, and on 2nd Oct. AWE (12) advised SSC that the notice period was over and work would proceed. AEW (12) and the licenced plumber executed their respective works, and the water flowed on 4th. October.

11. The Land Officer's Notice

SSC achieved their objective through the use of the DCC (3)'s powers, but they still wanted to know whether the LO had exercised the powers of the State Government as Landowner. They had written to the LO on 30th August, delivering the letter in person to the office in the City. They were advised that a letter had indeed been sent to Mr. T. on 2nd August giving him 7 days notice, but apparently this letter had not been replied to, and no further action had been taken.

12. Finances

When work was finally authorised, SSC were in a position to meet the full cost, but this had only been possible after a fund-raising campaign had supplemented the resources of the householders themselves. It had been agreed to contribute \$5 per household and by mid-May \$300 had been collected leaving a shortfall of about \$310. One of the Christian churches in the locality (not however of the same denomination as the majority of residents in the settlement), had during the year become interested in supporting social and development work in such areas, and offered to help by appealing to its members for funds. SSC prepared an appeal letter, which was supported by the Ward Councillor. This mentioned that half of the cost had already been raised, and also pointed out that the residents had been paying 'compensation' tax monthly to the State Government since 1967 (\$1.20 per month) but had received no services. The appeal resulted in a collection of \$247, and the settlement youth group also collected \$11 through the sale of bottles, tins and newspapers. The final costs and financing of the project worked out as follows:-

		£
<u>Costs</u>	as in para 4 above	645
<u>Funding</u>	Appeal	247
	Youthgroup	11
	Householders contributions	387

		645

correspondence and travel, the unquantified costs of time (especially travel), and the value of voluntary effort in the building of the standpipe surround and wash place.

13. The Water Supply in operation

The Settlement receives a 2-hour supply from 5-7 p.m. daily. ~~a 2-hour~~ domestic supply is the rule for many areas of the city, though not all. The supply operated satisfactorily for a month after installation, but then the pressure fell and supply was inadequate. SSC registered a complaint with AWE (12) in writing, but without results. They then organised a procession of about 100 residents who marched to the Ward Office carrying empty water pots. Action was immediately taken to improve the pressure, and it has since been satisfactory. The supply period is long enough to meet all needs.

14. Paying for the Supply

SSC pays for water consumed at the normal rate of \$0.30 per 10,000 litres which applies to metered domestic connections. Water charges are currently (Mar 76) running at about \$18 per 3 months. SSC collects \$0.12 per month from each family (approx. \$14.50 per month or \$43.50 per 3 months) and uses the balance to finance repairs and improvements. These figures imply a water consumption of only 6 litres per head per day or 55 litres per family per day.

15. Further development of the settlement

Since the water supply was installed the settlement has been accepted for inclusion in the slum improvement programme of the City Council. A programme of work has been drawn up including access paths, communal latrines and electricity supply, but commencement of the work has now been held up for 6 months over the question of permission for access of the colony through the land leased by Mr. T. from the State Government. SSC have also with the help of an architect associated with SAED, prepared a Scheme for improvement of the housing, for which they hope to get outside financial assistance.

16. Questions for Discussion

1. Did the Council's official policy make water supply available to squatter areas on similar terms to formal or authorised areas of the city? Are any differences or conditions reasonable?

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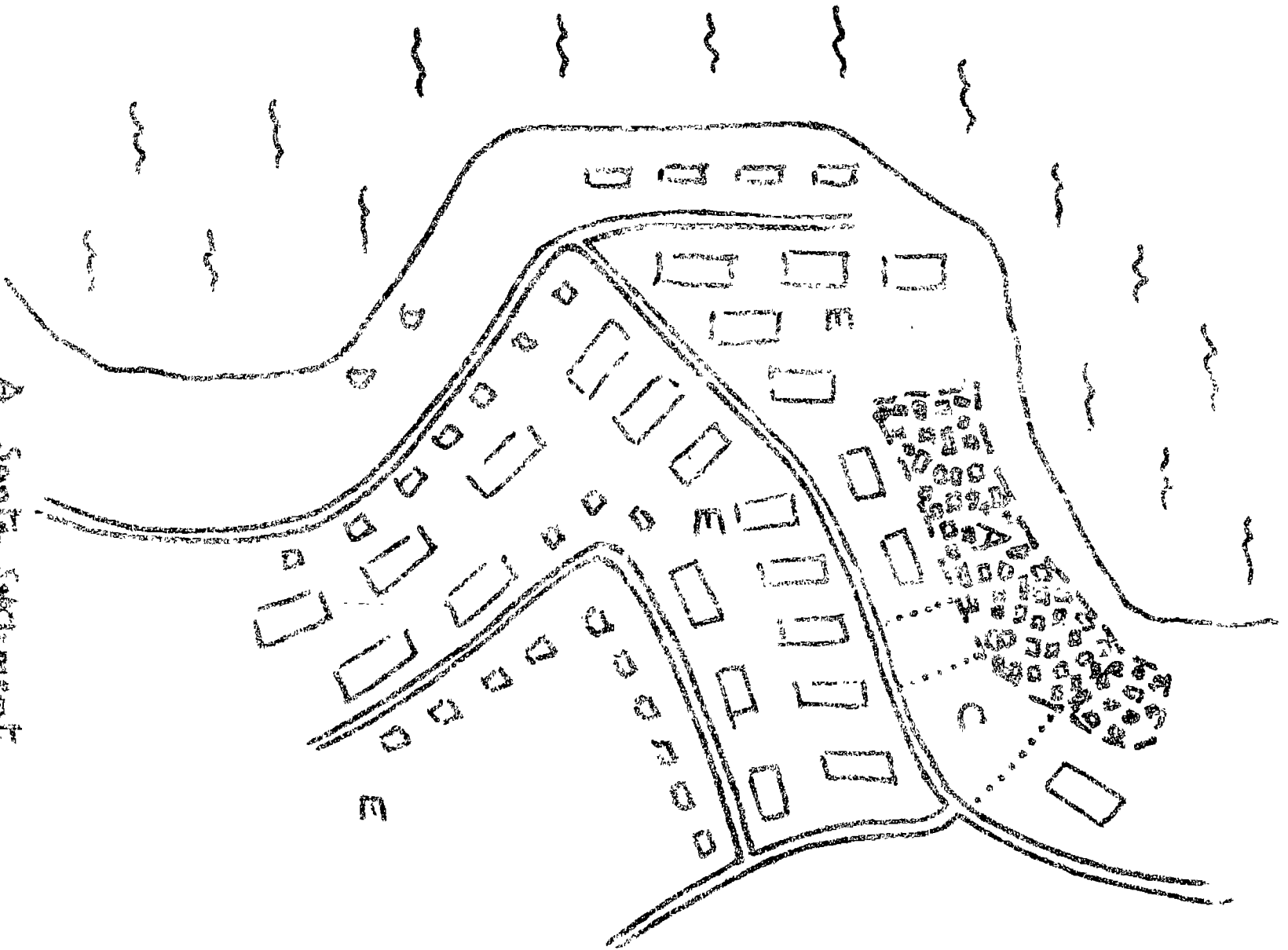
2. In practice what factors affected the actual provision of water e.g. bureaucratic, land tenure?
3. What effect did organisational responsibilities for water have on the extension of supply in such areas?
4. What organisational structures, roles and skills were important in obtaining a water supply: both internal to the settlement and external?
5. Were the settlement households asked to bear an unreasonable cost either in relation to incomes or in comparison with other kinds of consumer?

Additional Information:-

- (a) Average incomes in the settlement were \$18 per month.
- (b) In a 'formal' area of the city or on an accepted settlement, the cost of making a connection from the main to the settlement boundary would be met by the council. This element of the costs in para 5 amounts to the following:

	£
Supply and fitting pipe	367
Making connection and road opening charges	36
Municipal correspondence and supervision charge	24
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- (c) Council policy is to provide metered domestic supply through standpipes in certain old and 'recognised' settlements, and on newer unauthorised settlements provided that they existed before the end of the financial year 1971/72. An Association of 10 or more householders is a prerequisite for acceptance of an application for supply.
- (d) The two officers (Secretary and Treasurer) of the Santa Settlement Committee were both young men of about 20.



A Santa's Settlement

B location of Standpipe

C Mr T's Place

D Freshwater Springs

E High class residential area

Scale 0 100 200 300 400 feet

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Part B Analysis and Conclusions

1. Introduction

In this part of the case study the case history will be examined with a view to isolating the issues of importance which it raises regarding the provision of urban water supplies, and the lessons that can be learned.

2. Formal availability of the service

Does the city council make available water supply to the squatter areas, on the same terms and conditions as it does to the formal areas of the city? The Water Charges Rules provide for metered domestic supply through standpipes both for settlements on certain old and 'recognised' sites, and on newer unauthorised settlements provided these existed before the end of the financial year 1971/72. The distinction between the two is that in the former case the council meets the cost of connection from the main (as it does in the formal areas), but not for the latter. There is a not unreasonable condition limiting supply for 6 months initially, renewable if charges are not in arrears. Equally reasonable is the condition that residents should form an association, as only in this way can the recovery of charges be assured for a communal supply. There is also a condition, not applicable to formal areas, that municipal assessment charges are paid where due. Otherwise supply is subject to similar technical and supply availability considerations as elsewhere. Settlements started since 1972 are formally excluded: it is not known whether in practice they obtain a supply or have to await 'creeping recognition' of their status. SSC were thus entitled to ask for a water supply on fairly reasonable terms, despite their unauthorised status as a settlement.

3. Availability in practice: Water Supply Operations Division

The AWM (12) of W.S.O. Division processed and approved the second application in 3 weeks, which must be considered perfectly satisfactory, and comparable with applications for domestic connections elsewhere. The case does however suggest that this fairly rapid response is dependent on following up and pressing home the application to ensure that action is taken.

4. Formal availability as effected by location and tenure status

For settlements on municipal land with access to the main via municipal land there is no further complication. Where either the settlement or access to it is on private or state government land additional clearance is required. In the case of Santa both of these conditions applied with the additional complication that the access corridor being located involved both

5. Availability in practice where State Government is landowner

Clearance from the LO was obtained in 7^{1/2} weeks. If the State Government had had sole control of the access corridor, the LO could no doubt have approved this as well and the supply could have gone ahead at the end of March.

6. Availability in practice where private landowner controls

This case study does not illustrate the situation where the settlement is on private land, and the landlord either may or may not collect rent from the occupants. Unauthorised occupation where rent is not collected is more likely to result in refusal to allow water supply as this would imply recognition of occupation and tend to support its permanence. The situation where access is controlled by a landlord is not dissimilar since allowing a water supply would be a step towards recognition of a settlement whose permanence would effect both the value and the amenity of the landlord's property. This must have been the overriding concern of Mr. T. in relation to Santa. Availability in practice was pursued by SSC initially by the procedure of direct approach to the landlord. By mid-May after 4 months this procedure had clearly failed, and two alternative procedures were simultaneously pursued. Both involved forms of intervention by the public authorities on a non-routine basis. The LO's intervention was sought to resolve the impasse tactically created by Mr. T. to suit his own convenience. This process made only slow and reluctant progress and was never completed. The DCC (3)'s intervention was sought through invoking procedures in the Municipal Act. The case suggest that the use of Sec. 18CB was exceptional, and the authorities may not even have been aware of the powers until their attention was drawn to them. Certainly there did not appear to be any routine way of persuading or forcing landlords to grant access. The process of securing action under this procedure took 3^{1/2} months. The time taken by these procedures therefore suggests either that they were not routine, or, if they were, that powerful influences were acting against their implementation.

7. Location and Scope of responsibility for water supplies

It is the responsibility of the W.S.O. Division to provide a water supply where it is requested, and where the necessary conditions are met: this is a service function. It was not the responsibility of the Division to assist the applicant to meet those conditions, and to take an interest in seeing that the supply was provided sooner rather than later; this would be an extension of the service function. Instead it was necessary for the

applicants to deal directly and without assistance with whatever agencies or parties held control over the land. These agencies and parties were all either neutral or negative in their attitude to water supply. In conditions of limited supply it is perhaps ~~not surprising that the Division~~ does not perform a positive developmental function in promoting the provision of water supplies in authorised settlements. This however is, and was in 1973/74, a function of the Slum Improvement Unit of the City Engineer's Department. Had this settlement been selected for improvement by the Unit at an earlier stage, then it would have had official and developmental backing for the project: but, in view of the experience of the Unit so far in carrying out its current plans in the settlement, would it have been any more successful in dealing with Mr. T. than was SSC.?

8. Organization for obtaining water supply: Structure, skills and tactics

Since the Water Charges Rules make it obligatory for an association to be formed before submitting an application for supply, the question of obtaining a supply without such organization does not arise. The issue is rather one of whether the small settlement organization is capable on its own of pursuing an application successfully, or whether it may not also be dependent on various forms of outside assistance or stimulus. More cases would be required to answer this question conclusively, but the experience of SSC suggests that it would not have been successful without external help. This help consisted of the following elements:-

- (a) giving support and encouragement to the initiative of the residents committee sufficient to ensure that the application was pursued to its conclusion.
- (b) giving tactical advice and information at crucial stages in the application.
- (c) providing access to specialised advice, in this case legal advice: (technical advice in this case was not a problem, since the licensed plumber was fully geared to providing this kind of service to such settlements).

Success in the SSC application depended on knowledge of governmental organization, a certain amount of legal advice, and a considerable amount of persistence and tactical skill. It is highly doubtful if success would have been achieved without the catalytic involvement of the community development organization which interested itself in the case. Residence of one of its workers in the settlement was obviously helpful, but by no means an essential element in the process.

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Now that experience has been gained in one project the SSC may have equipped itself sufficiently to cope on its own with future development.

9. The Costs of obtaining a Water Supply

In a 'formal' area of the city, or on an accepted settlement, the costs of making the connection from the main would be met by the Council. For comparison of unauthorised settlements with such areas, it is necessary to isolate the part of the cost related to the connection from the main namely:-

	£
Supply and fitting 1½" pipe	367
Making connection and road opening charges	36
Municipal Correspondence and supervision charge	24
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i.e. about £3.60 per household. This might be considered to be a manageable capital sum to fund, but the total costs of the project per family were £5.40 and both sums have to be seen in relation to average incomes in the settlement of about £18 per month. Furthermore if residents of the settlement have in fact been paying 'compensation tax' since 1967, they might reasonably expect to receive some tangible services in the settlement without having to meet the full capital and recurrent costs.

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UNIVERSITY OF BIRMINGHAM

Institute of Local Government Studies

Case Study: Obtaining Water Supply in Santa Squatter Settlement

An Epilogue

SANTA SETTLEMENT PROGRESS REPORT

(Extract from S.A.E.D. Annual Review)

In 1974 the Santa Settlement people got water connection through their organised effort. Then they went a step further and applied for basic infrastructure facilities, which were sanctioned by the Slum Improvement Unit in 1975, after which the idea of a self-help housing scheme revived. Experts were appointed, technicians came in, surveys were conducted and an extensive project proposal was prepared.

It may be pointed out here, that the land still belongs to the government and the houses that have now come up can at any time be demolished with or without notice. The Slum Improvement Unit who sanctioned improvements obviously does not work in cooperation with the authorities who execute the land laws.

In September 1976 Santa Settlement plunged into making houses. The Community Organizer helped people in dividing and distributing the work. So the community was divided into sectors of 12 families each, which were to take turns in providing voluntary help to the people whose houses were being built. A row of seven houses were taken up at a time and finished in a maximum of 20 days. The houses, built for just \$360 - consisted of:

$$\begin{array}{rcl} \text{a floor area} & = & 10' \times 15' = 150 \text{ sq. ft.} \\ + \text{ a loft area} & = & 6' \times 10' = \underline{60 \text{ sq. ft.}} \\ & & \underline{210 \text{ sq. ft.}} \end{array}$$

With walls built in cement - lime - mortar - on a stone foundation and plastered from inside as well as outside.

Now in June 1977, 70 families have already got their houses. Strong stubborn houses have replaced the small little huts. Well-connected paths and well-formed steps are seen in place of mud and stones.

But is this enough? It seems quite an achievement, more to outsiders than to the people involved in the whole struggle for getting better houses.

Have they become strong and powerful? Do those well-planned and well-built houses make them happy and contented human beings? Have they turned out to be a self-sufficient community? Could they really defeat their actual enemy, "The Oppressive System"?

Now that the monsoon has put an end to this day and night activity, the 70 families and the SAED staff who were involved in the whole struggle really wonder what they have achieved, or rather, what they were trying to achieve.

When the housing scheme was taken up and plans were being made, stress was put on the use of indigenous material and integrated technology. We wanted the people to make their own houses and not only that, by taking Bank Loans we also thought of making the people self-reliant instead of taking some aid. We also wanted to make low-cost houses (costing the minimum).

But is it really and absolutely possible to erect houses without being affected by the system when the market goes up and down and, because of speculation the building materials disappear from the market and the whole scheme topples down? The use of indigenous materials and integrated technology also cannot be achieved in isolation from the whole system - say, for instance, if wood is required for making doors and windows, one cannot grow trees and then wait till the tree is big enough to be cut, sawn and seasoned for making the doors and windows. Where the State itself provides and gives priorities to such efforts, it is a different story. Let us review the talk of developing new materials for making low-cost houses. We know that there are enough resources, but can afford to tap these resources. Where then is the need to develop new materials? Is it to make sure that the existing resources are more easily accessible to the privileged section? Are we not perpetuating the system rather than changing it?

Then the whole effort of making people self-sufficient; Bank Loans are taken so as not to let people depend on foreign funding agencies. But is the Bank different from any other profit-making agency? The Bank is going to charge a special low rate of interest of 4% in the name of aiding the poor. These poor people will not be able to pay back their initial capital, the average income of Santa Settlement being \$36, from which they will have to pay \$2.40 by way of rent and \$3.60 by way of instalment to the Bank per month. And what happens to the unemployed? To maintain their houses they have to ask the help of Voluntary Agencies, which would talk of helping in terms of economic programme, which in its turn would make them depend more upon the system.

Last, but not the least, let us look at the effort of self help housing to make the houses cheaper. How far were we justified in making people work day and night for the houses, plus work for their daily bread, while a rich man can spend exorbitantly on his house. It should be low-cost houses for all, rather than only for the poor, where the State provides finance, scientists and technicians develop new materials and thereby construct low-cost houses as strong as any other houses rather than using sub-standard material.

If one really peeps inside the lives of the people living in these newly-built houses, one does not find any change. Their economic condition has not changed. There is extra burden on the family. All these draw us to the conclusion that one Santa Settlement cannot fight the enemy by itself and become a happy community. It needs to unite with the masses of the same class if it wants to change its economic condition. People need to unite to get all basic requirements to live as human beings.

