

Chapter 8 :

**Recommendations and
Basic Proposals**

Introduction :

Information and data can never be understood in isolation from the context of ideas which give them meaning. The same policy- relevant information can lead to different and often conflicting claims about public policy if analyzed or studied by different researchers or different modes of argument.

There are at least six different ways of transforming information whatever their sources be into policy claims .The study has used these six modes of policy arguments to reason from evidence to conclusions. These modes are:

I-Authoritative mode : claims are based on arguments from authority¹.

For example, the testimony of scientific experts or political observers might be used as part of an argument to accept a policy recommendation. The researcher has used this mode, as she has conducted prolonged interviews with public officials and private actors in Zagazig and executives from Nasr city company and used data from opinion polls about the housing problem in Egypt.

II-Intuitive mode : claims are based on arguments from the insight, judgment or “tacit knowledge” or implied information, or unspoken opinion. The study through interviewes used this mode for reaching assumptions and proposals .²

III-Analycentric mode : claims are based on arguments from method derived from economics or mathematics.³ The study used mathematics and percents in analyzing the information from survey and cencus data to reach different proposals for example to verify that regulations that are strict in Nasr city were uneconomical.

IV-Explanatory mode : claims are based on arguments from causes. The basic assumption is about the presence of certain generative powers (causes) and their results (effects). This mode was used when comparing official to unofficial organizational structure in case studies.

V-Pragmatic mode: claims are based on arguments from motivation and parallel cases. The comparative study of the two local cases along with a historical

¹ Dunn, William, 1981, Public Policy Analysis , An Introduction pp 65-90

² Ibid, Dunn, pp 65-90

³ Ibid, Dunn, pp 65-90

study of their development was used in the study as basis for parallel policies that have been or might be successful in one case and can be used in the other.

VI-Value-critical mode : claims are based on arguments from ethics. The basis of assumption , about rightness or wrongness, goodness or badness of policies and their consequences. For example, moral principles of equality, ethical norms (right to privacy, right to ownership, compensation when affected by a policy) deemed to be valid irrespective of the motivation of a particular group. It is important to note that the assumption about values, also might imply change in value.⁴

Policy claims may be made on the basis of one or several or all modes of policy arguments. Policy analysis is value dependent and may also be value critical, which means that values, as well as, facts may be debated nationally. Thus, it was essential for this study to use more than one mode of policy analysis, to back the study arguments and to justify certain public policy or intervention technique to be proposed

Fig (8-1) : Modes of policy argument⁵

Mode	Argument from	Focus of justification or interpretation	Data for this research	
Authoritative	Authority	experts/insiders	experts interviews	
Intuitive	Insight	insights judgment of actors "tacit knowledge"	political experts interviews	from interviews and opinion polls
Analycentric	Method	validity of rules and analytical methods used	analysis of census data & of survey data	from case study
Explanatory	Cause	laws within theories of organization	analysis of existing organization system	
Pragmatic	-Motivation -parallel case -analogy	-desires of policy - makers - similar cases - similarities among - relations		from comparative historical analysis
Value critical	Ethics	rightness / wrongness moral principles		

⁴ Ibid, Dunn, pp 65-90

⁵ Ibid, Dunn, p 80

8-1 The Analysis of results of the field study; problems and potential constraints

8-1-1- Administrative problems:

I- Informal structure of administration and ambiguity of seat of power:

The actual administrative structure is different from the formal administrative structure as recorded by studies on the local government.⁶ For example the importance of a certain section or department is determined according to the experience and character of its head. Evidence of this feature in Zagazig is that when “engineer Awni” with his amicable character and long experience in the field of housing & building was head of the civil section, that is the section responsible for building regulations “Tanszim”, this section was of prime importance in the structure of Zagazig housing directorate. When he became head of the technical bureau, that bureau became the most important part of the administrative structure and became directly responsible to the under secretary of the ministry of Housing. All other departments and sections sought its advice. Hence this bureau was almost and in an informal way the top management section. See fig (6-1), (6-2).

The same feature was evident in Nasr company. For the responsibilities of the Chairman for example, changed with the change of person. It was stressed by those interviewed that the first chairman “general Arafah” was involved in every detail of work, he set drafted himself the rules, and regulations, and carried inspection visits around the then new city and ordered violations to be removed. Other chairmen were either political strategy makers or implementors of ministerial strategies. Changes in middle management between formal and informal chains of control is limited.⁷

II- Double allegiance of engineers in engineering departments:

The engineer or architect responsible for any district in city is an employee of the Ministry of local government. While the technical supervision and control of the technical part of his work are carried out by the Ministry of housing or by the

⁶ One of the most important such studies is Prof. Dr. Khalid Alam’s study of local government structure in Egypt in Seminar on management of Big cities, Academy of Scientific Research and Technology Oct., 1991

⁷ On June 1996 and during the period in which this study was conducted a change was introduced to the administrative structure of the directorate of housing and utilities in all governorates. Its name was changed to the directorate of housing, the utilities authority was made independent. As a first step to privatize utilities.

technical inspection department also, of the Ministry of housing in Cairo . This situation causes duplicacy.

It is note worthy that the former Minister of housing had proposed to make all such staff employees of the Ministry of Housing as is the case with doctors in local medical units in the towns & villages who are employees of the Ministry of Health but the proposal was not implemented.

III-Uninterested unmotivated staff:

Interviews with officials revealed that officials appointed to work in Zagazig by governmental decree represented about 47.5% and in Nasr city they represented 33.3%. While appointment through manpower was 41% in Zagazig and 66% in Nasr city . That is about 88% of employees in Zagazig did not choose their job nor department where they work. This percent is about 1/2 in Nasr city. Thus the quality of personnel along with the inflation in their numbers lead to a low advancement and low remuneration which is a main problem within the institutional context in Zagazig, and to a less an extent in Nasr city.

IV- Lack of clear strategy -only tasks and yearly budget :

It is surprising to note that the same percent of satisfaction with work 88% was reflected in the two case studies, probably because executives in Zagazig got accustomed to work. This is even emphasised when asked about their role or job discription. In Zagazig they described a day's work or procedures of work and not the objective they are trying to fulfil or the interests of public they are supposed to serve. To them the term strategy is conceived in terms of what the head of the directorate "plan" to do in future. Thus there was an absence of an over view and a long term policy to be implemented gradually. The chief executive officers and key officials find it difficult to extricate themselves from crisis of every day management in order to concentrate on the broader issues and longer term perspective of programme planning, beyond the requirement of annual budgets. Thus there is no strategy for the future there is only tasks to be accomplished before end of budget.

On the other hand executives in Nasr city had a more broad idea of their role and responsibility especially at high executive levels, probably because the day by day problems are less demanding.

Nasr city company Board of Directors has declared its strategy from 1995-2000 this strategy includes the following :

a- The area of land to be developed, and the number of units to be built on it and number of new residents.⁸

b-The company oversees two main threats in the future, the first an internal one; namely how to have the fiscal resources and personnel needed for its expansion. The second an external one, namely how to service the new development areas from national utility and service authorities. As there are a lot of entities working in the nearby areas, the army, Ministry of Housing, and governorate. Those entities are competitors for the same utility. The company must study the objectives and plans of competitors in land development and suppliers of utility so as to foresee suitable development that could be serviced by the authorities.

c- Due to the previous problems the company must have alternative development areas so that if it is difficult to service one area, the alternative is chosen. This alternative may be to rebuy plots of land sold before to be used them as warehouses or parking areas, but are now in the middle of the city. A change in use is offered to owners for exchange of money to be paid to the company another alternative is partnership between company and owners.

In Zagazig what is out of border is excluded from action positive or negative. In Nasr city buildings even after sale, or rent are part of the city. Violation is recorded and information relayed to executive public bodies, kism to deal with it.

V- Lack of administrative skills and limited knowledge of tools:

Interviews in Zagazig also indicated that building licence is the only tool of public intervention and even that is only granted or denied to those who apply for it. No attraction or incentive is given, to the land owners to use them paid in this way in to other on the contrary those who apply have to pay a lot of money and lose time. Interviews also revealed that numerous mechanisms of intervention were unknown to officials

VI-Problems of Administrative coordination:

A-In zagazig between the planning and engineering departments and the department for the protection of agricultural land:

⁸ Nasr city company, 1993 -1996 Preceding of Board of Directors meetings.

These problems exist mainly regarding the urban boundaries and licences within boundaries. Law No. 116 of 1983 prohibits trespassing on agricultural land by using it for building or leaving it barren or using the soil to make brick. But the fine was minimal, that it was LE 2 per meter² then it was increased to LE 7 per m². Then the owner after paying such fine would pay tax for barren land thus proving its state as barren then building on it at a latter date. Consequently many landlords violated that law.

Other means of building on agricultural land was landlords building on an area of 2 kirat per feddan as agricultural buildings, then after a while they would expand the buildings or build on new bigger areas.⁹

As a last resort the Minister of agriculture issued decree No. 572 of 1996 and a Marchal Order was enacted to put into full effect law No. 116 of 1983. The law enforcement officers would report the violation against anyone who makes the agricultural land barren or divide it into plots for buildings, or demolish an agricultural building to build another. The violation would be stopped by law and buildings removed at the expence of the violator.

Officials interviewed believed that this Marchal Decree has greatly reduced the number of violations and number of licences for building in agricultural lands for investors and interpreneurs now fear that any trespassing on the land or violations of the law may lead to the immidiate removal of the cause of violation unlike the past when removal of violating buildings was delayed for years and at times quite impossible. As it usually took the courts 3 to 5 years to issue a judgement, by which time the building would have been completed and residents would already be living in it making it very difficult for the judge to issue a judgement demolishing the building. Thus the violating landlords would just pay a fine, or officially reconcile with the authorities concerned or wait until a new blanket law was enacted. This decree does protect the agricultural land, yet it had a negative impact on officials responsible for issuing the licences, as sometimes licences are granted, buildings are built then buildings might be demolished by the law enforcement authorities if such licences were granted to buildings within the borders of the city if they are built on agricultural

⁹ A Feddan is 24 kirats

lands. Consequently, every application for a licence now is sent after approval by the department of planning concerned, to the agricultural departments for further approval whether the land was within or outside the officially recognized borders of the city of Zagazig (executive officers try to safeguard themselves) the case of “Closed system” organization servicing itself.

Executive officers in districts believe that the coordination should be on the level of approving boundaries, “Cordons or Haiez”, after that a licence should be given by the directorate of engineering and planning without the approval of the directorate of agriculture for each parcel of land within boundaries whether it is considered agricultural on maps or not. That is working on gross principles and not on a case by case principle that opens the door for conflict and corruption.

The department of urban planning in the district (Zagazig) is confined to examining maps, checking that land where there is application for licence is within city boundaries, examining the building lines,¹⁰ and if it is in accordance with the law department would then approve the licence and refer it to the department of building regulation. No land use regulation or condition is revised by the planning department.

B-In Nasr city between the company and district:

As to licences in Nasr city the tension exists between the company and the district. In the past, as has been stated in the urban development of Nasr city, a landlord was to submit his project to develop his land to the company where it was studied, as to its conformity with the building lines and regulations and then approved. Upon approval of the company, the landlord would submit this approval to the district to have the final approval and start implementation. When the company was deprived of this role tension started. For the district does not conform to the company’s regulations but to the general Building Law, violators are reconciliated with, as the district lacks experts and the load of work is great. Thus violation became the norm and corruption common.

Official working for the company who were interviewed expressed that the company had both the experts and the commitment to control the development while Nasr city district lacked it. And that the return to defining roles is important. And

¹⁰ Building lines is the new name for “tanzim” line as the new name does not by law make landlords eligible for compensation.

that leaving revision of license to the company would lead to better urban intervention.

VII- Problem of setting spheres and boundaries of influence, urban boundaries (Haiez):

One of the problems of urban intervention is defining boundaries and spheres of influence. The urban boundary (Haiez) of a city or village is one of the major areas of tension between actors responsible for its preparation and execution. The tension begins from the different definitions of actors. Article 8 of law No.3 of 1982 (urban planing law) defines the urban boundary (Haiez) as the specific area to be planned by the local administrative unit whether it is within the border of the city (cordon) or beyond it.

Ministerial decree No. 475 of 1991 issued by the Minister of Housing and Urban Development provides that each local administrative unit would define its local urban boundary (Haiez) in accordance with the size of the population and the expected future expansion. This definition gives Haiez a broader sense as a framework for planning.

Ministerial decree No.111 of 1990 of the Minister of Agriculture defines the urban boundary (Haiez) as the major demographic community for each village as shown in ariel photography on 15-4-1985. This decree also provides that the directorate of agriculture in each governorate would, in collaboration with the directorate of housing determine the agricultural lands within the city cordon (upto 1985) and classify the lands according to fertility, and prepare a four stage programme of five years each, for building on these lands. No building licence would be granted to any plot of land classified in a certain stage before all plots classified in an earlier stage are built. The most eminent problem resulting from this decree is that why should a landlord of parcel of land wait for a certain time if his land is classified as more fertile. Thus, raising issues of equity and issues of the government having to compensate those suffering this plan is actually implemented..

The definition of city cordon and urban boundary (Haiez) is interchangeable and mixed up in different laws. Thus it is not surprising that the staff at the local level units do mix them up and can not differentiate them.

As to defining who prepares project of Haiez and approves them. It is a combination of the local department of planning and GOPP as is represented in

Zagazing by the third region center for development (CDTR) and the agricultural directorate, as well as, other agencies or authorities (military.. tourism..) along with the final approval actor, the local council.

Moreover Ministerial decree No. 36 of 1993 issued by the Minister of Housing provides for setting up a Permanent Committee that would be in charge of the final approval of the urban boundaries (Haiez) of all towns and villages of the Arab Republic of Egypt upon preliminary approval by the local council as a first step before referring it to the national authority for potable water and sewage.

- Nothing commits villages or towns to draw their urban development boundaries (Haiez) although there is an incentive, as those towns and villages that do would have priority in housing services and utilities extended to them. This incentive did yield its fruits and many villages prepared their urban boundaries (Haiez). Though only in blue prints no procedures and measures for licencing or for urban control have been taken. Planners and administrators have tried to perceive the concept of urban boundary (Haiez) as a low rank framework to precede or replace the Master Plan of the city. Yet in our field study in the city of Zagazig we have found out that even the framework approach of the urban boundary (Haiez) does not exist at all, and if it does then only as a document of few copies that has not been approved by the executing authorities still called "the project of urban boundary", and hence is neither included in the licening procedures nor in the financial planning procedures (request for financing projects).

Another problem with urban boundary (Haiez) is how different boundaries fit together and their interrelation. For as seem in Zagazig a developer exits from a rigid and undesirable set of regulations within Zagazig cordon to the near by "Sheiba" boundaries (Haiez) where regulations and laws are more lenient and favourable.

VIII-A lot of actors with interests in the urban areas:

Additional to the tensions and conflicts mentioned above there are a lot of other public and private actors that formulate plans, policies or make investment in urban areas or even nearby rural areas. Other authorities are engaged in the same field of housing and building such as the survey authority, the educational buildings authority, as well as, the existance of other directorates which also carry out some building activities such as the health directorate. This means that there are various

intermingled directorates and authorities engaged in activities within the same boundary, thus work is incoordinated.

For example, the General Organization for Physical Planning GOPP, municipal planning agencies, the municipal housing authority and other infrastructure departments work in the city. To further complicate the situation there are the traditional land authorities (Awakaf) as well as private organizations, and NGO's which have divergent, often conflicting interests in urban land use.

Capacity building for each actor should correspond to the role each participant is expected to carry out in the strategy of urban intervention. Capacity building can be done through training, and technical assistance.

It is important to note that in the case of Nasr city the company develops its land prepares projects of infrastructure for new areas in coordination with the utility directorate or national agencies. After completing the development of land infrastructure whether water, sewage or electricity they are handed over to national municipal authorities to manage.

As each organization (that is Nasr city or municipality) is responsible for a certain stage, approval of the national authorities is needed, at the beginning on the proposals and then at the end when it assumes all responsibilities- thus conflicts are limited.

In the second case study ; Nasr city although it has defined borders and land designated to it by Presidential decrees ,yet some public entities specially the Army have trespassed on its land. Through negotiations with the army, a committee was formed to solve the problem of boundaries and the company was compensated for its losses of land to army by other substitute lands . Thus setting boundaries through negotiation and coordination on broad bases and not a case by case principle or parcel by parcel.¹¹

8-1-2 Financial Problems :

Law No. 25 of 1975 dealing with localities introduced the level of "Markaz" (rural) and Hay (urban) these levels have no special fiscal budgets but obtain money from the local council of the governorate or city.

¹¹ For further information see Chapter 7

In law No.54 of 1984 the violation fees are to be put in a special fund for low income housing in the governorate. Also the vacant land taxes which used to be an import financial resource for localities was denounced as illegal. Moreover the taxes on agricultural land within the locality was a financial resource as 75% of it is to remain within the city or village and 25% of it is to go to governorates. But parcels of land of less than 3 feddans were exempt from the tax. This is a decreased in the financial resources of localities although it is a kind of incentive to small landlords to retain their land as agricultural land.¹²

Due to the deficiency in financing and in the allocation of funds necessary for compensation, for it is not mentioned in the budget line by the Ministry of Finance, officials responsible for intervention and control of urban development can not draw new "Tanzim" lines for streets and pay compensation for the land expropriated to widen a street or for public interest (as is the case with the faculties of Zagazig university). Nor could they purchase land for certain uses, although sums have been allocated for the improvement of roads and squares. Thus in effect there is no deficiency in financing but funds are allocated for certain purposes and not for others.

Thus, the executing administration in the governorate does not have a free hand in its budget line as such budget lines come from central government to finance special projects. The localities can not replace these projects by others that they deem more appropriate or necessary and dictated by their special circumstances.

As to Nasr city as a new privatized company it has obligations to its stakeholders, true it has financial resources but has to allocate money in areas that are the atmost cost/beneficial .

Thus the main four problems of finance within the Egyptian context are :

- I. Lack of resources.
- II. Budget lines are set by the central government and local government can not exchange budgets between projects or districts or allocation topics.
- III. Special taxes raised at a locality are not all kept in the locality only a part or none at all. Thus the tax payers do not see their interests served by such

¹² In offering an incentive for retaining agricultural land as agriculture, no study had been undertaken to predict its effect on local budget or other part of the intervention system.

taxes. Thus, they are not encouraged to pay taxes on their true income.

IV. Special funds are not stable, hence can not be reliable. For example after the new law was enacted money from agricultural land was decreased greatly. The effect of such law was only studied on agricultural land and not on fiscal resources of localities. Cost effectiveness study for such an incentive was not undertaken..

8-1-3 Legal Problems :

From the point of view of the officials, the main legal problem is the fact that the laws are old and contradicting and that Law No.106 of 1976 and its amendments is the main law with which officials responsible for urban development departments in Zagazig deal with. This is the only law put into force in its totality or partially. Some of the legal problems are:

I-Laws are enacted in haste to solve urgent problems:

Officials believe that contrary to law No. 106 of 1976 the law of urban development No.3 for 1982 planning is not binding and violators are not penalized.(executives or citizens). It also does not give any incentives for those abiding by it . Other laws offer such incentives, for example Ministerial decree No. 36 of 1993 for urban areas provides that villages that define their boundary(Haiez) shall have priority in receiving services and utilities. However defining the boundaries of the villages is a problematic issue as shall be mentioned later.

As the Building law No. 106 for 1976 was proved inefficient, and as public opinion pressed for more severe penalties for its violators when several relatively new buildings collapsed and fell as a result of the violation of building regulations and specifications, the law was amended by law No. 101 for 1996. This law was enacted during the field study, when the officials were interviewed some of them could even detect its defects and drawbacks even before it was put into force.

For example the time limit for issuing a licence has been amended to 30 days from the date of application. Officers said it could be extended if the documents necessary for the licence are not complete. Officials predicted that there would definitely be extensions for this period as they had no capacity to study the number of applications in such a time , nor could they leave applicants to build without approval. With regard to reducing the fees and insurance dues provided for in the new law, most of the officials stated that these fees constitute a percentage of the original appraised sum, and if the sum is increased then even the reduction of the percentage would be

meaningless. If in application the amount to which the percent is taken is left to executive officers to appraise.

II-Uncomprehensive setting of physical boundaries were the laws are to be effective:

Building regulation legislations do not apply to the boundaries of villages or hamlets (Ezba) around towns as a whole. In the case of Zagazig such laws do not apply to the boundary of the village of "Shiba" which is adjacent to the university buildings. Thus, land in these villages is usually used for building. The landlords of these buildings are not subject to any penalty neither for building on agricultural land nor for violation of building laws out of boundary. Those landlords usually obtain a permit from the local council of the village not a license to build a building with no insurance or guarantee or any other procedure necessary for a licence but a letter from an engineer that it is safe to build. Then these buildings would ordinarily be supplied with pottable water and sewage from the utility authority in "Shiba". These buildings are not what is called informal or illegal but we have to find a new name for them. They are only crossing borders to a locality with flexible building regulations that makes their development profitable.

III-Frequent change in the Laws:

Legislations are continuously altered or changed or amended. For example law No. 106 for 1976 provided that granting a license would be in one stage. Then law No. 25 for 1992 which is an amendment of the first law provides that granting a licence would be in two stages, the first before building and the second after building the ground floor. Then again law No. 101 for 1996 provides for granting it in one stage. Maximum building height in one law is 1,5 times the width of the street, then in the following law it is 1,25 , then in the next it is 1,5 and so on.

In Nasr city the main legal problem is the legal status of Nasr city itself and its ability to set special regulations different from that of the national building or planning law. This legal problem was first apparent when the governor of Cairo denied Nasr city and other companies working within Cairo governorate their ability to set regulations and the stated that the general building law prevails in these areas. After a legal battle the decree was denounced. But after several years another Minister, this time the Minister of Construction in seeing a lot of violation in Nasr city though to let the company reconcile with violators of special Nasr city regulation if they did

not violate the general building law no. 106 for 1976. This was a declaration that the violation of special regulations was accepted while the violation of generally building laws was not.

IV-Effectiveness of the legislations from 1940 to the present :

Factors negatively affecting the effectiveness of building and planning legislations from the 1940 to the present include :

a- Reconciliation : (the out of court settlement with violators of laws) providing for official reconciliation with violators are the following laws No. 259 for 1956, law No.32 for 1958 ,law No. 29 for 1966, law No. 30 for 1983, law No. 54 for 1984 and law No. 99 for 1986.

b- Law No. 30 for 1983 which is an amendment of law No. 106 for 1976 allows violators to officially settle the difference with authorities within six month of the 7th of June 1983. That settlement was originally approved as an approach to fine violator instead of taking them to court, as the number of violators was very high and demolishing such buildings was imposible economically and politically. Then law No. 54 for 1984 was enacted upon the proposal of two members of the People's Assembly extending the period of reconciliation. Then law No. 99 for 1986 extended the period until June 7th ,1987, for the same reasoning, thus allowing and even encouraging quick violation before the period terminating all violations is over. Officers indicated that this period (1983-1987) witnessed the greatest number of violations.

Thus, violators are not worried or violation curbed by the law for they know that soon another law would be enacted allowing them to reconcile. Laying down categories for the fines to be paid upon reconciliation opened the door for personal assessment of the violation and hence the fine. The laws of reconciliation also allowed officials to determine upon their own disgression the type of violation requiring fines, as no fine for violation less than ten thousand Egyptian pounds was required. This opened the door for more corruption.

V-Procedures;How laws become routinized into procedures and standard practice and is operated on daily basis , sometimes losing its objective in this process:

To put laws into effect officials believe that certain procedures are necessary . In fact these procedures are first on their agendas. Hence they are well aware of the drawbacks of these procedures which may be sited as follows :

a- The large number of procedures and documents required for granting a licence. For example, only a preliminary unregistered purchase contract of the land. Consequently, trespassing and building on land belonging to others became rife.

b- The fees and costs for obtaining a building licence amounts to about 20% of the cost of the building, thus discouraging official obtaining of a licence and even encouraging landlords to reduce ficticiously the estimated cost of the building and consequently reducing the fees they may pay and also allowing for corruption .

c- Law no. 106 demands that those filing an application for a licence should present a letter of guarantee in favour of the Housing Directorate. But the procedures do not specify the authority entitled to decide when , why and how the payment of the amount of this letter of guarantee should be called. Though the head of the engineering department in Zagazig states that some of those letters of guarantee have been called for payment in favour of the housing fund.

d- The Ashria Insurance Authority which is in charge of insuring the buildings, reviews the drawings to ensure their structural safety for 10 years . But it does not send those same drawings to the licencing authority. But it only sends another document or letter indicating the safety of the drawings it keeps. Thus the drawing it has and those with the licencing authority may not be identical.

e- The period between receiving a licence and starting the building process which is one year or else the licence would be nil and void and another one would have to be reissued, is a very short period although it has been changed the in new law to three years.

f- The procedures requiring that the building of one stage may be commenced before the full approval of the preceeding stage by the department responsible for building regulations increases further the complications of the procedures and puts more burden on the department of building regulations. The new law canceled the stages of licening with regard to the department of regulation.

g- Licencing stages or procedures are linear thus each stage depends on the results of the preceeding stage, but absolutely seperated from the results of the following one , for example upon the completion of the drawings they are presented to the department of planning to see if they conform with the building line. Then it is referred to the building regulations department to check the drawings , then to Ashria Insurance Authority to examine the construction drawings for construction .

stage 1

stage 2

stage 3

Obtaining a licence follows this linear procedure. Each stage depending on a check list. If everything in one stage conforms with the checklist then the next may be started. This does not allow for innovation or creativeness or even a feed back.

Upon the full completion of the building licence, procedures for getting utilities commence, and then again after completion of this stage begins the stage of getting other different utilities .

Hence it would be better to follow a cyclic strategy. That is the landlord seeking to obtain a licence from the local administration would apply for it. Those local administration authorities would review and examine the conformity of the drawings submitted with the urban boundaries (Haiez), with the law of urban planning, with the rules for construction safety, and whether the buildings are fit for the supply of water and electricity (if the particular activity requires special needs for electricity such as an electricity chamber with special specifications).

Problems of License procedure include :

1 -At least 11 decision points , more than 15 steps and 5 or more site inspections are involved in the license procedure . There are 12 participants , not among them the public property department and no inspection to verify conformity with the Master plan (project) or ownership of land.

2- Any person may file a complaint indicating problems with owner of land; the license is stopped until the courts have a decision .

3- Time needed to have clearance on all these decision points and payments to different entities complicate matters.

4- Objection at any decision point or check point means starting all over again after changing building proposal.

V- Probability of agreement by every participant on each decision point must be very high for there to be any chance at all of gaining an approval of license as it is.

8-1-4 Problems of deficiency in information:

I-lack of updated information :

Engineering departments in the districts keep the information the correspondence and the maps in registers and archives. Which are not updated. For example, we found that the most up to date map used by the planning engineer of the first district in Zagazig is issued in 1948. For although there are maps of the project of defining the

urban boundaries (Haiez) yet he does not have a copy of it and can not use them as they have not yet been approved.

II- Old land registration information:

There is no system for land registration and as almost all Egyptian towns and villages are old, land ownership titles and contracts are old and are not registered due to the costly procedures of registration (fee for the transfer of ownership ,heritage, Ay loulou) most people do not even know that this fee has been cancelled. This leads to trespassing on lands owned by the state, by the wakfs (endowments), by the private sector and by individuals and building on it. Such trespassing is not usually discovered except after the building is complete as issuing a building licence does not require an officially registered contract but suffices by a mere preliminary contract between any two parties (such contracts may be forged)

III- Limited access to data:

A new modern building has been erected in Zagazig to be a data bank affiliated to the Decision Support Center of the Cabinet . This data bank collects information from the different departments and sends them to the headquarters in Cairo but that information is not available at the governorate level.

IV-Low capacity of data interpretation :

Due to lack of experts on the local level data even if existing and updated is not properly used to reason from evidence .It is not transferred to proper policy to deal with the urban problems .

Through the analysis of the comparative study of UK and USA experience along with the field study the researcher developed a table of comparison between the three countries in the three aspects ; the approach , the tools and the actors. see table (8-2)

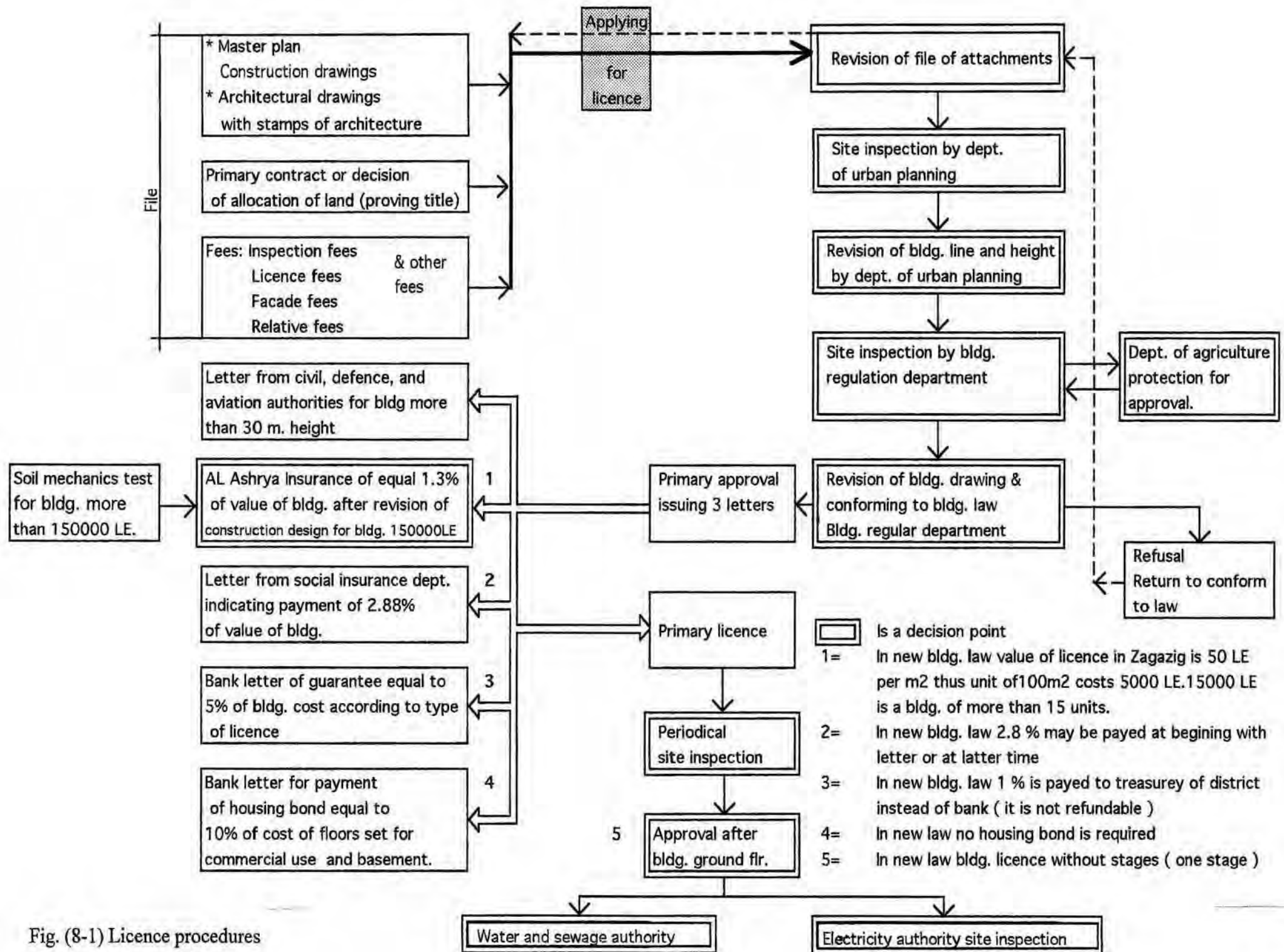


Fig. (8-1) Licence procedures

Table (8-2) Summary of the analytical comparative study and field study .

Country	U.K	U.S.A	Egypt
Planning Approach	The main approach is structure plans, new, planning approach is still not widely used.	A wide variety of planning approaches are used and are now being evaluated after more than 20 years of practice.	The main approach is physical (structure) plans or plans of deciding on urban borders (Haiez) as the basis for future plans, that rarely get implemented
Tools of intervention legal	Legal tools or laws are used, with U.K. long legal heritage laws are implemented and enforced. Changes in laws take long periods and long legal studies, it is very difficult to enact a law or change one.	Legal tools are framework for economic tools judicial system is very active. Any private actor could go to court if he feels he suffers any unnecessary hardship from a planning proposal. Private property is held secured.	Legal tools or laws are the main tools used. Laws are easily enacted or changed.
Financing Tools	Used to promote social objectives even if not economical	Studied economically to find best cost/ effective tools	Used without previous or after investigation on effectiveness or equity issues
Political ideology and political decision	The government roles and responsibilities of suitable urban areas is stressed . Means of subsidy and financing public land use projects is defined (economic considerations does not play a role in decision making) An administrative government .	The market forces is expressed in supply/demand. It is seen by the government as the main forces of intervention in land use. Limited public intervention in special areas or for special reasons is needed. Rationality of intervention in free market for special allocative, distributive , stabilizing reasons.	The government roles and responsibilities for urban areas is stressed specially in the capital. Subsidy to public projects is given even if it is beyond Egypt's economic means. A government of service-pledged to offer people all they need even pledge to appoint graduates.
Actors 1- public executive actors	Centralized subsidy from central government for centrally decided project along with local projects of intervention.	Decentralized methodology leads to each state and even locality having special laws, executive roles priorities, and means of incentives or subsidies to encourage certain activities	Centralized in economy and management. Uniformed in practices all over the country. Thus public executive actors have little to offer.

Country	U.K	U.S.A	Egypt
<p>Actors</p> <p>1- public executive actors</p> <p>2- Private actors (stake holders of the city)</p> <p>3- Public / private participation</p>	<p>Centralized subsidy from central government for centrally decided project along with local projects of intervention.</p> <p>Participate in the process of planning through democratic means .</p> <p>New means of intervention include attracting the private developer. The government offers subsidies, loans and a lot of economic incentives to attract private developers to special areas especially inner city areas in distress.</p>	<p>Decentralized methodology leads to each state and even locality having special laws, executive roles priorities, and means of incentives or subsidies to encourage certain activities</p> <p>Expresses opinion, needs and demands through market forces. Taking into consideration that in the USA physical exit from one area to another is available.</p> <p>The USA has well established means of participation with the private developer in the intervention in land use this participation includes, bargaining and , trade offs. The public/ private relation depends on respect of private actors and their need to maximize profit. The government undertakes studies of the most cost effective incentives before and after use.</p>	<p>Centralized in economy and management. Uniformed in practices all over the country. Thus public executive actors have little to offer.</p> <p>Their role is expressed through exit from legal domain to illegal building or informal building outside legal role.</p> <p>Lack of confidence in public organizations and public officials makes participation very difficult. Each intervene in urban areas separately. Although there is a new trend of NGO's commitment to improving urban areas and governmental support to such NGO's since 1992. Need to build public officers and NGO's capacity and skills to reach successful participation.</p>

8-2- Recommendations and Basic proposals :

Introduction :

The international shift of almost all countries towards market -economy after the fall of centrally planned economy ideology , had its effect on changing the definition of the state's role and responsibilities. Change in the balance of responsibilities between public , private and community sector actors brought corresponding changes in economic conditions and shifts in governmental policies .The shift of responsibilities of human settlements management has allowed local governments and often encouraged them to turn over housing, service provision and utilities to commercial market operations and private enterprises .Planning and development control have been reduced or made flexible and negotiation has been introduced in many instances.

The market economy experience has highlighted the advantages of decentralization and local participation in housing and service provision ; non-governmental voluntary bodies have not only been recognized but encouraged and assisted to take responsibilities for development , operation and maintenance of human settlements .

But it must be stressed here that government intervention as has been verified in the first chapter will remain vital in offsetting the undesirable effects of unrestricted market forces and in guaranteeing minimum standards of health , education and welfare, and in protecting the interest of the whole community .

Evidence of comparing the market business system with the highly administered system indicate that they contrasts in :

- I- The market is decentralized , comprises of multiple prime actors
- II- The market is self- administered in the sense that most of the prime actors make their own decision .
- III- The market is motivated by economic self-interest of these prime actors .
- IV- The market requires only the gross application of public policy rather than detailed case by case application
- V- The market is unplanned in the sense of being laid out in advance by an external authority .

And the result seems to be a smoothly working economic system that is efficient in its own terms of getting maximum production from the set of resources available to the economy .This smoothness and efficiency of the market economy does

provide a very attractive model for emulation by other systems such as the government system. Thus the next step is to try and discuss the government requirements to attempt to work through the market system by adjusting some of the inputs to this system without changing its attractive features of decentralization, self administration, self motivation and gross rather than detailed application of public policy¹.

By comparing the general rules of the market business system with different systems working in Egypt we shall find :

I-An example expressed by private developers in Zagazig is the success of the social insurance system because it is self-administered that is contractors or developers building a building go themselves to the agency. Also it is applied on gross policy and not a case by case application which opens the door for corruption. Thus no contractor had problems with social insurance fees, contrary to the income tax which is imposed by a taxing officer who appraises profit on some arbitrary regulations not known or understood by developers, and is done on case by case policy. Thus private developers are always having problems with such a system causing them to refrain from giving true information on their income or work.

It is important to note that such taxing system had its effect on land intervention through transforming the land development activities into a highly risky and unpredictable one and consequently adding costs to building development and limiting entry to such an activity.

II-The urban boundary "Haiez" setting does not follow market like systems. It is done by planners or executive officials with rules imposed from the central government. The border line some times follows the property line of a special parcel and thus is done on a case by case and not on defined edges such as canals or highways.

III- Nasr city approach towards trespassers on its land and means of reconciliation with them is a system that follows the market system. It calls for trespassers willingness to be reconciled, thus it is motivated by self interest. The rules for payment of fees are general and not on a case by case specific assessment. Thus it

¹ Levine, R., 1972, Public planning ; failure and redirections, pp 27-28

works very smoothly for in 1½ year more than half the trespassers reconciled with the company.

IV- The licence of buildings system; it is administered by building regulation executive, is administered as a set of highly specific assessment (of value of bldg, kind of bldg). Assessment of whether the land is agricultural or barren etc. The system works very badly .

Thus the basic recommendation and proposal of this study might be summarized in trying to use market system features in land use intervention whether in the approach , tools or with regard to dealing with actors .But the problem is how to put such proposal into practice, and that is what the study is going to do in the next part.

The analysis of both the theoretical background and the field work that represents two real local situation pointed at interesting features in three main areas, approaches, tools and actors. Thus the recommendations or basic proposals will be divided into those three main areas.

8-2-1 Approach :

I-Inadequacy of the comprehensive approach:

Officially Egyptian planners, prepare plans using the comprehensive planning approach. But as Dr. Tahar 1989 states that this approach does not suit the Egyptian context or any other developing country because of :

a- The quick change in the community, and its social, and economic context, thus it is not acceptable to predict what will happen within this context in 20-25 years. Moreover such long term future prediction will make plans inflexible and thus can not adapt to quick changes.

b-A Master Plan needs stability in society and decision making something that is non existant in developing societies with quick social, economic and cultural changes that lead to changes in the ways of life and urban changes.

c-A Master plan needs massive upfront investment especially in infrastructure, and that is not available in developing countries.

Thus Dr. Taher believes in the more realistic planning approach that takes the needs of different actors in the urban land use system into consideration. This may be the cooperative planning approach with its emphasis on the internal structure of the local authorities strengthening their management device. The researcher also believes

that comprehensive planning is demanding in data requirements, and as data in Egypt is either not available or very old and are updated at very long periods and not periodically, plans are not realistic even before they are finished. Also most comprehensive plans deal only with the physical aspects of the city. No administrative and institutional aspects are included, although they are the mechanisms of monitoring and implementation. Thus we may state that implementation and monitoring are not foreseen when preparing plans.

The researcher also believes that one aspect of comprehensive planning is the divorce of different land uses from each other, especially from housing. Such a conclusion has been verified in different studies of urban areas showing how special planned districts like Heliopolis, Nasr City and Mohandseen have changed after 30 years of occupancy from housing neighborhoods to mixed use neighborhoods. Thus the concept of such Master plans need to be oriented to the Egyptian context with its cultural heritage of mixed land uses.

d- Monitoring as defined as, the regular and deliberate systematic collection and analysis of information, is missing in Egypt although it is a main part of any planning approach for three reasons :

- Implementation monitoring; to check that implementation takes place according to planned policies.
 - Impact monitoring; to check whether implementation is achieving the aims of plans.
 - Strategic monitoring ; directed towards the assessment of the continuous relevance of the underlying aims and objective of the plan. Often the inhabitants needs may be met even if the plan is not being followed.
- Monitoring need to be done on regular intervals, and for each type of monitoring there are special data needs.

e- Needs of change from optimal to realistic plans:

The dilemma of performance versus promise needs monitoring and evaluating systems. The field study has indicated that street level bureaucrats are too busy coping with their day to day problems to recite to themselves the policies they are supposed to apply. As to the comprehensive plan for example, in Zagazig it has not been approved officially, thus it has not entered the realm of implementation. Even the new urban boundary of Zagazig plan (Haiez) 1993 is an official document, that has been partially approved,

but no street level official or citizen knows about it. Thus it is treated as unofficial and the everyday work is not affected by such a document.

The professional and executive actors when deciding on a proposal act as agents of distribution of wealth or hardship, depending on procedures, criteria or other subject means of decision making. Those interviewed in both case studies indicated that plan proposals are changed to favour special interests and thus they are not accepted by the public. The answer to that is that planning proposals should be published or known to the media and public thus limiting the scope of change on case by case principle.

The main proposal of this study on the approach issue is the emphasis on setting physical boundaries and setting boundaries of responsibilities between actors. Such a setting of boundaries must follow the market like system (general rules, self administered, self- interest) that is the study proposes a change to management by interest as has been proposed in Chapter 5.

The time dimension in planning a strategy must be highlighted. Within the Egyptian context this time dimension is important for two main reasons

- Time of preparing plans or projects or declaring Haiez is comparatively long due to the lack of data and coordination. Thus some times this plan becomes obsolete or, a far from reality even before it is finished.
- The accelerated pace of change - high uncertainty in the future, thus time span should be limited to near future of not more than 10 years..

II- Haiez as an approach :

If the new urban boundary (Haiez) is to be the approach or frame work for planning intervention in any city it has the advantage of being the first attempt of its kind to explicitly acknowledge the existence of an urban area outside or larger than the official border line "Cordon". But it has three main drawbacks.

a- Lack of comprehensiveness, to include more nearby villages boundaries on the periphery that are affiliated to the Markaz (of Zagazig) as they are a physical continuity of the city.²

² In the opinion poll almost 40% of opinion leader though law must be for cities and villages, as there is no special difference .The rural- urban continuum exists with towns and villages lying on different point not always on the two extremes.

b- Border lines should be kept on major physical edges; canals, or roads. They must not follow small ownership lines (case by case). Although the agriculture protection dept. insists on following these lines as they follow central rules (Ministerial decree to follow urban lines as seen in arial maps of 1985).

c- Legal status of Haiez is still unclear for example, the urban Haiez of Zagazig , as a document has the signature of the governor, the planning dept., the Head of the General Organization for Physical Planning (GOPP), and the Head of the National Committe of Haiez . But it has not been signed by the Minister of Agriculture , thus is still unofficial and has not been routinized in the procedure of urban intervention in Zagazig (building licences procedures).

If the planning approach is the urban boundary (Haiez) emphasizing that no urban activities are to cross such boundary, tools must work to accomplish that. By tools that encouraging the use of existing misused or under used parcels of land, that is recycling of land. As well as recycling of buildings within urban areas, along with infill development and other tools to facilitate subdivision of land within Haiez.

If approach is urban "Haiez" and the main tool is licence procedures, or legal indirect tools, licences procedures should be studied, reducing decision points, actors involved and fees paid. Making rules more general less case by case.

If within urban Haiez there are special regulation areas, this again is a tool, no Minister in the future would be allowed to change it, as has happened in Nasr city, where the managing company or entity could change its rules as it sees fit while no outside body could do so.

III- Local self governed communities:

Another approach may be local self governed communities or home associations, such as the university professors villas compound in Zagazig or Nasr city itself, if it was to be governed by the company. Home associations is the private alternative to a city. Like a city it is an association that enables households that have clustered their activities in a territorially defined area to enforce rules of conduct, to provide "public good" they need and are willing to pay for and to pursue common goals they could not achieve without some sort of central authority .Such associations range from small subdivisions, condominiums to planned communities. In Egypt the most common is second house summer communities in the North Coast.

One of the main differences between city and home associations is the voluntary nature of membership in such associations / unvoluntary in the city and competition between home associations for members.

Nasr city started with 6300 feddan if the national facilities area (such as the stadium) was deduced it would amount to 2200 feddan of residential and related services areas. Thus 2000- 3000 feddan is an adequate size of a home association.

Within the urban boundary "Haiez" another government tool , the land readjustment, or land consolidation may be used. It has been used with reported success in Japan and Taiwan ,and is becoming the backbone of urban redevelopment specially in urban fringes.

Land owners in undeveloped areas (urban fringe) or urban degraded areas, initially yield their land to the state, with a portion being returned after physical development plans for the area have been adopted. This would have the following virtues:

A) Private owners would be compensated for their land loss through infrastructural improvements and increasing land values.

B) The government would be able to gain land for public infrastructure, services and even low cost housing in a manner that would minimize adversarial confrontations.

C) The government would also be able to recover costs through the sale some portions of the land when land prices increase subsequent to development.

D) Land speculation in case of fringe with urban expansion could be reduced because land is obtained in advance rather than after first-round development.

To apply this tool in Egypt needs an intermediary, between people and government as private citizens do not trust the government to give them land back after development.

8-2-2 Tools and techniques:

The study has presented in chapter 3 different tools and techniques of urban land use intervention, each having special legal, fiscal, or organizational need and the field study has indicated not only the needs of each tool but the need to connect the tools of each system or to coordinate between different systems that have effect on

urban development to be working together to strengthen each other and not the opposite.

Among the important systems affecting the urban land use intervention directly or indirectly are :

- Taxing system
- License of building system for urban areas/ permit of building system for rural nearby areas
- Provision of infrastructure and connection to utility network system
- Land register system
- Social insurance system
- Judicial system

I-Regulation imposed on locality:

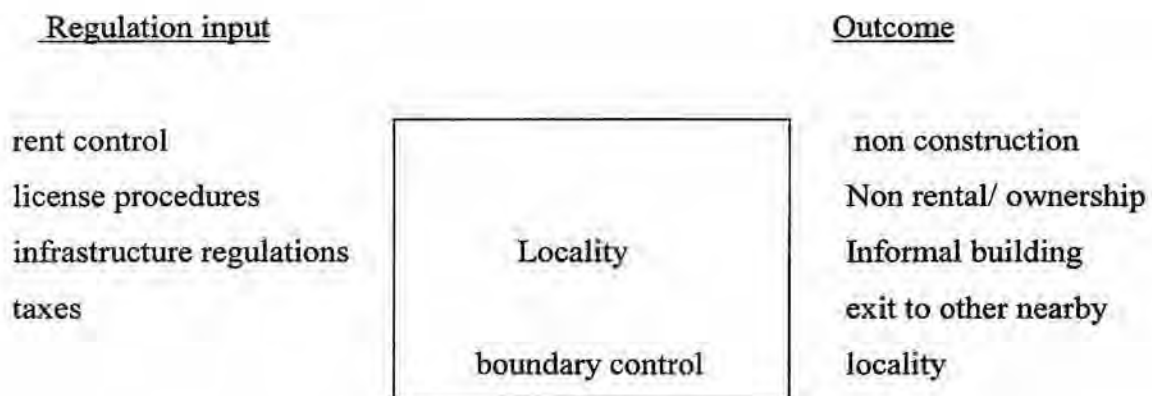


Fig.(8-2) Regulation imposed on a locality

For example, if the license of a building formula and expenses is coupled with provision of infrastructure for building after construction regulation formula, along with their expenses, long period of time needed to have an approval within city boundaries. The effect is that developers access to a different system of building without license within the city or outside, within other boundaries (villages) where the formula is building permit and infrastructure provision is less expensive and less time consuming.

If it is expressed in a market economy it is an exit from market of buying some good from locality or government organization to another locality having better good

or service. The buildings constructed in these areas are a new trend which needs new description, it is not legal or illegal, formal or informal "crossing boundary building" or "eviction".

If the approach towards violators of any article of the building or planning law is reconciliation, what are the tools of doing so.

In Nasr city the company surveyed, categorized land and studied the violation area "Ezbat El Hagana". Then it proposed fixed for each parcel of land according to its special characteristics whether on the main streets, or inside. Fees of reconciliation ranged from 10-50 L.E per sqm. A violator must first buy an application for 10 LE, then fill it stating his parcel of land and willingness to pay fees. Until now, LE 4.7 million were paid by trespassers to Nasr city company from LE 10 million the company's appraisal of violation fees. Nasr city used market like mechanisms.

II-Planned unit development as a tool:

If we are to use the urban Haiez as an approach it is better to use tools like planned unit development (PUD). That is the whole area is to be treated as a unit. Gross densities as a unit, permits planners to have more flexible solution and more open areas put together instead of having two and two and half meter between building. Semi-detached buildings on one site while open space in another may be a better idea.

III-The land register as a tool may be used and has been used in the U.K. with the same problems of national agencies having a lot of vacant land within the Egyptian cities. Such agencies may be permitted, by reducing control over them, to develop their land and engage in profit generating activities. Also if "Haiez is to be the approach recycling of land may need executives to change axioms and change procedures. For example, in case of a construction default officials issue an order to demolish the building leaving the ground floor, as it is usually safe to keep. As these ground floors are usually shops they continue to exist. For an owner to redevelop his land under this tools that preserves the ground floor, and under rent control regulation and regulations of noneviction of tenants, the land owner would have to pay a lot of money to tenants and spend long periods of time in negotiations causing a lot of slums and under used buildings to exist for long periods of time. Furthermore their equity effect is great. Owners suffer hardships, tenants of top floors suffer displacement and tenants of ground floors gain a lot. If recycling of land is to be the

tool with approach of boundary of Haiez , another means or tools of intervention would be issuing an order to demolish the whole building and negotiating terms for old tenants to have new flats or shops in new structure while paying acceptable sums or offering them all equal compensation. Loans, grants and future promise to rent government facilities in the development may help or be an incentive to recycle buildings and land.

IV- Financial Tools :

Plans can not be executed without finance .Thus when deciding about plans means of finance must be studied and decided about. Attempts must be made to secure new resources of finance for local government public agencies. Such as percent of local tax payments retained in the locality and the percent that goes to national treasury. The effect of different laws on local revenue must be studied before enactment. Budgeting practice must be revised to enhance efficiency and effectiveness through studies and monitoring. Budget allocation questions and their interrelation with local planning priorities, competing agencies for budgets/ versus competing localities as whole for budgets should be considered .

Incentives for new urban cities have been used in Egypt for 20 years. Yet no study of their effectiveness and their cost to government has been undertaken nor their effect on older cities. As has been verified in this research and other studies of Egyptian cities, that the quality of environment in old cities is low and the quantity of vacant and mixused parcels exceeded the area of new towns of together. The question then is what are the fiscal incentives used to attract developers to work in the inner city (as in the case of Britain or US)

The study recommends the use of fiscal incentives within older areas of existing cities such incentives must be from local resources and not depend on central government budgets, It must have continues resource and not be subject to sudden change. Also the study recognizes and supports the traditional and informal methods of raising credit and managing loans for the construction of buildings and also for owners associations of apartment building.³

³ In such association main developer pays only for land and then asks person who need apartments to give him down payment to start building with . There are all associates in owning the building . Every period of time they have to pay some payments.

V- Information and publications as tools:

Publication of good practices should be prepared for the purpose of disseminating information, and the operational conclusions contained in such case studies to a wider audience of policy makers, researchers, and practitioners in all local governments. Thus recent policy and institutional innovations in management of settlements, in upgrading existing areas and various forms of finance and partnership with the private sector would be recognized.

VI- Tool or technique data requirement:

For example in Nasr city data on recent sale prices, data on the number of violations or on the no. of built areas are available. Thus when the company sells land or reconciliates with violators, or appraisal prices they are as close to market prices as possible. Furthermore such data are used in new contracts of selling the company's land, indicating the time period to built after which the company would reclaim the land or impose penalties. (see appendix F)

On the other hand Zagazig's executive actors and organizations have no data on prices of land, costs of construction and prices of selling housing or commercial units and thus their appraisals of compensations or penalties are unrealistic causing people whose property was taken by the government to be unsatisfied, while causing more violation, to occur as penalties are very low. Thus lack of data cause the ineffectiveness of tools.

8-2--3 Actors :

The case study has clarified the characteristics and capacities of the principle actors involved in urban land use intervention within the Egyptian context. They can be divided into three groups, public sector actors, the private sector and the community sectors.

The public sector or executive actors; are defined to be the actors carrying out programs and actions through a process of administrative allocation, regulation and provision. The institutional form of the public sector encompasses central ministries, departments, public corporations, and parastatal enterprises and a variety of special-purpose agencies and regulatory bodies. The field study along with reviewing some implementation studies indicated that in bureaucraties systems like Egypt,

actors group into small units of individual groups in conflict with each other more than in cooperation. Legal and rational authority is replaced by political, leadership authority which could say a governor or chief engineer is wrong or could not do what he requested to be done. Likewise everyday's work is more important than the general policy laid down.

How a new innovation or new means of doing things (after a law has been enacted or organization changes its status for example) becomes routinized in practice and becomes part of the standard practice is a very complicated mechanism that needs to be further studied for during this process of routinization some laws lose their objective.

The study proposes the importance of new practices and tools of intervention be operated on a daily basis in special localities on a limited area and limited period of time before it is common practice all over the country through monitoring, thus gaps and problems could be solved.

The study also emphasizes the role of informal networks and increased control at the local level. If the new practice displaces an old one (old and new laws and regulations) specific steps need to be taken to eliminate the old way of doing things, such as change in the forms and procedures associated with the old way, special training of staff skills, special arrangement with other organizations or agencies. It is important to stress how power & political process shape the development of such reforms or innovations.

Actors and basic proposals:

There are two main directions that the study identifies and recommends. First broadening the range of actors involved, and second strengthening the base of relationship between actors and deepening the degrees of responsiveness :

8-2-3- A-Broadening the range of actors by attracting missing actors or passive actors:

In a system where some actors are passive or have a limited role, the urban land use system does not work effectively. Examples from the field study indicated the missing role of judicial bodies in the area of urban land use, that is people who feel they suffer hardship from a special regulation, or urban land use proposal have no means to express such feelings and if they go to court they know that rarely has there

been a case when courts in a case of citizen versus a government organization took the stand point of citizen. Thus citizen feel they have to take the law in to their hands. Moreover no system of complaint exists in Zagazig, while in Nasr city acceptance of the company's goods or services it offers, is expressed in the people's willingness to buy land or appartments from the company at diffened prices.

The case studies have indicated that the interaction model is the most commun or supported model connecting context process and outcomes:

a-The capacity of a planning unit was jointly affected by frequency of communication (or conflict) and ampleness (or scarce) resources.

b-Also the capacity of a planning unit (or intervention unit) is jointly affected by the total number of groups, context involved and no of conflict resolving techniques used process . Thus when many groups were involved in the planning process like in Zagazig) decision making capacity would not be improved unless many resolution techniques are used to resolve differences among the groups.

Although the moderating effect model can offer some help that is ampleness of the time available for a plan ora proposal of intervention preparation and ampleness of resources moderate the effect of plans to meet local goals. Or effectiveness of plan to meet local needs is increased, but as such ample resources do not exist. The effect of scarce resources is a contextual variable. Ample resources reduces the effect of processes and outcomes.

As an institutionalized power of any sort is always subject to suspicion. Land use regulators are increasingly denounced for being the beholder , not of the enlightened public interest but of the wealthy manipulative developers.

Thus, a lot of countries now require regulatory decisions to be more formal, open processes where any citizen can express his will.

But the problem is that "open" processes a means allowing the voice of the "people" to be heard and acted upon is a disllusionment.

For the people do not participate in land use hearings or follow the twists and turns as a project winds its way through government agencies. Most people have other things to do such as go to work, while the activits or interest groups and developer are poltting their strategies. Even where there is great interest in a land use proposal , it takes special skills and inordinate amount of time, and determination to participate in hearings, follow documents of broad meetings and so on.

Thus the shift towards participatory politics and away from representative politics liberates the participants from the constraints of representation.

The principle of the state's power to impose an unconstitutional requirement as a condition for granting a privilege or permit to build is unconstitutional and owners will resist such requirements such as leaving part of their land to the road or public ownership if they want to be granted a permit to build without receiving any compensation.

Broadening the range of actors involves the creation of new agencies, attracting new passive actors to be active actors, promoting privatization and shifting the balance of responsibilities from public to private actors.

Strengthening the relationship between actors and deepening their responsiveness encouraging through decentralization of the public sector, intensifying consultations regarding the level and standards of services and supporting community based organizations and NGO's. And encouraging more radical changes in electoral procedure, and laws are some of the basic proposals recommended by the study.

The main actors in urban use intervention are local government elected officers and executive staff. The research proposes to attract new actors along with old existing ones. New actors include citizens themselves, NGO's and legislative and judicial actors whom must be made more active..

The creation of special purpose agencies or the contracting of private companies to deliver some urban service or even the privatization of utilities or organization is another proposal

I- Legislative actors :

Legislations, Ministerial decrees, governors' decrees, local bodies orders have an ascending order that has to be respected. No minister decree can override a law.

The quick enactment and change of laws without monitoring their implementation has a negative effect on the whole system of urban intervention and without opinion polls indicate that all this makes abiding by the law quite difficult and violating it a general norm that is socially accepted

The legally distinction between the government is different local authorities as separate bodies such as the army, the police, the locality is unclear. Thus any trespassing by one entity on the other's land is accepted as it is implied that they all constitute the government.

II- Judicial bodies :

There was a general trend among the interviewees proposing the establishment of special courts for building, planning and apartment associated cases. Such courts would have the advantage of passing quick decisions in a short period of time thus allowing for the removal of violations before the completion of the building. It also encourages private citizens having any grudge or complaint against the government or any of its planning proposals or demanding compensation to go to courts.

This will make officials more sensitive to citizens' rights and make citizens more confident in officials and more willing to abide by the laws.

III- Executive actors :

As has been found from local case studies executive actors responsible for urban intervention lack skills and perception of their role and have no time to be devoted to preparing plans or strategies because of the day to day stress of work.

The research proposes presents the following three proposals.

a-Training of officials

Training is one of the most effective vehicles for transformation and change. And is one of the most cost-effective inputs as it increases the effective use of scarce resources. However a number of deficiencies exist in Egypt such as the absence of facilities or tailored courses and absence of assessment of training needs that are relevant to grass roots level of workers.

b-Publications of good practices:

Publications should be provided to all local governments, including information as to what are the new tools, loans, grants and incentives and who are the agencies, NGO, and donors that can help successful, examples from Ismailia, Aswan and Cairo must be available to local officials.

C-Reduction of the responsibilities of executive officials :

Reducing the responsibilities of officials to intervene by having special quasi-public bodies or private associations to govern special parts of the city, this will give them more time to set strategies.

D-Periodical transfer of officials :

As the executive officers by decide on planning proposals or zoning areas

for a special land use and thus may cause benefit to some and hardships to others, they have to be transferred after 4-5 years from one place to another like judges system (to reduce corruption).

IV- Private actors

a- Local developers :

Local developers as indicated through case study were essential in providing flexible options that respond to the needs and resources of the inhabitants in urban areas. In doing so they are economically motivated. They try to offer flats within areas and with prices that they know people (other private actors) are willing to pay for. Thus they follow rules of a competitive market.

The case study also indicates that private illegal buildings or outside urban boundaries have special regulations that is followed by almost all developers such as height do not exceed 12 floors, using skeleton construction (after which other, more expensive construction methods are needed). To offer flats with good livable space, utility courts have sizes similar to required by law in some cases more light and ventilation requirements is offered. Streets in such areas in Zagazig or outside Zagazig boundaries and within adjacent shiba village boundary had wider streets than streets within Zagazig boundaries.

b- Private owners or tenants

As illegal urban development receive implicit political acceptance and every period of time there is a blanket regulation or law that brings illegal buildings under legal umbrella many private citizens buy and rent such development outside legal limitation by some mean or another, whether outside boundaries of urban area, outside special land use regulations without any risk first because it is a wide spread phenomena and second because of the political implicit acceptance.

Economist stress that customers who are dissatisfied with the product of a firm shifts to another, thus uses the market to defend his welfare or to improve his position, and he also set in motion market forces which may induce recovery on the part of firm that has declined in comparative performance. This system or mechanism of exist or not is impersonal (no face to face confrontation between consumer & firm)

Politicians stress that customers or members of a society express dissatisfaction with product or society performance through voice. It is expressed through protest, voting in a democratic society. For a member to express his voice in

a large city is difficult thus, decentralization has been advocated and undertaken as a mean of making communication between members and management of city or different subdivisions (Hay, Qism) possible.

In the American ideology, tradition and practice exit. Is the main reaction of citizens. Even the US owes its existence and growth to people dissatisfaction with the European life and oppressions. Their fleeing to America or exit from the east to the west coast and to new frontiers. The physical mobility and possibility to change places in America along with other institutional, governmental and state regulations made state, and localities compete for citizen satisfaction.

The U.K has a long tradition of democratic institutions where citizen express their dissatisfaction through voice by themselves or through their political representatives.

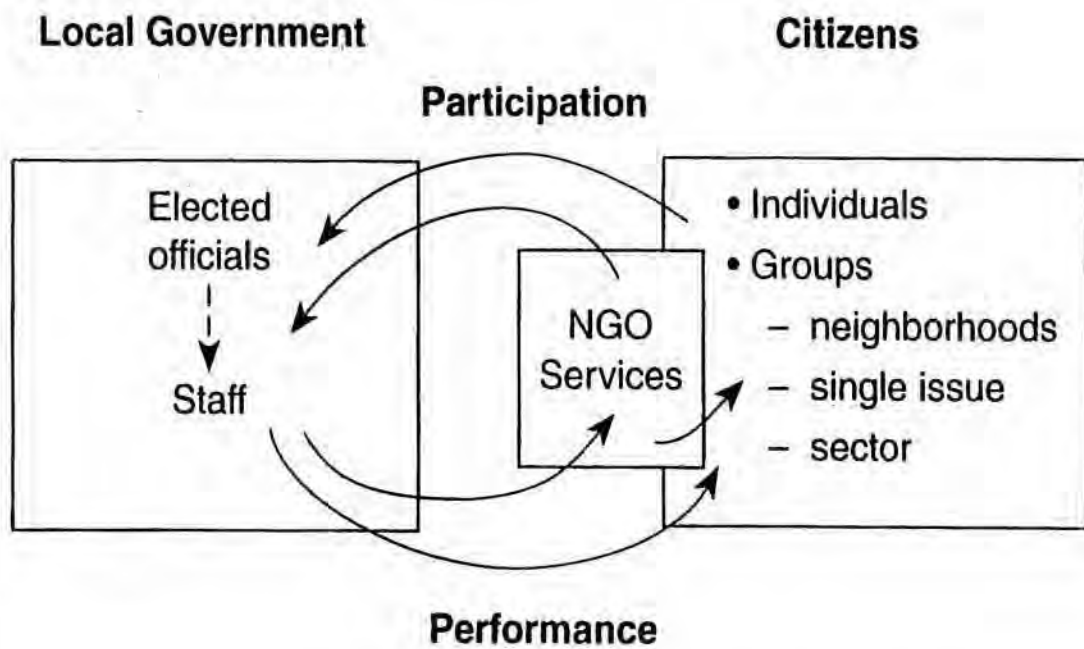
In Egypt citizen of a locality knowing how political representative are elected and how popular councils seem to be serving the government not the locality express dissatisfaction not through voice but through exit.

Here exit has a special meaning. The citizen can rarely exit physically from locality or city to another if he feel laws, regulation or services are dissatisfactory. Thus he violates laws and regulations, seeing violation as a kind of exit. Knowing also that violators if they are of high number can have their voice heard and can have political pressure more than passive abiding by the law citizen.

Independent regulation in nearby localities with boundary control, cause exit from a locality with uncalled for regulation to another locality. The new buildings being also legal, until such locality becomes within the new boundary or gets the same regulations causing a new exit

8-2-3-B-Deepening the base of relationship between actors and deepening degrees of responsiveness:

Citizen express their opinion mainly through their elected officers. But as elections of local council and People's Assembly in Egypt are based on Party list and independent persons with the highest majority (law 145 for 1988). Mechanism that does not always insure that citizen's first choices are elected this along with low percent of participation in elections and the law's requirement that 50% of the elected members are farmers and workers and 50% professionals. Thus local councils specially and elected representative in People's Assembly rarely have the knowledge about



Local Government

- Legal framework:
 Electoral process revision
 Administrative procedures simplified
 Judicial system strengthening
 Freedom to act on local setting

- Strengthen capacities :
 Technical skills
 Managerial skills
 Organizational skills

- Behavior :
 Client orientation

Building communication linkage:

- Public hearings
 Citizen committee for special issues
 Number and type of meetings
 Active media
 Opinion polls

Citizens :

- Behavior change through public campaign
 Re-building respect to regulations
 Civic spirit, willingness to participate

Fig (8-3) Building Participation into Local Governments

urban planning and urban intervention in land use. To most of them it means new towns or regulations to keep buildings from collapsing. As these are the two famous examples of government intervention that the media emphasises.

Another phenomena is the duplicity of roles. For elected members in local government are sometimes government employees. In Zagazig the head of local council is also the government engineering expert.

Thus the study proposes using existing NGO's as intermediaries between the government and citizens. Most NGO's working in cities like Zagazig have charity and religious objectives, the research recommends that such NGO's must be attracted to have urban upgrading and regeneration objectives. Such organisations are more responsive to needs and degrees of service delivery.

The study recommends meeting local need with local initiatives and agencies rather than local agencies implementing central policy directives. The study makes an argument that the cultural approach or (rooting explanation of any behavior in social life) is the most important approach. For through our cultural heritage there is available combinations of values and practices this part is made for us.

Only second - level choices (which of the available ways of life do I prefer) third level choices (which policies do I believe are means to preferred end).

It must be noted that choices are also affected by relationships with other people and their choices. Another question arise is, is there freedom of choice or is there some form of coercion order and we follow other people choice?

This point is very important, for it is very hard for the first person to break a regulation or law or even develop new land or immigrate to another country or within the same country. But it is usually easier for follows because of the breaking of the trend or because it becomes accepted or becomes a social or cultural practice

Attitudes affecting land use decisions is affected by the soical, public government, and community values on one hand and the individual and business coroparate value on the other.

Thus, a planner has to understand how values change through history, how they fit with organizational or institutional capacities or how these organizations evolved, so as to be able to meet the challange of managing conflicts among various values of the society and between different groups. Among the values most important to Egyptians as the research verified is the value of ownership of land or the value of

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Appendix A

Cost -effectiveness of subsidy devices from a study conducted by Conly, Gary, 1976, Director of Dayton City-Wide Development Corporation, Ohio, Attracting Private Investment into the Inner city through Development Subsidies.

Cost-Effectiveness of Subsidy Devices

The methodology used to evaluate the subsidy devices is a variation of discounted cash flow analysis, a technique widely used by investors to determine the return on equity generated by an investment. Discounted cash flow analysis evaluates a series of payments, specifically net aftertax profit, generated over the life of an investment. The technique adjusts for widely varying payments received over an extended period of time.

Estimating Developer Benefits

The developer begins with a tabulation of the total cost of land acquisition and improvements and of the likely terms and conditions of lenders. This establishes the amount of equity capital a developer needs to implement the project and provides the basis upon which return on equity will be calculated.

Cash Flow

Cash flow is then projected on an annual basis to determine the net profit or loss from a "real book" standpoint. Next, the cash flow is evaluated in terms of tax consequences. This involves determining on an annual basis all deductible expenses such as property taxes, utilities, insurance, interest, management fees, lease payments and depreciation, etc.

Depreciation and deductible real expenses are added together and the sum is subtracted from total revenue yielding net profit or loss from a "tax book" standpoint. If the remainder is negative, the project has generated a tax shelter. Where it is positive, all of the revenue generated by the project has not been sheltered, and the remainder is subject to a tax liability.

Where taxable income is created, the amount of the tax depends upon the form of ownership. If a corporation owns the project, the corporate tax rate applies; if the property is held by a partnership, the respective individual tax rates apply.

Tax Shelter Savings

If the amount of income tax payable exceeds the net profit from a "real book" standpoint, then the project is a loser. Often, however, because of the unique tax consequences of real estate investment (i.e., depreciation), taxable income will be low or negative.

In the case of negative "tax book" income, not only has all the "real book" income been sheltered, but there are excess losses which can be claimed as deductions against other income.

The result is a reduced income tax liability on other income equal to the amount of the loss times the appropriate corporate or personal income tax rate.

The real net aftertax return, therefore, is the sum of aftertax "real" cash flow plus any income tax savings resulting from the tax shelter provided by excess losses.

Discounting Developer Cash Flows

By assuming a tax rate, the developer can then compute the annual aftertax income of the project in terms of aftertax cash flow and tax shelter savings. This will vary from year to year over the life of the project.

A common format analysis which adjusts for variation in the cash flow of a project over time is the net present value technique. To use this technique the developer selects a return on equity objective. The return on equity objective is essentially the desired percentage per annum return on investment, often called the discount rate, capitalization rate, or simply the "cap" rate.

To illustrate precisely how the "cap" rate is applied, using the net present value technique, assume a 10 percent rate has been selected and the developer has determined aftertax cash flow and tax shelter savings for each year in the life of the project. The developer then discounts his aftertax income in each year by dividing the aftertax income by the "cap" rate plus one, raised to the power of the particular year. For example, in year one, aftertax income for that year is divided by $(1.10)^1$; in year two, by $(1.10)^2$; year three, by $(1.10)^3$; (. . . $(1.10)^n$), over the life of the project.

After all these calculations are performed, the developer sums them and the result is cumulated discounted net aftertax income (CDATI) generated by the project. If this amount (more commonly referred to as the "net present value" of the cash flow generated by the project) exceeds the amount of the initial equity invested, then the return on equity goal of 10 percent per year has been achieved. If it is less, the developer has not achieved that goal and must reject the project or find alternative ways to restructure it.

Control Project

A generalized project description and discounted cash flow analysis is presented. This establishes a control; that is, an unsubsidized project, against which to measure the impact of various subsidy devices. Subsidy devices will then be introduced to the control project and a discounted cash flow analysis will again be performed. The effect upon cash flow, the difference between the CDATI of the control and of the control with the subsidy applied, indicates the impact of the subsidy.

Control Technique

The problem will be simplified somewhat by not considering either the current revenue side or operating expense aspects of the project. The subsidy devices to be considered here are assumed to affect only financing, property taxes and depreciation. Therefore, only capital subsidies are evaluated. The subsidies do affect capital cost. Therefore, it is the cumulative discounted aftertax cost of capital (CATC) that will be determined and not cumulative discounted aftertax income. This analysis is a variation of the net present value technique in which cost and tax consequences (but not revenues) are considered.

For the control project, property taxes and debt service--both direct (loan payments) and indirect (lease payments)--will be determined on a per annum basis. These are real costs.

Next to be computed are the tax consequences resulting from depreciation and from other deductible items such as interest expenses, lease expense and property taxes. The sum of the deductible items times the tax rate indicates the tax savings or shelter associated with these aspects of the investment.

Tax savings, in turn, will be deducted from the real cost and the result will be the "real" net aftertax capital cost of the project. Aftertax capital cost in each year will then be discounted over the life of the project as described above.

To illustrate, assume an investor is leasing real estate for \$1000 a year for five years. Assume also a 25 percent tax bracket and a return on investment objective (i.e., a "cap" rate) of 10 percent per annum. In each year, the real cost of the project is \$1000.

Lease expenses, however, are fully deductible for income tax purposes and thus create a tax shelter. The \$1000 lease payment can be claimed as an expense and will result in a savings of \$250 a year in income taxes, provided the investor has other income to shelter. The effective annual capital cost, therefore, is \$1000 minus the \$250 tax savings, or an effective capital cost of just \$750 per year for use of the real estate.

This, in turn, will be discounted for each of the five years of the investment, by 1.10 the first year, 1.10^2 (i.e., 1.21) the second year, 1.10^3 (i.e., 1.33) the third year and so forth over the five years. Summing up the discounted amounts over the life of the project yields a cumulative discounted aftertax capital cost (CDATC) of \$2827.

Project Data

The same methodology will be used below within the context of a more complicated project description: of a total \$10 million project investment, \$9 million is applied toward real property improvements and \$1 million toward the purchase of land. Property

taxes are \$200,000 per annum. The project is a partnership owned by individuals within the 50 percent income tax bracket. The investors use a "cap" rate of 10 percent per annum. In addition, the investors have elected to use 150 percent accelerated depreciation on a useful life of the investment of 40 years and a salvage value of 10 percent. The first mortgage terms that have been negotiated are an \$8 million loan amount at 8 percent for 25 years.

Fiscal Impacts to LDA

Before determining the cost-effectiveness of subsidy devices, it is also necessary to take into account the cost of the subsidy to the LDA. Costs can be incurred in several ways. First, by extending a lease or loan, the LDA is deprived of the use of funds for a period of time. Although an additional source of income may be created by way of lease fees and loan payments, the out-front extension of funds has to be taken into account in determining the cost of the subsidy. In the case of a write-down, the LDA loses cash out-front, but without hope of repayment.

Second, tax abatement and tax increment bonding involve a cost by way of real property taxes foregone. The question is not so much one of cost but of overall fiscal impact deriving from the combination of changes in the taxes, the development of new sources of income, and front-end investment by the LDA.

Below, the term fiscal impact will be used to refer to the combination of these factors. The measure of fiscal impact will be the property tax revenue and lease or loan income generated by a project, if any, divided by the amount of taxes foregone or front-end cash extended through use of the subsidy.

Discounting LDA's Cash Flows

In appraising fiscal impact, one encounters the same problem described earlier when a developer receives unequal payments over time. Again, the problem is to develop a common basis for appraising a variable income stream. This will be done below for the LDA in the same manner as for a developer, namely by selecting a "cap" rate for the LDA and performing discounted cash flow analysis. However, the problem will be somewhat simpler since the LDA need not consider income tax implications.

The main difficulty with using discounted cash flow analysis to evaluate fiscal impact is the selection of an appropriate capitalization rate, more commonly called social discount rate, for use by the LDA. This selection will depend upon the benefits of alternative uses to which the funds of the LDA could be applied.

The cost of money, in particular the cost of municipal corporate borrowing, also needs to be a consideration. Here

a six percent social discount rate which reflects the municipal bond rate, give or take half a percent, will be used for purposes of simplification.

Once an appropriate LDA "cap" rate is selected, the discounting procedure to be followed is similar to that used to estimate developer's capital cost. Taxes foregone will be multiplied by the inverse of one plus the social discount rate (.06) raised to the power of the year in which the tax event occurred as with the developer above. This yields a discounted value for the taxes foregone in that particular year.

Summing over all years results in a cumulative discounted subsidy cost measured in terms of taxes. This amount is then deducted from the cumulative discounted value of the taxes, tabulated using the discounting procedure at the same social "cap" rate, which would have been collected had the subsidy not been provided.

The result is a cumulative discounted tax value for the LDA reduced by the impact of the subsidy on the tax receipts. Non-tax LDA revenues associated with the subsidy (loan and lease payments, if any) are discounted in a similar fashion and added to the net tax figure, thereby defining the total cash benefit of the project to the LDA. This figure, in turn, will be divided into the cumulative discounted value foregone by the LDA, whether it be in cash grants or taxes foregone, to establish the fiscal impact measure (a cost/benefit ratio).

To provide comparability over the devices, the terms of the subsidies have been set so that the cost to the LDA in terms of the cumulative net discounted value of the cash grant or taxes foregone in each case has been adjusted to equal \$1 million, regardless of the form in which the subsidy is provided.

Devices Used in Control Project

Table 1 outlines each subsidy device used in the model. The devices may generally be described as follows:

- A \$1 million write-down financed by a direct cash grant.
- Tax abatement equaling a discounted tax loss to the LDA of \$1 million on taxes foregone.
- Tax increment bonds used to finance a land write-down, at a cumulative discounted property tax loss of \$1 million to the LDA.
- \$1 million tax increment bond issue used to write-down the land and buildings in equal proportion to their

Table 1: Description of Subsidy Devices

Device	Description	Terms	Impact on LDA
Tax Abatement	Real estate taxes foregone, reducing developer's expenses, improving cash flow.	\$78,320 taxes foregone each year for 25 years.	\$78,320 in taxes foregone annually for 25 years: \$1 million present value discounted at 6 percent.
Second Mortgage	Second mortgage loan reducing equity capital requirement, increasing developer's leverage, but reduces cash flow.	\$1 million loan at 6 percent for 25 years, repaid in annual installments of \$78,320.	\$1 million front-end investment by LDA. LDA receives 25 annual installments of \$78,320 but at high risk.
Write-down	Land sold to developer at less than fair market value; thereby reducing total development cost.	\$1 million in land sold to developer for \$1. No repayment required.	\$1 million front-end grant given by LDA to developer.
Lease	Land leased to developer, but not subordinated to end loan. Increases leverage, provides favorable tax consequences, but reduces cash flow.	\$1 million in land leased for 25 years on net basis at \$78,320 per year.	\$1 million front-end investment yielding annual income of \$78,320 per year for 25 years.
Subordinated Leases	Land leased to developer on subordinated basis. Greatly increases leverage, provides favorable tax consequences, but reduces cash flow.	\$1 million in land leased for 25 years on net basis at \$78,320 per year.	\$1 million front-end investment yielding annual income of \$78,320 but at high risk.
Tax Increment Bonds (a) Land	Bonds used to finance land sold to developer for \$1, thereby reducing development cost.	\$78,320 in taxes per year for 25 years earmarked for bonds used to write-down land sold to developer for \$1.	\$78,320 in taxes foregone each year for 25 years, revenue applied to retirement of bonds bearing 6 percent rate, bond proceeds used to finance \$1 million land write-down.
Tax Increment Bonds (b) Proportional	Bonds used to finance write-down of \$100,000 in land and \$900,000 in improvements, reducing total development costs.	\$78,320 in taxes per year for 25 years earmarked for bonds used to write-down \$1 million in land and improvements sold to developer for \$1.	\$78,320 in taxes foregone each year for 25 years, revenue applied to retirement of bonds bearing 6 percent rate, bond proceeds used to finance \$1 million land and improvements write-down.
Industrial Development Revenue Bonds	Bonds provide low-interest debt capital, reducing interest expenses and improving tax flow.	\$8 million issued, at 6 percent amortized over 25 years.	No impact, the LDA does not provide the subsidy, IRS and bond-buyers do.

respective values to the overall cost of the project, at a cumulative discounted tax loss of \$1 million to the LDA.

- A \$1 million second mortgage at 6 percent, 25 years, representing a \$1 million front-end investment by the LDA.
- Land lease to the developer of land valued at \$1 million, at a rate equaling a 6 percent return on investment including amortization over a 25 year period representing a \$1 million front-end investment by the LDA.
- A subordinated land lease at a rate of 6 percent per year plus amortization for a total LRA investment of \$1 million.

Finally, purely for purposes of comparison, IDBs are used to finance the control project at an 80 percent loan to value ratio, 6 percent and 25 years.

Impact of Subsidy Devices on Developer

The impact of the subsidy devices is shown in Table 2. Cumulative discounted aftertax capital cost for the control project and for the control with each of the subsidies applied are indicated in column 2 of the table. The difference is cumulative discounted aftertax capital cost that can be attributed to subsidy devices, CATC for the control minus CATC for the control with the subsidy applied, is presented in column 3.

The impact of the subsidy devices vary from a \$285,000 subsidy to the developer for a lease to a subsidy of approximately \$640,000 through the application of either a subordinated lease, a land write-down, tax increment bonding or a land write-down variation.

Column 4 reflects the savings presented in column 3 as a percent of the cumulative discounted capital cost of the control project. Capital cost savings vary from 4.5 percent for leases up to 10.3 percent for subordinated leases, write-downs, tax increment bonding and a write-down variation.

Impact of Subsidy Devices on the LDA

The fiscal impact of each device on the LDA is indicated in Table 3. Column 2 reports the cumulative discounted value of taxes generated by the project. Column 3 describes any miscellaneous income, either lease or loan fees, on a cumulative discounted basis over the life of the project. Column 5 is the discounted cost of the subsidy, either in terms of front-end investment or taxes foregone.

Table 2: Impact of Subsidies on Developer's CATC

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 4</u>
Device	Cumulative Discounted Aftertax Capital Cost (CATC)	Difference to development in CATC (Control minus Col. 2)	Percentage Savings CATC to Developer
1. Control	6,218,594	N/A	N/A
2. IDR	5,751,708	466,886	7.5
3. Tax Abatement	5,863,546	355,048	5.7
4. Second Mortgage	5,771,212	507,382	8.1
5. Write-down	5,577,812	604,782	10.3
6. Lease	5,932,860	285,734	4.5
7. Subordinated Lease	5,577,235	641,359	10.3
8. Tax Increment Bond (a) Land	5,687,505	531,089	8.5
9. Tax Increment Bonds (b) Propor- tional	5,577,812	640,382	10.3

Developer Capitalization Rate

What holds for the LDA also holds for the developer. If a higher capitalization rate had been used by the private developer, the effectiveness measures would have changed somewhat although the order would have been maintained.

Higher capitalization rates on the part of the developer cause devices which allow the developer to spread payments into the future to be more effective. Thus, the \$1 million loan or subordinated lease would have been even more cost-effective had a higher "cap" rate been used.

Property Tax Rate

The effectiveness rankings are not particularly affected by the property tax rate. Were property taxes greater or lower in the model, they would still be a fully deductible item. The main issue is differences in property tax rates between local political subdivisions. If tax rates in the city are much higher than those in suburbia, then a subsidy device should be used to offset the higher rate.

This device, however, need not be tax abatement; it can be any of the devices described above. The one selected should be the one which is most cost-effective within the context of the situation and not necessarily the one most directly addressing the source of the problem.

Likewise, the effectiveness ratings are not affected by the cost of land. If land is high in price, this does not mean that only write-downs will be effective. It is still the case that any of the other devices suggested can be applied. In certain instances, it will be difficult to acquire permanent financing unless land prices are reduced, and write-downs may be necessary.

In each case, the cost has been adjusted to \$1 million. Summing columns 1 and 2, and dividing into column 5 establishes a cost/benefit ratio, the fiscal impact measure for each of the devices reported in column 6. The lower the rating, the more effective the device in terms of cost/benefit to the LDA.

Despite the fact that leasing is relatively ineffective in terms of providing a subsidy, it has a substantial cost/benefit ratio; it does not reduce property taxes, but does provide an additional source of income for the LDA. Column 7 repeats the percent savings in capital cost from column 4 in Table 2.

Dividing the cost/benefit ratios in column 6 by column 7 provides an effectiveness ranking presented in column 8. The lower the ranking, the more cost effective the device in terms of the fiscal impact and the subsidy realized by the private developer.

The table demonstrates that subordinated leasing is an extremely effective device followed closely by second mortgages, both of which are seldomly used to subsidize development. Land write-downs and tax increment bonding are shown as somewhat cost-effective devices, while tax abatement is the least effective.

It is important to note that write-downs, the most popular device for subsidizing development, are less effective than second mortgages and leases; abatement, the second most popular device, is extremely ineffective.

Assumptions

In considering these results, the influence of the assumptions included in the control project description upon findings ought to be considered. Perhaps the key factor in determining which devices are most effective is the social discount rate.

Social Discount Rate

Had a higher social discount rate been chosen, the cost-effectiveness ranks would have changed somewhat. Higher discount rates mean that devices with payments distributed over time, such as is the case with tax abatement or tax increment bonding, are less costly to the LDA than those which require immediate payment-out-front.

This situation is portrayed in column 9 of Table 3 where the effectiveness rankings that would have resulted had a 20 percent social discount rate been used. In view of the inflation of recent years and continuing scarcity of redevelopment funds, a strong argument can be made that public officials need now to think in terms of higher social discount rates.

taxes are \$200,000 per annum. The project is a partnership owned by individuals within the 50 percent income tax bracket. The investors use a "cap" rate of 10 percent per annum. In addition, the investors have elected to use 150 percent accelerated depreciation on a useful life of the investment of 40 years and a salvage value of 10 percent. The first mortgage terms that have been negotiated are an \$8 million loan amount at 8 percent for 25 years.

Fiscal Impacts to LDA

Before determining the cost-effectiveness of subsidy devices, it is also necessary to take into account the cost of the subsidy to the LDA. Costs can be incurred in several ways. First, by extending a lease or loan, the LDA is deprived of the use of funds for a period of time. Although an additional source of income may be created by way of lease fees and loan payments, the out-front extension of funds has to be taken into account in determining the cost of the subsidy. In the case of a write-down, the LDA loses cash out-front, but without hope of repayment.

Second, tax abatement and tax increment bonding involve a cost by way of real property taxes foregone. The question is not so much one of cost but of overall fiscal impact deriving from the combination of changes in the taxes, the development of new sources of income, and front-end investment by the LDA.

Below, the term fiscal impact will be used to refer to the combination of these factors. The measure of fiscal impact will be the property tax revenue and lease or loan income generated by a project, if any, divided by the amount of taxes foregone or front-end cash extended through use of the subsidy.

Discounting LDA's Cash Flows

In appraising fiscal impact, one encounters the same problem described earlier when a developer receives unequal payments over time. Again, the problem is to develop a common basis for appraising a variable income stream. This will be done below for the LDA in the same manner as for a developer, namely by selecting a "cap" rate for the LDA and performing discounted cash flow analysis. However, the problem will be somewhat simpler since the LDA need not consider income tax implications.

The main difficulty with using discounted cash flow analysis to evaluate fiscal impact is the selection of an appropriate capitalization rate, more commonly called social discount rate, for use by the LDA. This selection will depend upon the benefits of alternative uses to which the funds of the LDA could be applied.

The cost of money, in particular the cost of municipal corporate borrowing, also needs to be a consideration. Here a

Table 3: Fiscal Impacts and Cost-Effectiveness

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7	Col. 8	Col. 9
Device	Discounted Net Tax Revenue to LDA	Discounted Net Loan/Lease Revenue to LDA	Total Net Revenue (Col. 2+ Col. 3) to LDA	Discounted Cost of Subsidy to LDA	LDA's Cost Benefit Ratio (Col. 5 ÷ Col. 4)	Developer's % Savings Capital Cost from Table 2, Col. 3	Overall Cost Effectiveness Rankings ¹	
							6% Discount Rate ²	20% Discount Rate ³
1. Control	2,556,670	0	2,556,670	---	---	---	---	---
2. IDR	2,556,670	0	2,556,670	---	---	7.5	---	---
3. Tax Abatement	1,556,670	0	1,556,670	\$1 mil.	.642	5.7	11.26	29.12
4. Sec. Mortgage	2,556,670	\$1 mil.	3,556,670	\$1 mil.	.280	8.1	3.45	8.88
5. Write-down	2,556,670	0	2,556,670	\$1 mil.	.390	10.3	3.79	9.88
6. Lease	2,556,676	\$1 mil.	3,556,676	\$1 mil.	.280	4.5	6.22	16.00
7. Sub. Lease	2,556,676	\$1 mil.	3,556,676	\$1 mil.	.280	10.3	2.71	6.99
8. Tax Increment Bonds (a) Land	1,556,629	0	1,556,629	\$1 mil.	.642	8.5	7.55	19.52
9. Tax Increment Bonds (b) Proportional	1,556,629	0	1,556,629	\$1 mil.	.642	10.3	6.23	16.11

¹ The lower the cost effectiveness ranking figure, the greater the cost effectiveness of the device (i.e., second mortgages @ 3.45 are more cost effective than leases @ 6.22).

² Col. 8 figures equal Col. 6 ÷ Col. 7

³ Col. 9 figures equal cost/benefit ratios calculated at a 20% social discount rate, not recorded in Table, ÷ Col. 7.

Appendix B

Opinion poll of the opinion of leaders and experts regarding housing problems in Egypt and the new housing law .

Conducted by the National Center for social and criminological researches

Table No. 6

How to encourage the private sector to invest in housing projects	3	%
Offer land at low prices		. 79.6%
Offer building materials		. 76.5%
Rental increase periodically		32%
Realistic assessments of rate of returne when issuing licence		. 96.6%

Table No. 7

Do you approve of direct intervention in relationship between land-lords and tenants		%
For low income groups		66%
For medium income groups		11%
For high income groups		5%

Table No. 8

Means of subsidizing housing	4	%
Subsidizing land		. 82.9%
Subsidizing finance		. 76.7%
Subsidizing building materials		. 56.9%
Decreasing prices through occupants participation in building		55%

Table No. 9

How can government deal with the problem of unused apartments	5	%
By taxing it		31%
Expropriation		6%
Private property must be protected		38%
The problem will solve itself		37%

Table No. 10

Do you approve of applying urban housing laws to rural houses		%
yes		41%

(1/2) Total more the 100% experts could chose more than one answer

Table No. 1

Years of experiance	%
Less than 15	28%
15 - 25	45%
More than 25	27%
Total	100%

Table No. 2

Level of education	%
Ph.D degree	30%
Masters degree	. 12.2%
University degree	. 56.1%
Total	100%

Table No. 3

Type of education	%
Engineer	71%
Accountant	. 6.8%
Lawyer	. 10.8%
Others	12%
Total	100%

Table No. 4

Scope of work	%
Public sector employees 1	44%
Private sector or self employed	42%
Universities	32%

Table No. 5

Means of financing housing project	%
Loans from banks 2	49%
Loans from cooperative housing authority (existing)	32%
Loans through special quasi-public authority (new)	30%

1,2,3 total more than 100% experts could chose more than one answer.

Appendix E

Glossary of terms

Glossary of terms

Baladia :In the modern sense , is a municipality which deals with the social , physical and environment issues.In the past it used to deal with the physical factors only.

Street line :(Had El Tareek): is the line determining the width of the street whether public or private.(law no. 106)

Building line :(Khat El Tanzeem): The official line putting a border between the street and public or private property. It is the line defining the area on which building may be constructed whether it is identical to the street line or receding from it according to decrees , rules and regulations issued by competent authorities in accordance with the provision of the law .Owners of land that lose land due to change in building line are offered compensation.

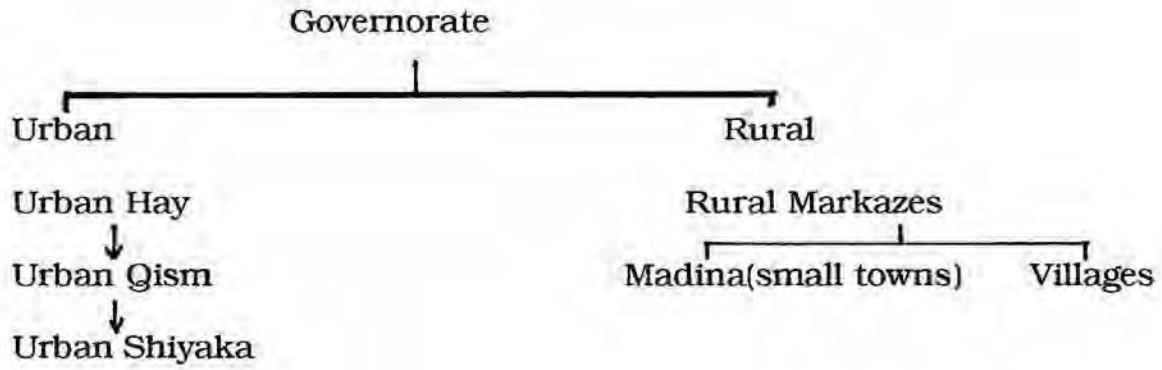
Recessing area:(Ertedad):is the part of the plot of land that should be left as a vacant space lying between the building line and the street line.

Boundary:(Haiez): is the area to be planned by the local unit . It may be confined to the town border (cordon) or may exceed it .The competent council defines this area in advance before planning it and after consulting with the local units to which the exceeding areas beyond the town border (cordon) are affiliated.

Town border: (cordon): The administrative border supervised and controlled by the local competent council.

The boundary of a village :(Zemam):Is the area of cultivated and non cultivated land and water surface and roads that pass through them and are part of the village.

Egyptian Administrative hierarchy



Appendix C

Egyptian Statistical Appendix

Table 1.1. The Middle East and North Africa: Basic Indicators

	Population (mn) 1994	GDP per Capita (\$) 1994	GDP Growth Rate (%) 1991-94	Inflation ¹ (CPI change) 1991-94	Life Expec- tency 1994	Adult Illiteracy 1995	Infant Mor- tality Rate ² 1994
Mixed Oil Producers Algeria, Iran, Iraq	110.0	1092	1.0	27.7	68	25	35
Gulf Cooperation Council Bahrain, Kuwait, Oman, Qatar, Saudi Arabia, UAE	24.2	8467	5.0	-0.2	71	31	22
Diversified Economies Egypt, Jordan, Morocco, Syria, Tunisia, Turkey	174.9	846	2.7	5.5	65	36	51
Primary Producers Mauritania, Sudan, Yemen	43.8	555	4.1	57.1	53	69	100
Other Regions SubSaharan Africa East Asia and Pacific	571.9 1734.7	460 860	0.5 6.8	11.9 7.4	52 68	43 17	92 35

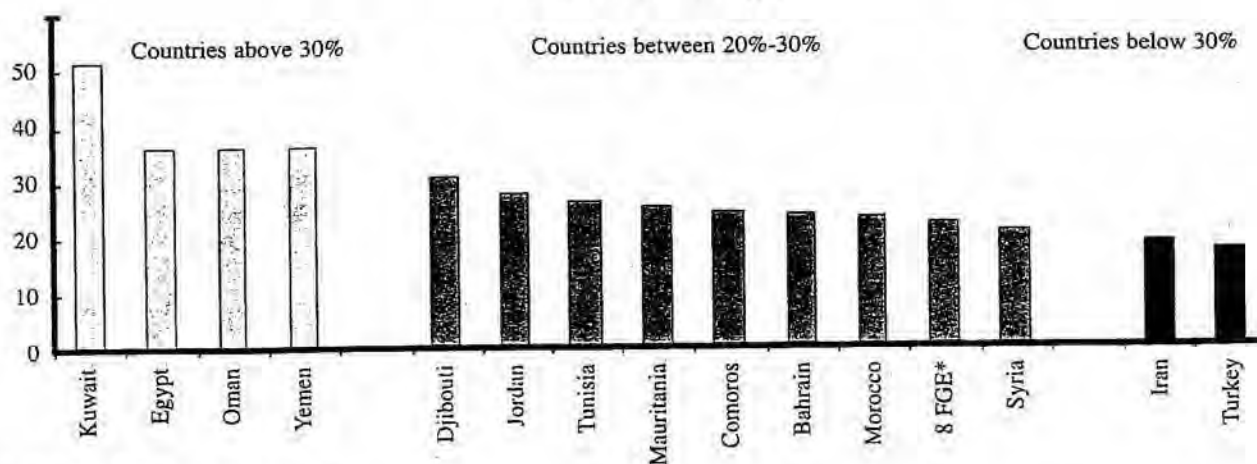
Note: All data is population weighted. ¹ GDP deflator for the cases where data is missing. ² Per thousand of child birth.
Source: World Bank data.

Table 1.2. Macroeconomic Projections for MENA, 1995-98

	Budget Deficit /a/				Inflation (%)				Export Volume /b/				Current Account Balance /c/			
	95	96	97	98	95	96	97	98	95	96	97	98	95	96	97	98
MENA	-5.1	-5.4	-4.7	--	25.6	14.8	12.1	11.2	8.6	7.3	8.3	7.4	-2.0	-1.8	-2.1	-2.2
Algeria	-7.0	-8.5	-3.0	--	28.0	22.2	21.0	26.6	3.2	12.3	5.0	5.0	-7.3	-3.3	-5.3	-6.5
Egypt	-2.0	-2.5	-1.6	--	8.3	8.4	8.4	7.0	5.0	1.1	3.0	3.2	0.1	-1.7	-3.3	-3.8
Iran	-4.0	-5.0	-5.0	--	25.0	43.0	35.0	12.0	-4.1	5.2	5.0	5.0	3.7	4.7	2.7	1.7
Morocco	-5.0	-3.5	-3.0	--	6.4	11.4	10.2	10.6	4.1	9.4	7.5	5.9	-3.1	-2.4	-1.8	-1.7

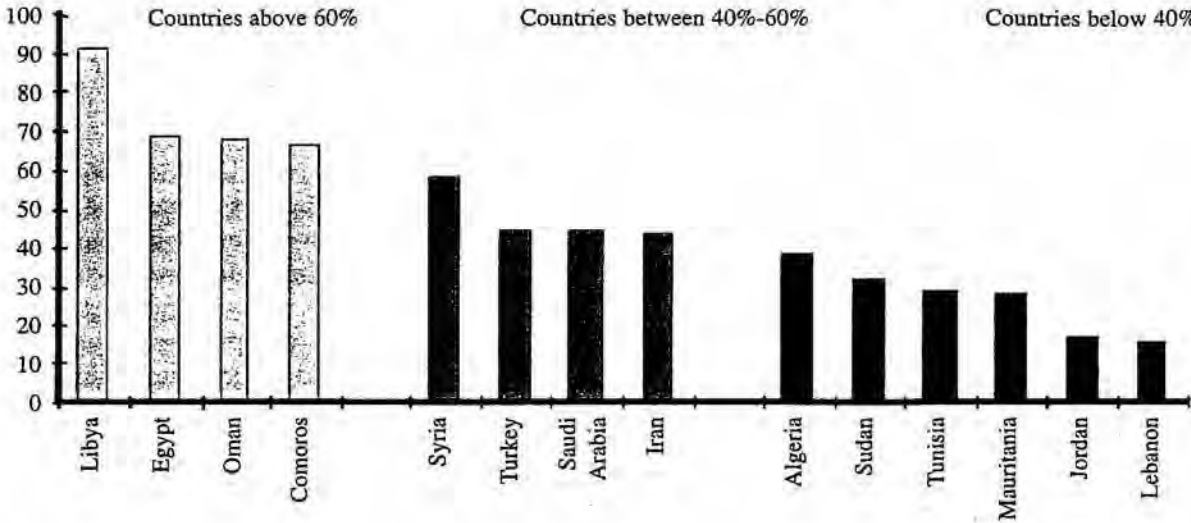
/a/ Percent of GDP. /b/ Merchandise volume growth. /c/ Current balance after transfers; percent of GDP.
Source: World Bank Data, IMF, and Economist Intelligence Unit.

Figure 1.3. Share of Government Expenditure in GDP, 1980-1993 (average)



Note: FGE: Fast-Growing Economies.
Sources: World Tables, World Bank, 1995.

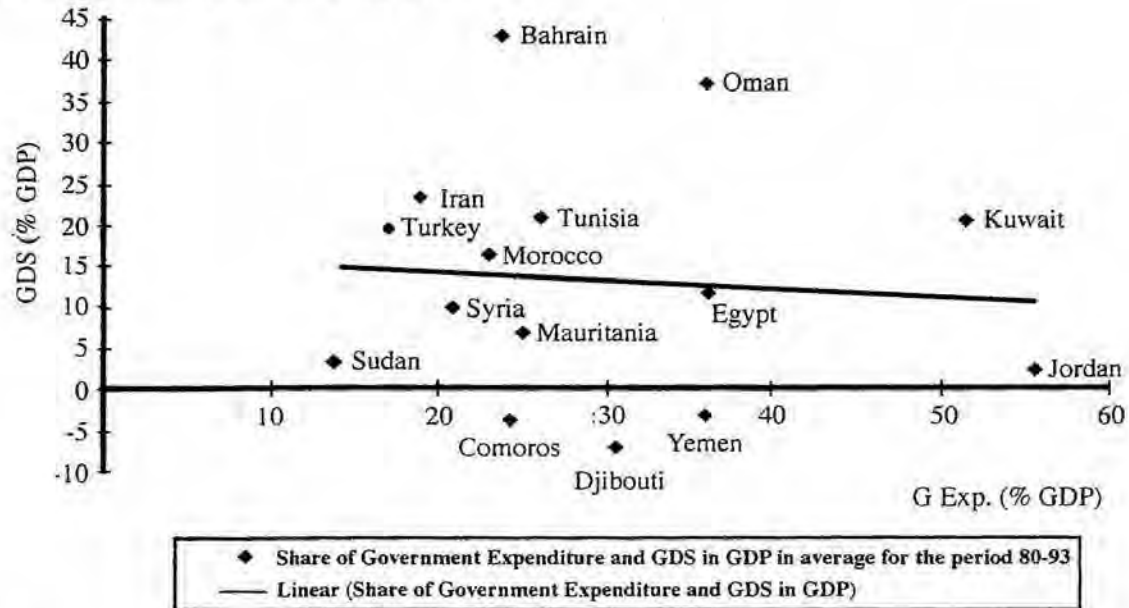
Figure 1.4. Share of State-Owned Enterprises Investment in GDI, 1980-1994 (average)



Sources: World Tables, World Bank, 1995.

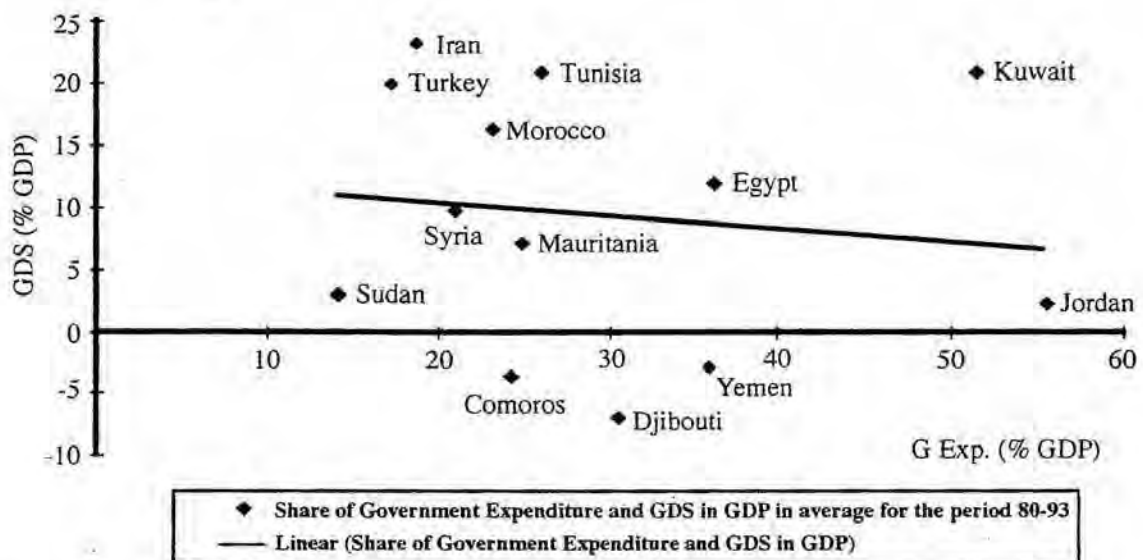
Figure 1.5. Government Expenditure and Gross Domestic Savings as Percent of GDP, 1980-1993

Figure 1.5a. Including Bahrain and Oman



Source: World Tables, World Bank 1995.

Figure 1.5b. Excluding Bahrain and Oman



Source: World Tables, World Bank 1995.

Table 1.6 Income and Social Development Indicators

	Population (mn)	ACGR* of population	GNP per Capita		Inflation		HDI	Life Expectancy at birth	Adult Illiteracy (%)	Combined enrollment ratio (%)
			Dollars	PPP estimates (current \$)	GDP deflator	CPI				
	1994	1990-94	1994	1994	1984-94	1995	1993	1994	1995	1993
Algeria	27.3	2.3	1,650	-	22.0	29.8	0.75	69	38	66
Bahrain	0.6	2.9	7,460	13,220	-	0.8 ¹	0.87	72	15	84
Comoros	0.5	2.9	510	1,430	-	40.4 ¹	0.4	55	43	38
Djibouti	0.6	2.3	780 ²	-	-	-	0.29	49	54	19
Egypt	57.6	1.9	720	3,720	16.4	8.3	0.61	62	49	69
Iran	65.8	2.8	2,230 ³	-	23.4	49.6	0.75	68	28	67
Iraq	19.9	2.5	-	-	-	-	0.6	67	42	55
Jordan	4.3	6.5	1,440	4,100	9.2	2.4	0.74	70	13	66
Kuwait	1.7	-6.4	19,420	24,730	-	2.2 ⁴	0.84	76	21	53
Lebanon	3.9	2.6	-	-	-	6.8 ¹	0.66	69	8	74
Libya	5.2	3.5	-	-	-	-	0.79	64	24	88
Mauritania	2.2	2.5	480	1,570	7.2	9.4 ¹	0.35	51	62	35
Morocco	26.5	2.1	1,140	3,470	5.0	6.1	0.53	65	56	44
Oman	2.1	4.2	5,140	8,590	0.1	-	0.72	70	-	60
Qatar	0.5	2.6	12,820	19,100	-	-	0.84	72	21	74
Saudi Arabia	17.5	2.2	7,050	9,480	2.8	4.9	0.77	70	37	55
Somalia	9.1	1.1	-	-	-	-	0.22	49	-	7
Sudan	27.4	2.7	-	-	-	101.4 ²	0.36	54	54	31
Syria	14.2	3.5	-	-	-	9.2 ¹	0.69	68	-	65
Tunisia	8.8	2.2	1,790	5,020	6.3	6.2	0.73	68	33	66
Turkey	60.7	2.1	2,500	4,710	65.8	93.6	0.71	67	18	62
UAE	1.9	2.6	21,430 ²	-	-	-	0.86	75	21	81
West Bank and Gaza ⁵	1.9	-	2,096	-	-	14.0	-	-	-	-
Yemen	13.8	5.2	280	-	-	-	0.37	53	-	45
Comparator Countries:										
Israel	5.4	-	14,530	15,300	18.0	8.2	0.91	77	-	76
Malaysia	19.7	-	3,480	8,440	3.1	13.0	0.83	71	17	61
Mexico	88.5	-	4,180	7,040	40.4	35.0	0.85	71	10	65
Comparator Regions:										
Low & Middle- Income	4,752.2	-	1,090	-	-	-	-	64	29	-
Sub-Saharan Africa	571.9	-	460	-	-	-	-	52	43	-
East Asia & Pacific	1,734.7	-	860	-	-	-	-	68	17	-
South Asia	1,220.3	-	320	-	-	-	-	61	50	-
MENA	266.7	-	1,580	-	-	-	-	66	39	-
Latin America & Caribbean	470.9	-	3,340	-	-	-	-	68	13	-
World	5,601.3	-	4,470	-	-	229.4	0.75	67	-	60

* ACGR : is the Annual Compound Growth Rate.

Sources: World Tables, 1995; World Development Report, 1996; Human Development Report, 1996 and International Financial Statistics, 1996.

1: 1994 figures. 2: 1993 figures. 3: 1992 figures.

Other sources:

4: The Central Bank of Kuwait, 1995. 5: Palestinian Bureau of Statistics. "Economic Statistics in the West Bank And Gaza Strip", 1995. The figures are for the year 1992. Except for the population.

Table (1- 7)

YEAR	POPULATION IN MILLIONS	TOTAL DENSITY (PERSON/SQUARE KM.)	
		FOR ALL EGYPT AREA	FOR OCCUPIED AREAS
1937	15,921	15.9	432
1947	18,967	19	515
1960	26,085	26.1	709
1966	30,076	30.1	817
1976	36,626	36.7	995
1986	48,205	48.3	13110
1990	56,000	56.1	1522


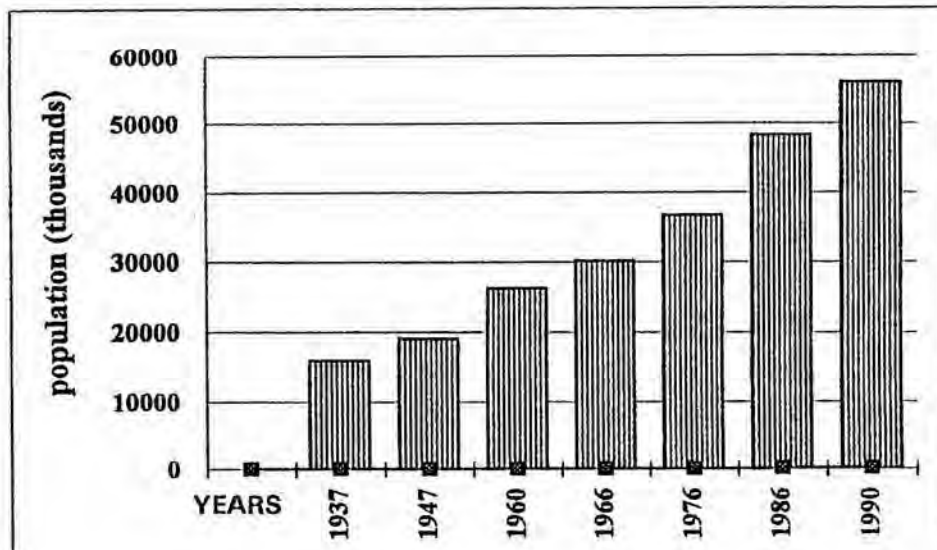
 Are including the out Egypt employment which over 2.25 million

Fig (1-8)



Appendix D

The Questionnaires

البيانات الاساسيه

عن المسئول التنفيذى

- ١- الكود :
- ٢- سنوات الخبرة :
- ٣- المستوى التعليمى :
- ٤- المهنة :
- ٥- توصيف لوظيفتك : مهام عمالك
- ٦- المؤسسة التابع لها :

- ما هي العلاقة بين وحدتك التابع لها وظيفتك والوحدات الأخرى بالمؤسسة

(على المستوى الأفقى)

- ليس لنا علاقة
- علاقة إستشاريه
- علاقة تعاون على مستوى عام او عادى
- علاقة تعاون رسمى
- اذا حدث تعاون كيف يتم ذلك
- *اجتماعات دوريه
- *اجتماعات بالدعوه لدراسة حاله
- *مكاتبات
- *أخرى

- ما هي العلاقة الهرميه بين وحدتك والوزارات للهيئات الام التى تتبعها وحدتك؟

- ليس لنا علاقة

- علاقته
- تنفيذ توجيهات (اتجاه واحد)
- اخذ الرأى والمشوره فى التوجيهات
- متبادليه (اتجاهين)

-إذا كانت وظيفتك ذات صفه رقابيه على نشاط العمران فما هى المشاكل التى تراها ذات أولويه فى تحديد خصائص العمران (عمران متميز - متدهور -) (ثلاثة اولويات فقط)

- مخالفات (قانون المباني والتخطيط العمرانى ... الخ)
- تعديات
- نقص المعلومات - قدم المعلومات(عدم تحديثها)
- مشاكل التنسيق مع ادارات اخرى بنفس الجهة افقيا
- مشاكل التنسيق مع جهات اخرى افقيا
- مشاكل التنسيق (جهات اعلى) رأسيا
- تعقيد الاجراءات القانونيه
- نقص الكفاءات او الكوادر العلميه والفنيه

- كيف تم تعيينك فى عملك الحالى ؟

- بمسابقة

- بالتكليف

- عن طريق القوى العاملة

- اخرى تذكر

لا

نعم

- هل ترضى عن عملك الحالى

- اذا نعم... ما هى اهم اسباب رضائك عن عملك (يذكر اهم ٣ اسباب)

- المرتب

- الاستقرار فى العمل

- خدمات العمل جيدة

- يتناسب وتعليمى

- يحقق طموحاتى

- اخرى تذكر

- اذا لا .. ما هو اسباب عدم رضائك عن عملك

- العمل مرهق

- المرتب غير مجزى

- لا يتناسب وتعليمى

- لا يتناسب وخبرتى

- لا يحقق طموحى

- نظام الادارة غير مريح

- غير متفق مع الرؤساء

- عدم وجود كادر وظيفى يحكم الهيكل الادارى

- اخرى تذكر

التطور فى دور الشركة:

- ما هى نقاط التحول التى تراها مؤثره فى تاريخ الشركة ؟
(مع ذكر التاريخ و السبب)

- هل تغير الهيكل الادارى لمؤسستك او وحدتك الاداريه منذ الانشاء وحتى الان

نعم لا

- ما هى اسباب هذا التغير ؟

- تغير لنتناسب مع قانون التخطيط العمرانى رقم ١٩٨٢

نعم لا

- تغير لنتناسب مع قانون الحكم المحلى

نعم لا

- تغير لنتناسب مع اى قانون اخر

تذكر

- تغير مع تغير التبعية الاداريه

نعم لا

- تغير مع تغير رئيس مجلس الادارة او الوزير

نعم لا

- تغير الهيكل الادارى مع تغير او ادخال طرق تحكم جديد

نعم لا

المخطط العام :

المخطط العام لمدينة نصر يعتمد على فكرة المجاورة السكنية أو وحدة الجوار التي يتراوح حجمها بين ٥٠٠٠ - ٨٠٠٠ نسمة ذات الخدمات الخاصة و يتشكل من كل عدة مجاورات حتى له خدماتة المركزية .

ما هي أوجه النجاح و القصور او التحفظات التي تراها على تلك الافكار بعد حوالي ٣٥ سنة من التطبيق في مدينة نصر ؟

ماهو رأيك في تجربة شركات تنمية الأراضي بغرض خلق طابع عمراني كالمعمورة في

الأسكندرية أو المعادي ومدينة نصر في القاهرة للتحكم في العمران ؟

أوافق عليه لا أوافق

تذكر الأسباب :

- ماهو عدد السكان الذي تراه مناسباً والذي يقع تحت دائرة الشركة الواحدة ؟

(مثلاً شركة مدينة نصر ١٦٦٠٠٠ سنة ١٩٨٦)

- ماهو مسطح الأرض المناسب (مدينة نصر ٦٣٠٠ فدان) عند الإنشاء وسنة ١٩٧١ مبلغ
٢٠٠٠٠٠٠ فدان وحالياً ()

- الإشتراطات البنائية الخاصة لتنمية جزء من المدينة تابع لشركة معينة وليس القانون العام ؟
 أوافق لا أوافق

- النظام الإداري المنفصل لتلك المناطق عن التنظيمات الإدارية الأخرى (المحليات/الوزارة)
 أوافق لا أوافق

- نظام مالى وتمويلى منفصل عن التنظيمات المالية الأخرى (المحليات / الوزارة) .
 أوافق لا أوافق

- ماهو رأيك فى تجربة تقاسيم أراضى (مجتمعات ٥٠-١٠٠) فيلا أو منزل
 أوافق لا أوافق

- أكثر مناسبة لفئة فوق المتوسط وبالتالي لا يمكن تعميمها
 أوافق لا أوافق

* ماهو رأيك فى فكرة إتحاد الملاك على مستوى العمارة أو المجموعة من العمارات

Cluster

لا أوافق

أوافق

وماهو فى رأيك التحسين المطلوب ؟ يذكر .

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* ماهى فى رأيك المعلومات التى يجب أن يكون جمعها وتحديثها دورياً بالنسبة للأحياء أو

التجمعات السكنية Data Gathering

عدد السكان

عدد المنشآت

حالة المنشآت

عدد الأدوار

الإستعمالات

عدد المخالفات

عدد المصالحات

- أسعار الأراضي
- الملكية
- الإيجار
- دخل السكان (مستوى الدخل)

* ماهو في رأيك السلطات التي يجب أن تعطى على مستوى الأحياء أو المستوى الأقل إدارياً

Delegation of power

- حق إيقاع مخالفه أو التصالح
- حق نزع ملكية للمصلحة العامة
- حق جمع الضرائب (إستخدام جزء منها)
- حق جمع رسوم (نظافة ، صيانة خدمات)

* مستوى العلاقة أو الإتصال بين السكان والإدارة ومدى تكرار الإتصال وأسلوب

Frequency, Level, Mechanism of Communication

- التعريف الدورى بكل مشروع بالحى عن طريق ندوات وجود ميكا نيزم ثابت لها
-
- التعريف بالمشروعات كلما أستدعت الحاجة (مشروع كبير)
-
- الإعلان بالصحف لو أمام إدارة الحى عن المشروع طرف آخر تذكر
-

- وسائل التحكم والتدخل الحكومي لتحسين مستوى العمران التي تراها مناسبة ؟

- الامتناع عن التدخل او مستوى تحكم تلقائي
- الاقتناع
- الحوافز المشجعه على عدم المخالفه
- التدخل الصارم بزيادة غرامات المخالفه
- نزع الملكيه او المصادره

• ما هي ادوات التحكم الحكومي في العمران التي لك دراية بها ، ضع علامة على

الادوات التي تعرفها وعلامتين على التي تستخدمها :

أعرفها استخدمها

- ماليه :

- قروض

- منح

- حوافر ضريبية :

- تخفيض

- خصم

- إعفاء كلي او لفترة من الضرائب

- دعم :

- لموارد الانشاء

- دعم للاراضى فى صورة عقود طويلة الاجل

بحق الامتياز للاراضى الجديده

- طرق تدخل حكومى فى الاراضى بغرض تحسين العمران :

- شراء الاراضى وتملكها او نسبة منها

- تعويض عن الارض بعد نزع ملكيتها للمنفعه العامه

- اعطاء حق انتفاع لفترة

- طرق التدخل الحكومى لتحسين العمران عن طريق التحكم فى المرافق والخدمات :

- التحكم الكامل (تزويد بالمرافق - عدم تزويد بالمرافق)

- تزويد نوعى بالمرافق (مياه / مجارى / كهرباء)

- تزويد مرحلى بالمرافق (مع ربط المرحلة بدرجة التحسين)

- تزويد نوعى مرحلى بالمرافق (ربط المرحلة بدرجة التحسين)

- طرق تحكم حكومى غير مباشر (على مستوى المخطط العام)

(اشتراطات عمرانيه)

- استعمالات الاراضى

- اشتراطات مناطق

- اشتراطات تلوث البيئه

(وخاصة بالنسبه للصناعات ومدى تلويثها للبيئه)

طرق غير مباشرة (اشتراطات بنائيه)

- ارتفاعات

- معدل استغلال الارض

- خط تنظيم

- ما هي أسباب عدم استخدام الأدوات التي تعلم بوجودها لتحسين العمران ؟

- عدم مناسبتها للعمران في مصر
- عدم مناسبتها للقوانين الحالية
- تحتاج الى تغيير هيكل تمويلي
- تحتاج الى تغيير في هيكل اداري

اسباب اخرى تذكر . واقتراح بشأن زيادة فعالية هذه الادوات ..

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- تمثل مخالفات المباني ظاهرة تؤثر سلبيا على العمران فهل توافق توافق على مبدأ

التصالح فيها ؟

نعم لا

إذا (نعم) ما هي البنود التي ترى امكانية التصالح فيها :

- مخالفة البناء دون ترخيص (داخل كردون المدينة)

نعم لا

			مخالفة بناء خارج كردون المدينة	-
<input type="checkbox"/>	لا	<input type="checkbox"/>	نعم	
			مخالفة ارتفاع	-
<input type="checkbox"/>	لا	<input type="checkbox"/>	نعم	
			مخالفة ابعاد متاور	-
<input type="checkbox"/>	لا	<input type="checkbox"/>	نعم	
			مخالفة بروز	-
<input type="checkbox"/>	لا	<input type="checkbox"/>	نعم	
			مخالفة استعمال	-
<input type="checkbox"/>	لا	<input type="checkbox"/>	نعم	
			مخالفة نسبة البناء المغطى	-
<input type="checkbox"/>	لا	<input type="checkbox"/>	نعم	
			مخالفة فى الواجهات	-
<input type="checkbox"/>	لا	<input type="checkbox"/>	نعم	

- ضعف الرقابه والسلطه التنفيذيه وعدم قدرتها على تنفيذ التشريعات

نعم لا

- أ-التعارض فى بعض التشريعات وقد يصل للتناقض وبالتالى يفتح المجال للمخالفه

نعم لا

ب- قدم التشريعات وعدم تحديثها دوريا

نعم لا

رتب اسباب المخالفه بذكر ٣ اهم اسباب فى رأيك للمخالفه .

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- ما رأيك فى الطرق المناسبه للتعامل مع المخالف

- الحبس

نعم لا

- الغرامه

نعم لا

- مخالفة خط التنظيم

نعم لا

- مخالفة الفتحات

نعم لا

- اى المخالفات السابقه تراها اشد خطوره على جودة العمران (اذكر اهم ٣ مخالفات)

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- ما هو فى رأيك اسباب المخالفه :

- استغلال المحقق لعائد للاراضى مع ارتفاع اسعار الاراضى

نعم لا

- غياب الوعى او الضمير الاجتماعى

نعم لا

- ضعف العقوبه وعدم تناسبها مع العائد المادى من المخالفه

نعم لا

- يشطب اسم المهندس او اسم المقاول الذى قام بالتصميم او بالاشراف على

البناء من السجلات النقايبه

نعم لا

- ايقاف المهندس او المقاول لفترة زمنيہ

نعم لا

- عدم ادخال مرافق للادوار او الاستعمال او المبنى المخالفه الان ولا مستقبلا

نعم لا

- زيادة اسعار المرافق وادخالها للمبنى او الادوار او الاستعمال المخالف

نعم لا

اذا (نعم) ما هي نسبة الزيادة التي تراها .

- أن يتضمن القانون بعض الاستثناءات - مارأيك فيها ؟

نعم لا

اذا (نعم) ما هي انسب الصيغ المقترحة للاستثناءات

- الاستثناء في مناطق ذات طابع معين نعم لا

- الاستثناء استعمال معين نعم لا

استثناء مباني مبنية في تاريخ معين او بعده نعم لا

استثناء لفته زمنية نعم لا

الاستثناء المحكوم بضوابط غير شخصية نعم لا

- اخرى تذكر

- تشجيع القطاع الخاص على الاستثمار في مجال مشروعات الاسكان

- ان يحصل على الارض بتكاليف مخفضه او اقل من سعر التكلفة

نعم لا

اذا (لا) تذكر الاسباب

- الحصول على مواد مدعمه (اسعار رسميه)

نعم لا

اذا (لا) تذكر الاسباب

-الحصول على قروض بفائدة مدعومه او ميسره

نعم لا

اذا (لا) تذكر الاسباب

- الحصول على تخفيض او ميزه فى ضرائب

نعم لا

اذا (لا) تذكر الاسباب

- كيف تواجه الدوله مشكلة الارض الفضاء المتروكه دون بناء

نعم لا فرض ضرائب عليها

نعم لا اسقاط حق المنتفع بها او مالکها بعد فترة

نعم لا تقديم قروض لمالکها او المنتفع بها لبنائها

اذا (لا) يذكر السبب

* اسئلة خاصه عن شركات التقاسيم وعلاقتها بالمحافظة فى ظل الارض التي تملكها هذه

الشركات ما هي حدود صلاحيتها

- ١- ترخيص بالبناء
- ٢- مراقبة البناء
- ٣- اعطاء استثناء
- ٤- تحرير مخالفه
- ٥- التصالح
- ٦- مراقبة اشتراطات بناء

اخرى لم تذكر ...

- من بين المهمات و الادوار التي تقوم بها الشركة اى الادوار ترى أنها الاقدر على القيام بها أو ذات الاولوية فى تحقيق الهدف من قيام الشركة؟

- شركة تنمية اراضى (بيع اراضى بعد إمدادها بالمرافق)

- شركة تنمية عقارية (بيع مبانى بعد تنمية الراضى وبناء المبانى)

- أخرى تذكر

التعدييات ::

تعد التعدييات على الاراضى من أهم المشكلات التى تواجه كافة المجتمعات التى تحاول التخطيط و التدخل فى العمران .

- هل هناك تعدييات عشوائية على أراضى الشركة ؟

نعم لا

إذا حدث كيف يتم التعامل معها

- هل هناك تعدييات حكومية أو من قبل مؤسسات أو هيئات رسمية على أراضى الشركة؟

نعم لا

إذا حدث كيف يتم التعامل معها ؟

- هل هناك تعدييات بتغيير استعمالات مثل تعدييات على الفراغات شبه العامة و الممرات الجانبية بين العمارات ؟

نعم لا

كيف يتم التعامل معها ؟

سؤال موجه الى الذين يعملون بشركات تنميه عمرانيه ، قطاع خاص ، قطاع اعمال...

* لو حدث اختلاف في وجهات النظر دون موضوع بين شركة والمحافظة ما هي وسائل حل

تلك المشكله ..

١ - بالتفاوض

٢ - التقاضى - اللجوء الى القضاء

٣ - باللجوء الى جهة اداريه او سياسيه اخرى

* هل ترى ان تدخل الرأى العام فى المخالفات والتعديت التى تحدث فى محيطه العمرانى ذات

تأثير فعال فى إيقاف هذه التعديت والمخالفات

نعم لا

تذكر الاسباب :

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Appendix E

Nasr City Land prices

المجاور ١٠٤٩	المجاورة ٨٤٧٤٦	المجاورة ٢	المجاورة ١	١٩٨٦
٢٢٠	٣٠٠	—	٤٥٠	أراضي تقع على شوارع ٥٠م ناصية
٢٠٠	٢٨٠	—	٤٠٠	غير ناصية
١٨٠	٢٥٠	٥٠٠	٢٨٠	أراضي داخلية ناصية
١٦٠	٢٣٠	٤٥٠	٢٦٠	غير ناصية
				بخلاف منطقة صناعية تسعيرها ٢٠٠ جنيه للمتر .

خدمات المجاورة الثامنة تم بيعها سنة ١٩٨٩ بسعر ٦٠٠ جنيه / م٢

سنة ١٩٩٠

٦٦٠ جنيه / م٢

قطعة أرض في المجاورة الثامنة متميزة

٨٢٥ جنيه / م٢

في المجاورة الأولى إقامة مبنى إداري

سنة ١٩٩١

سعر ٣٥٠ جنيه / م٢

تم بيع أرض في المجاورة الحادية عشر

المجاور ١٠	المجاورة ٩	المجاورة ٨	المجاورة ٧	المجاورة ٦	المجاورة ٢	المجاورة ١	١٩٩١
٢٢٠		٣٠٠	—	٤٥٠	٤٥٠	٤٥٠	أراضي تقع على شوارع ٥٠م ناصية
٢٠٠		٢٨٠	—	٤٠٠	٤٠٠	٤٠٠	غير ناصية
١٨٠		٢٥٠	٥٠٠	٢٨٠	٢٨٠	٢٨٠	أراضي داخلية ناصية
١٦٠		٢٣٠	٤٥٠	٢٦٠	٢٦٠	٢٦٠	غير ناصية

هناك لجنة لتسعير الأرض بشركة مدينة نصر مكونة من أعضاء يمثلون مختلف التخصصات بالشركة وهم :

- رئيس قطاع الشؤون الفنية (مهندس) .
- مدير عام تعميم الأراضى (مهندس) .
- مدير عام الدراسات الإقتصادية (محاسب) .
- مدير عام بحوث التخطيط (مهندس) .
- مدير عام الموازنة والتكاليف (محاسب) .
- مدير عام مشروعات التخطيط والإسكان (مهندس) .

ويقومون بتحديد الأسعار على ضوء :

- ١- المساحة .
 - ٢- الغرض من إستخدام الأرض .
 - ٣- الظروف المحيطة بكل من القطع المعروضة للبيع .
 - ٤- الموقع المتميز .
- وذلك بعد زيارة ميدانية للموقع .

المجاور ١٠	المجاورة ٩	المجاورة ٨	المجاورة ٦	١٩٧٤
٨-٥ جنيه	٨-٥ جنيه	١٢-٨ جنيه	١٥-١٠ جنيه	سعر بيع أرض م ٢

المجاورة ٩	المجاور ٨	المجاورة ٧	المجاورة ٦	المجاورة ١	١٩٧٩
٥٠-٤٠ جنيه	٣٠ جنيه	٢٥ جنيه	٦٠ جنيه	٧٥ جنيه	سعر بيع أرض م ٢

المجاور ١٠ ، ٩	المجاورة ٨ ، ٧ ، ٦	المجاورة ٢	المجاورة ١	١٩٨٠
٣٥	٥٠	—	٦٠	أراضى تقع على شوارع ٥٠ م ناصية غير ناصية شوارع داخلية ناصية غير ناصية
٣٠	٤٥	—	٥٥	
٢٥	٣٥	٦٥	٤٥	
٢٠	٣٠	٦٠	٤٠	
				بخلاف المنطقة الصناعية وسعرها ٥٠ جنيه / م ٢

سنة ١٩٩٢

تم بيع أرض بالمركز التجارى للمنطقة الثامنة ١٠٠٠ جنيه / م^٢
وتم بيع أرض بخدمات المنطقة السابعة ١٢٥٠ جنيه / م^٢

سنة ١٩٩٣

تم بيع أرض فى حى السفارات الداخلية ١١٠٠ جنيه / م^٢
تم بيع أرض فى حى السفارات البحرية ١٢٥٠ جنيه / م^٢
تم بيع أرض فى المنطقة الثامنة بسعر ١٥٠٠ - ١٩٠٠ جنيه / م^٢

سنة ١٩٩٤

أرض فى حى السفارات ١٨٠٠ جنيه / م^٢

سنة ١٩٩٥

سعر المتر ٢ ٢٤٠٠ جنيه (رخصة بدروم وأرض + ٩ أدوار) .
سعر المتر ٢ ١٩٠٠ جنيه (رخصة بدروم وأرض + ٧ أدوار) .
سعر المتر ٢ ١٤٠٠ جنيه (رخصة بدروم وأرض + ٥ أدوار) .

سنة ١٩٩٦

سعر بيع أرض حدائق النصر ٢٤٠ جنيه / م^٢
سعر بيع أرض فى حى السفارات ٢٩٠٠ - ٣٨٠٠ جنيه / م^٢
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والتكنولوجيا .

ملخص الرسالة

تتناول الدراسة التدخل في أستعمالات الأراضي في مصر . وترجع أهمية الدراسة الى أنها تتعاصر مع فترة تحول أساسية في تنظيم المجتمع والدولة في مصر من الأقتصاد الموجه الى الأقتصاد الحر ، بالإضافة الى أن الدراسة تعتمد أساسا على البحث الميدانى والتحليل المقارن لأستقراء إمكانيات التنفيذ الفعلية للمخططات والمشروعات والقرارات لا على أفترضات مثالية نظرية . وتحقيقا لموضوع الدراسة فهى تطرح عدة تساؤلات هي ، هل هناك حاجة للتدخل الحكومى ؟ وما هى أدوات التدخل ومدى كفاءتها ؟ ومتى يتم التدخل ؟ ثم من هم أطراف التدخل ؟
و للإجابة على تلك التساؤلات وتأكيدا على أهتمام الدراسة بالجانب العملى التطبيقى، فالدراسة تنقسم الى جزئين : جزء نظرى وجزء تطبيقى مقارن .

الجزء الأول :

الفصل الأول : يتناول هذا الفصل الحاجة الى التدخل الحكومى ويخلص الى أن الحكومة تتدخل لعدة أسباب هي لإعادة توزيع الموارد بين المناطق والأفراد ولتقليل الفوارق بين الطبقات وتؤكد الدراسة على أن الأرض سلعة خاصة وتستعرض كيف يتم تقدير أسعارها للتعويض عنها أو التدخل بشرائها .

الفصل الثانى : يتناول هذا الفصل محددات أستعمالات الأراضى الحضرية سواء كانت أقتصادية أو أجتماعية أو للمنفعة العامة كما يستعرض أهم نظريات التخطيط العمرانى كأطار للتدخل فى العمران والتطور فى نظريات التخطيط من النظرية العقلانية الرشيدة إلى نظريات تعتمد على البرامج والمخططات الصغيرة

الفصل الثالث : ويتناول أدوات ووسائل التدخل المختلفة المباشرة والغير مباشرة فى أستعمالات الأراضى ومميزات وعيوب كل أداة مؤكدا على أهمية دراسة تكلفة / وعائد كل أداة .

الفصل الرابع : ويستعرض أصحاب الأدوار فى عملية التدخل فى أستعمالات الأراضى وخصائصهم كأفراد وكيف يتجمعون ليشكلوا مؤسسات وهياكل تنظيمية ذات مواصفات خاصة ، ويؤكد هذا الفصل أن هناك ثلاث طرق أساسية لأدارة العمران والتدخل هى عبر مؤسسات حكومية أو شبه حكومية أو أتحادات ملاك قطاع خاص .

وخلصت الدراسة من الجزء النظرى الى أن هناك لكل أطار عام للتدخل ما يناسبه من أدوات وما يلزمه من أشخاص ومؤسسات لتحقيق النتائج المستهدفة من التدخل .

الجزء الثانى وهو الجزء التحليلى المقارن:

الفصل الخامس : و يتم فيه أستعراض كل من التجربة الإنجليزية والتجربة الأمريكية فى التدخل فى أستعمالات الأراضى الحضرية ويرجع هذا الأختيار الى أن أنجلترا كانت النموذج الذى نقلت مصر عنه النظريات التخطيطية والهياكل الأدارية وقوانين المبانى والتخطيط العمرانى وأن الولايات المتحدة الأمريكية هى النموذج الذى تتمثله مصر الآن . وعرضت الدراسة لبعض التجارب الناجحة للتدخل فى أستعمالات الأراضى فى تلك الدولتين . كما رصدت الدراسة بشكل موجز بعض التطورات الأجتماعية والأقتصادية والأدارية والقانونية الحادثة الفترة منذ ثورة يوليو ٥٢ وحتى الآن . و التطور فى أسلوب التدخل فى أستعمالات الأراضى فى تلك الفترة .

الفصل السادس: وفيه قامت الدراسة بأختيار نموذجين للدراسة الميدانية مستعرضة أسباب الأختيار وأسلوب الدراسة الميدانية والصعوبات التي واجهت الدراسة الميدانية . وتم أختيار كل من مدينة الزقازيق وحي مدينة نصر .

الفصل السابع : وفيه أستعرضت الدراسة نتائج الدراسة الميدانية عن كل من النموذجيين مشتملا رصد تاريخي لتطور العمران في كلا منهما وخلفية عن أطار التدخل والأدوات المتاحة وأصحاب الأدوار .

الفصل الثامن : وقد لخصت الدراسة نتائج الدراسة الميدانية لكل من مدينة الزقازيق ومدينة نصر وتبينت غياب الأطار العام للتدخل في الزقازيق و من ثم صار التدخل الحكومي في أستعمالات الأراضى غير موجهة وغير متناسق كما تبينت الدراسة أن قانون المبانى وهو يلزم بأستصدار ترخيص بناء داخل كردون المدينة صار عبئا يصعب فرضه وأصبح البناء في القرى المتاخمة للمدينة أكثر جاذبية.أما في مدينة نصر فقد أقتضى نشاط الشركة في بيع وتنمية الأراضى أن يكون هناك مخطط عام معتمد ومحترم حتى يقبل الناس على شراء الأراضى والبناء عليها كذلك فقد تبينت الدراسة أن الألتزام بأستخدامات الأراضى طبقا للتخطيط تم بمدينة نصر بأدوات عديدة .

ومن هذه المقارنة أمكن للدراسة أن تقدم توصيات عملية منها العمل على تقليص دور التدخل الحكومي المباشر في أستعمالات الأراضى وقصره على وضع الأطار العام على أساس ديمقراطى يحترم في رغبات وحاجات وأمكانيات المجتمع المحلى وركزت الدراسة على وجوب أعتبار الأطار العام للتدخل مبنيا أساسا على الحيز العمرانى كمدخل تخطيطى للتدخل مع الأهتمام بتكامل السياسات والأدوات التى تشجع على رفع كفاءة أستخدام الأراضى المتاحة داخل الحيز بما لا يمس الأراضى الزراعية المحيطة والمعرضة للتوسع العمرانى فيها .كما أقترحت الدراسة أستخدام نموذج شركات تنمية الأراضى مع ضبط العلاقة بينهم وبين الجهات الإدارية الحكومية كنموذج أصلح للتدخل في تنمية مناطق التوسع العمرانى.

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

**"وقل أعملوا فسيرى الله عملكم ورسوله
والمؤمنون"**

صدق الله العظيم

التدخل في أستعمالات الأراضى الحضرية

المدخل، الأدوات، الأدوار

فى مصر

رسالة مقدمة من المهندسة عزة أمين سرى
للحصول علي درجة دكتوراه الفلسفة فى
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