

**PRESENTATION BY PROFESSOR KWAMENA AHWOL, GIMPA, AT THE 2016 GHANA URBAN FORUM HELD AT SUNYANI ON TUESDAY 12<sup>TH</sup> JULY 2016 ON THE THEME: “LOCALIZING THE NEW URBAN AGENDA: A CATALYST FOR FINANCING URBAN INFRASTRUCTURE FOR EQUITABLE ECONOMIC GROWTH IN GHANA”.**

**TOPIC: “IMPERATIVES FOR CITY/METROPOLITAN GOVERNANCE: LESSONS FROM THE PAST AND THE OPPORTUNITIES FOR THE FUTURE**

**Introduction**

Ghana is urbanizing, and she is urbanising very fast. The trend is interesting, and the statistics evidencing the trend are equally interesting.

According to the 2010 Population and Housing Census Summary Report of Final Results published by the Ghana Statistical Service in May 2012, a locality is described as “urban” when it has a population of more than 5,000 persons. Ghana’s urban population in that Census was 51.5% of the total population. It has been growing at a rate of 3.5% although the growth rates vary among the different urban centres. According to forecasts, 65% of Ghana’s population will be living in urban areas by 2030. The urban population is expected to double by 2040.

The country’s urban growth presents its own problems and management challenges as well as opportunities for development. These include low density, rapid uncontrolled development, urban sprawl, peripheral growth, unplanned spontaneous settlements, poor infrastructure and inefficient delivery of municipal services. The urban growth pattern also reveals strong physical growth typified by moderate and patchy density within the inner core, the replacement of residential by commercial uses and acute shortage of services and urban housing, leading to overcrowding and the development as well as growth of urban slums.

**The City/Metropolitan Governance Structure**

The decentralized local government framework introduced in 1988/89 made special arrangements for a 4-tier Metropolitan Assembly structure with a Sub-Metropolitan District Council interposed between the Metropolitan Assembly and the Town Council and provided for the composition and functions of the Sub-Metropolitan District Councils.

The framework also provided a Board system for the Metropolitan management structure comprising a Metropolitan Board of Administration, a Metropolitan Planning Board and a Board of Metropolitan Works.

No special arrangements were made for the governance and management of the Municipalities. The structure for the Municipalities was therefore the same as for the districts, except that instead of Town Councils, Municipal Assemblies as “one town Assemblies” at the time had Zonal Councils based on the Electoral Commission’s criteria of neighbourhood commonality of interest, population of 3,000 and identifiable streets and landmarks as boundaries.

After over 25 years in operation and after the re-configuration of the Metropolises and Municipalities as a result of the creation of new districts, the re-definition of “Municipality”, the upgrading of some District Assemblies to Municipal Assemblies and against the background of increased urbanization, the need has arisen for these arrangements to be reviewed to enable the Metropolitan and Municipal Assemblies cope with the new pressures of urbanization and make the governance and management of the Metropolises and Municipalities more efficient and effective.

### **Imperatives for City/Metropolitan Governance**

Against the above background, the problem to be addressed is whether the current management and administrative structure of Ghana’s Metropolitan and Municipal Assemblies have been able to deliver on their objective and to identify the challenges they have faced. That will be covered by the section of my address devoted to “Lessons from the Past”. The address will then raise some issues that will seek to elicit responses to those challenges and determine whether those issues, if appropriately responded to, will be able to deliver on today’s urban management and administration objectives of effective infrastructure provision, municipal services delivery and sustainable development. That will be captured in the section of my address on “The Opportunities for the Future”.

### **The Sources**

The greater part of my address is derived from an ongoing research work that I am carrying out for the Ministry of Local Government and Rural Development on the theme: “Review of the Management and Administrative Structure of the Metropolitan and Municipal Assemblies and Options for the Management and Administration of the Metropolises and Municipalities to ensure Effective Infrastructure Provision, Municipal Services Delivery and Sustainable Development”.

The idea is to share my tentative findings and some of my emerging conclusions with you so that you can input into the study and together determine the best options for the future management and administration or governance for that matter of our cities, metropolises and urban centres.

Before that, however, I would like to recap the present arrangements for the governance (management and administrative) of our cities, metropolises and municipalities.

### **The Current Governance Structure for the Metropolitan Assembly**

The Metropolitan Assembly structure is the legislative arm of the Metropolitan governance system. The Assembly is made up of 70% elected members, the Member or Members of Parliament representing constituencies within the Metropolis but without voting rights and 30% members appointed by the President in consultation with the traditional authorities and other interest groups in the Metropolis. It is presided over by a Presiding Member who is elected by two-thirds of all the members of the Assembly.

The Office of the Metropolitan Assembly (comprising the Metropolitan Chief Executive (MCE), the Metropolitan Coordinating Director (MCD) and their staff), the Metropolitan Boards of Administration, Planning and Works and the 16 decentralized Departments of the Metropolitan Assembly constitute the executive and administrative arm of the Metropolitan governance system. The Sub-Metropolitan District Councils, Town Councils and Unit Committees are the political structures that oversee the implementation of the bye-laws, policies, programmes and projects of the Metropolitan Assembly at the Sub-Metropolitan level.

The Metropolitan Assembly is the pivot of administrative and developmental decision-making in the metropolis and the basic unit of government administration. Whilst its deliberative and legislative functions are performed by the General Assembly, its executive functions are performed by the Metropolitan Authority which is made up of not more than one-third of the members of the Metropolitan Assembly and is chaired by the Metropolitan Chief Executive but excludes the Presiding Member.

The Metropolitan Authority functions through five (5) Sub-Committees namely the Development Planning Sub-Committee, the Social Services Sub-Committee, the Works Sub-Committee, the Finance and Administration Sub-Committee and the Justice and Security Sub-Committee. The Metropolitan Assembly may also establish other Sub-Committees as it deems fit. The functions of the Metropolitan Authority and its Sub-Committees are contained in sections 21 and 25 of the Local Government Act, 1993, Act 462.

For the efficient performance of its functions, a Metropolitan Assembly is required to have three Metropolitan Boards:

- (i) Metropolitan Planning Board;
- (ii) Board of Metropolitan Works; and
- (iii) Board of Administration.

There is a Public Relations and Complaints Committee (PRCC) which has the Presiding Member (PM) as Chairman. It is mandated to receive complaints against the conduct of members and staff of the Metropolitan Assembly from the public and make recommendations to the Metropolitan Assembly.

The Sub-Metropolitan District Councils are immediately below the Metropolitan Assemblies. They are currently regulated by the Local Government (Sub-Metropolitan District Councils of Metropolitan Assemblies) (Establishment, Composition and Functions) Instrument, 2015, L.I. 2223.

A Sub-Metropolitan District Council is required to establish a Development and Services Sub-Committee and a Finance and Administration Sub-Committee whose functions are set out in the Third Schedule to L.I. 2223.

For purposes of funding its activities, each Sub-Metropolitan District Council is required, in consultation with the Metropolitan Assembly, to retain not less than 50 per cent of the rates, taxes, license fees and other revenues collected by it on behalf of the Metropolitan Assembly and to use those funds exclusively for the performance of the functions of the SMDC set out in the Second Schedule to L.I. 2223.

Town Councils of Metropolitan Assemblies, like those of Municipal and District Assemblies are regulated by the Local Government (Urban, Zonal and Town Councils and Unit Committees) (Establishment) Instrument, 2010, L.I. 1967.

The Town Councils are immediately below the Sub-Metropolitan District Councils and they perform functions set out in the Second Schedule to L.I. 1967 and are subject to directives and guidelines issued by the Metropolitan Assembly.

Unit Committees of Metropolitan Assemblies, like all Unit Committees, are regulated by the Local Government (Urban, Zonal and Town Councils and Unit Committees) (Establishment) Instrument, 2010, L.I. 1967. They perform functions set out in the Fourth Schedule to L.I. 1967. A Metropolitan Assembly may assign to a Unit Committee such powers of enforcement of bye-laws enacted by the Assembly as the Assembly may consider fit.

## **The Current Governance Structure for the Municipal Assemblies**

The Municipal Assembly is the legislative arm of the municipal governance system. The Assembly is made up of 70% elected members, the Member or Members of Parliament representing constituencies within the Municipality but without voting rights and 30% members appointed by the President in consultation with the traditional authorities and other interest groups in the Municipality. It is presided over by a Presiding Member who is elected by two-thirds of all the members of the Assembly.

The Office of the Municipal Assembly comprising the Municipal Chief Executive (MCE), the Municipal Coordinating Director (MCD) and their staff constitute the executive and administrative arm of the municipal governance system. The Zonal Councils and the Unit Committees are the political structures that oversee the implementation of the bye-laws, policies, programmes and projects of the Municipal Assembly at the sub-Municipal level.

The Municipal Assembly is the pivot of administrative and developmental decision-making in the municipality and the basic unit of government administration. Whilst its deliberative and legislative functions are performed by the General Assembly, its executive functions are performed by the Executive Committee which is made up of not more than one-third of the members of the Municipal Assembly and is chaired by the Municipal Chief Executive but excludes the Presiding Member.

The Executive Committee functions through five (5) Sub-Committees namely the Development Planning Sub-Committee, the Social Services Sub-Committee, the Works Sub-Committee, the Finance and Administration Sub-Committee and the Justice and Security Sub-Committee. The Municipal Assembly may also establish other Sub-Committees as it deems fit. The functions of the Executive Committee and its Sub-Committees are contained in sections 21 and 25 of the Local Government Act, 1993, Act 462.

The Public Relations and Complaints Committee of the Municipal Assembly has the Presiding Member as Chairperson and is mandated to receive complaints against the conduct of members and staff of the Municipal Assembly from the public and make recommendations to the Municipal Assembly.

The Zonal Councils are immediately below the Municipal Assembly.

The Zonal Council system currently is in a bit of a quandary following the re-definition of the "Municipality" concept in the Local Government (Amendment) Act, 2012, Act

834. The original four (4) Municipal Assemblies (Cape Coast, New Juaben, Tema and Tamale) reflected Act 462's original definition of a "Municipality" as a "one-town Assembly" whose jurisdiction was coterminous with the jurisdiction of the Municipality and whose neighbourhoods (the Zones) formed an intrinsic part of the Municipality. However, following the re-definition, the newly-created Municipalities have numerous towns and settlements which are geographically apart and which have all the characteristics of the Urban, Town and Area Councils of the District Assemblies.

Nevertheless, Zonal Councils are regulated by the Local Government (Urban, Zonal and Town Councils and Unit Committees) (Establishment) Instrument, 2010, L.I. 1967.

Unit Committees of Municipal Assemblies, like all Unit Committees, are regulated by the Local Government (Urban, Zonal and Town Councils and Unit Committees) (Establishment) Instrument, 2010, L.I. 1967. They perform functions set out in the Fourth Schedule to L.I. 1967. A Municipal Assembly may assign to a Unit Committee such powers of enforcement of bye-laws enacted by the Assembly as the Assembly may consider fit.

### **Imperatives for City/Metropolitan Governance: Lessons from the Past**

The challenges that have faced city/metropolitan governance are best discussed separately under those that have faced the Metropolitan Assembly system and those that have faced the Municipal Assembly system. For both, I will discuss what I consider to be structural challenges and challenges that my field study work identified.

## **Lessons from the Past: Metropolitan Assemblies - Structural**

The first major structural challenge that has faced the Metropolitan Assembly is a general one facing all MMDAs, namely, the constitutional requirement that the Presiding Member should be elected by two-thirds of all the members of the Metropolitan Assembly. This requirement has been very difficult to meet in many Assemblies on many occasions, resulting in unpardonable delays, exorbitant costs and often holding up the work of the Assembly interminably.

Secondly, several problems confront the Sub-Metropolitan District Council system among which the following are the most serious:

- The creation of new municipalities and districts out of the original metropolises without re-configuring the Sub-Metropolitan District Councils has left in its wake serious conflict of jurisdiction issues;
- The enactment of L.I. 1804, L.I. 1805 and L.I. 1806 all of 2004 which sought to re-configure the structure, composition and functions of the Sub-Metropolitan District Councils of the Accra, Kumasi and Shama-Ahanta East (Sekondi-Takoradi) Metropolitan Assemblies, which L.I.s were clearly un-implementable, threw the entire Sub-Metropolitan District Council system into confusion and disarray;
- The existence of the Sub-Metropolitan District Councils of the three new Metropolitan Assemblies namely Tamale, Tema and Cape Coast which were unaffected by the Amendments of 2004 meant that in practice there were two parallel Sub-Metropolitan District Council structures; one for Accra, Kumasi and Sekondi-Takoradi and another for Tamale, Tema and Cape Coast.

Third, all the six Metropolitan Assemblies are supposed to have a Board system namely Boards of Administration, Planning and Works. They are made up of the heads of decentralized Departments of the Metropolitan Assemblies, non-decentralized (de-concentrated) Departments, Services, State-Owned Enterprises (SOEs) and representatives of the private sector. Since the latter four categories are not responsible to the Metropolitan Assembly, it is difficult to get them to take instructions or directives from the Metropolitan Assembly or to compel them to attend Board meetings.

Fourth, in practice, the Board system is non-operational. Of the four Metropolitan Assemblies visited during the field visits, none of them had a functional Board system.

Fifth, there is no formal system of inter-service/inter-sectoral cooperation and collaboration between Metropolitan Assemblies, their Departments, non-decentralized (de-concentrated) Departments, Services and other organisations, including

CSOs/CBOs/NGOs/FBOs and the private sector. Consequently, organisations in the metropolises, all established to deliver services to the people in the metropolises, work at cross-purposes and sometimes in a dysfunctional manner.

Sixth, the Town Councils of the Metropolitan Assemblies, like those of the District Assemblies, are supposed to be the management level of the local government system, using the policies made and bye-laws enacted by the Metropolitan Assembly to manage the identified “towns” on a day-to-day basis. However, their composition does not make it possible for them to play that role effectively. Made up of elected Assembly members and Unit Committee representatives, the members of the Town Council perform more as part-timers whose primary focus is on their Assembly and their Unit. Additionally, the absence of a fully-functioning Secretariat for the Town Councils makes them exist largely in name only.

Seventh, there challenges with the Departments of the Metropolitan including the following:

- Certain Departments whose operations are critical to the performance of the Metropolitan Assembly are not decentralized and therefore do not operate as Departments of the Metropolitan Assembly;
- The Metropolitan Assembly’s inability to “hire and fire” staff of its Departments makes it continue to be dependent on central authority for the provision of human resources;
- Flowing from the above, staff of the Departments of the Metropolitan Assembly may be transferred out of the Metropolitan Assembly at little or no notice. Sometimes the Metropolitan Assembly may have invested in the development of such staff and when this happens, the Metropolitan Assembly suffers an irreparable human resource loss.

### **Lessons from the Past: Metropolitan Assemblies: Feedback from the Field**

The following are a summary of the responses to the questionnaires that were administered:

- Membership of the Metropolitan Assemblies should be between 30 and 65;
- The major non-statutory Sub-Committees of the Metropolitan Authority that have been formed are in the areas of Revenue Mobilisation, Health and Disability, Gender and Children, Economy and Business, Agriculture, Education, and Environment and Tourism;



- The present system under which the Sub-Committees are Sub-Committees of the Metropolitan Authority (Executive Committee) rather than direct Committees of the Metropolitan Assembly should be maintained;
- The Sub-Metropolitan District Councils are largely operational, are effective and should be retained;
- The Metropolitan Board system is non-existent;;
- The Central Administration Department should not be made a coordinating Department but should operate like all other Departments, reporting to the Metropolitan Chief Executive through the Metropolitan Coordinating Director.

The following findings were also made from the field interviews at the focus group meetings with the senior management staff of the Metropolitan Assemblies:

- There are numerous boundary demarcation disputes between the Metropolises and the adjoining Municipalities and Districts, especially with respect to the last creation of new districts in 2012 whose Legislative Instruments were not detailed enough to identify clearly the boundaries between the Metropolises and the adjoining Municipalities and Districts;
- The Metropolitan Assemblies are polarized between elected members and appointed members; between NDC supporters and NPP supporters; and between the Assembly members and the management staff of the Assembly;
- No mechanism exists to resolve conflicts between the MCE and the MCD which often arises because of the MCD's dual role of working to the PM in his/her capacity as the Secretary to the Assembly and working to the MCE in his/her capacity as the MCD;
- The new Local Government (Sub-Metropolitan District Councils) (Establishment, Composition and Functions) Instrument, 2015, L.I. 2223, is yet to be implemented by any of the Metropolitan Assemblies;
- The present structure and composition of the Sub-Metropolitan District Councils should be retained but they require resources;
- With the number and sizes of the SMDCs reduced as a result of the creation of new municipalities and districts out of the previous metropolises, the Town Council concept has become obsolete and must be scrapped;
- The Metropolitan Board system is at best dysfunctional; at worst non-functional;
- The parallelism of management and administration between Metropolitan Assemblies and Regional Coordinating Councils (RCCs) in metropolises which are also regional capitals hosting the RCCs creates problems of security coordination, planning enforcement duplication, conflicting instructions and dual authority;

- RCCs instead of sticking to their legal mandate of monitoring, coordination and evaluation, often descend into the arena of implementation, creating conflicts of authority and responsibility with the Metropolitan Assemblies;
- There are certain Departments required to be Departments of the Metropolitan Assembly which are either not present or do not exist as such;
- There are overlapping jurisdictions in the terms of reference of the Departments of the Metropolitan Assemblies contained in the Local Government (Departments of District Assemblies) (Commencement) Instrument, 2009, L.I. 1961;
- Some of the functions of the Departments have been mis-aligned under L.I. 1961, especially as between the Department of Physical Planning (Town and Country Planning) and the Department of Works;
- No orientation was given to the Heads of the merged and amalgamated Departments, and this is leading to conflict of roles and overlapping of jurisdictions;
- The system is not yet ready for the power to “hire and fire” to be transferred to the Metropolitan Assembly;
- The system is not yet ready for MCEs to be elected; however, the position of the Government White Paper on the Constitutional Review Commission (CRC) Report as to how the MMDCEs should emerge is a preferred option;
- The CRC option, when implemented, must still provide for the removal of non-performing MMDCEs before the expiry of their tenures;
- The CRC option must be piloted in the Metropolises first;
- The formula for the election of the Presiding Member (PM) should be changed to one of simple majority of members present and voting;
- There are multiplicities of invitations to senior staff of the Metropolitan Assemblies to training workshops, seminars and retreats some of which conflict and some of which are not very useful;

### **Lessons from the Past: Metropolitan Peculiarities**

The following metropolitan peculiarities were also noted as part of the lessons from the past:

#### Accra

Accra being the metropolitan capital, the regional capital and the national capital, the AMA suffers from excessive Presidential directives and intrusive ministerial interference. Additionally, the AMA has the following peculiarities:

- The MLGRD, LGSS and the GARCC perform as implementing agencies in the AMA's jurisdiction, creating conflict of jurisdictions. This is particularly so in the area of the award of contracts;
- Other Ministries implement activities within the Metropolis as if they are in direct charge of the Metropolis as far as their sectors are concerned;
- The AMA needs some measure of independence to be able to perform; as it is, there are too many central controls over its activities;
- The AMA's 2015 Budget of about GhC150 million including an IGF component of about GhC39 million makes it financially strong enough to be able to independently perform without the undue supervision and controls from the centre;
- Accra's daily floating population of about one million people is not captured in the national statistics and this adversely affects the metropolis' share of the District Assemblies Common Fund and other resources;

### Kumasi

Kumasi has de facto three power centres: the KMA, RCC and the Manhyia Palace and these have to be taken into account in designing a management and administrative structure for the Metropolis.

### Tema

Tema Metropolitan Assembly has the unique problem of who is in control of the Tema Metropolis as between the Tema Metropolitan Assembly and the Tema Development Corporation (TDC).

### Cape Coast

For the Cape Coast Metropolitan Assembly, a specific request was made for the Town Councils in the Cape Coast North SMDC to be retained because of the rural nature of the area and the dispersed character of the communities.

## **Lessons from the Past: Municipal Assemblies - Structural**

The current management and administrative structure of the Municipal Assembly manifests challenges in three main areas.

First are the Zonal Councils which face three important challenges:

- With the re-definition of "municipality", it would appear that very few jurisdictions would fit the description of "compact single settlement" to qualify them for "Zonal

Councils” which referred to “neighbourhood” governance structures of the “one-town Assemblies” before the re-definition. With the possible exception of New Juaben (Eastern Region), Obuasi (Ashanti Region), and Sunyani (Brong Ahafo Region), almost all the remaining “Municipalities” in the country are made up of numerous settlements whose governance does not fit into the Zonal Council concept.

- The membership of the Zonal Council comprising elected Assembly members and Unit Committee members does not appear to be suitable for a level of governance which is managerial in character, as the Zonal Council level is. The primary loyalty of the members of the Zonal Council is to their Assembly and to their Units, and only secondarily to the Zone.
- Most Zonal Councils do not have functioning Secretariats, making the Councils almost still-born.

Second, and again with the re-definition of “municipality” and with the elimination of the “single compact settlement” concept from the definition, the management problem of the “Municipality” is now no longer restricted to the “one-town Assembly” as used to be the case but also now extends to the urban centres and the towns within the Municipal Assembly area. The current management structure of the Municipal Assembly did not anticipate this development and has therefore not provided for it.

Third, with the increasing urbanization, many of the “Municipalities” are beginning to take on the character more of the Metropolitan Assemblies than of the District Assemblies with which they currently have management and administrative structural affinity. A case may therefore be made for Departments of the Metropolitan Assemblies such as Budget and Rating, Waste Management and Legal Departments to be established for Municipal Assemblies as well.

### **Lessons from the Past: Municipal Assemblies: Feedback from the Field**

The following are a summary of the responses to the written questionnaires administered to the management of the Municipal Assemblies:

- Government appointees to the Assembly should be selected without partisan considerations;
- The major non-statutory Sub-Committees of the Executive Committee established by the Municipal Assemblies are in the areas of Environment and Sanitation, Mining, Agriculture, Micro and Small Scale Enterprises, Women-in-Development, Disaster Management, Transport, Water and Sanitation,

- The Sub-Committee system is not very effective because the members are made up of only Assembly members some of whom are not very well informed about the technical issues that they deal with;
- The Municipal Chief Executive has been given excessive powers which is not good for a system of checks and balances;
- The Development Planning, Human Resource Development and Budget Departments should be taken out as Units in the Central Administration and elevated into autonomous Departments of the Municipal Assembly;
- The management and administration of the Municipal Assembly is not very effective because roles and functions are sometimes duplicated and the mandates of the officers are not very clearly delineated.

In the focus group discussions with the senior management staff of the Municipal Assemblies, they agreed on the following issues:

- The formula for the election of the PM should be changed to one of simple majority of members present and voting;
- Municipal Assemblies face challenges of lack of vehicles, office infrastructure, residential accommodation and logistics;
- The lack of motivation of the members of the sub-structures of the Municipal Assembly has induced a lackadaisical attitude among the members;
- There are serious capacity shortfalls facing the Municipal Assemblies especially in critical areas such as Quantity Surveyors, Civil Engineers and Architects, as well as a problem of the appropriate skills mix;
- There is inadequate orientation for Assembly members when they assume office and there is no orientation for newly-recruited staff of the Municipal Assemblies;
- With the re-definition of “municipality”, the concept of “Zonal Council” has become a misnomer as the separate settlements now constituting the Municipal Assembly area are no longer “neighbourhoods” of “single compact settlements”;
- Consequently, the focus of management and administration in the Municipal Assembly areas should now be on the separate “urban centres” and “towns” that constitute the “municipality”;
- The governance structures within the Municipal Assembly areas should consequently be re-designated “Urban Councils” and “Town Councils”;
- In some Municipal Assembly areas, the number of elected Assembly members exceed the maximum number of five required to constitute the Zonal Councils as provided for in Regulation 10 (1) (a) of L.I. 1967, but unlike the Unit Committee, no

provision is made for them to serve on rotational basis and this has created a crisis of representation among such Assembly members on the Zonal Council;

- The Zonal Councils are largely neither functional nor effective;
- The Zonal Councils howsoever called should be appropriately resourced to make them more effective;
- The Municipal Coordinating Director (MCD) should be retained as Secretary to the Assembly;
- Because of increasing urbanization, the following new Departments should be established in the Municipal Assemblies:
  - (i) Development Planning Department (to be taken out of the Central Administration Department);
  - (ii) Budget and Rating Department;
  - (iii) Waste Management Department;
  - (iv) Legal Department.

### **Lessons from the Past: General (Metropolitan and Municipal) - Feedback from the Field**

The following issues raised during the field visits affect both Metropolitan and Municipal Assemblies:

- The following proposals for the emergence of the MMCE (Metropolitan/Municipal) were canvassed:
  - (i) The present system of Presidential appointment of MMCEs with the prior approval of the Municipal Assembly should be maintained;
  - (ii) Alternatively, the CRC proposal for the President to nominate, the PSC to shortlist and the shortlisted candidates to be voted for by the entire municipal electorate can be given a trial;
  - (iii) As another alternative, the President may appoint the MMCE from the elected Assembly members;
- The number of non-statutory Sub-Committees that may be formed by MMAs should be capped;
- Ultimately, the power to “hire and fire” should be transferred to the MMAs but as conditions precedent, the following matters should be attended to:
  - (i) The Public Services Commission (PSC) must be de-concentrated to the district level or at worst to the regional level to enable them play a role in the “hiring and firing” process from those levels;
  - (ii) The current Human Resource Management Units, which are in their teething stages, should be strengthened and converted into full-fledged Departments;

- (iii) It should be ensured that staff will not be unnecessarily victimized once the power to “hire and fire” is transferred to the local level;
  - (iv) The problems of politicization of appointments and dismissals as well as of ethnicity in appointments and possible favouritism and cronyism must be addressed first;
  - (v) Political office holders and chiefs and traditional authorities must be appropriately oriented to allow the professional HRM officers at the metropolitan/municipal level to do their work;
  - (vi) The likelihood of frequent attrition of staff as a result of the identified problems must be taken into account before the decision is taken to transfer the power to “hire and fire”;
  - (vii) The proposed Appointments Advisory Board in the pipeline consolidated Local Governance Bill must be established first;
  - (viii) There should be stringent guidelines to regulate the “hiring and firing”;
  - (ix) Laws must be enacted to guide appointment and discipline at the metropolitan and municipal levels;
  - (x) Establishment Schedules must be prepared for the MMAs.
- As a prelude to the transfer of the power to “hire and fire” to the MMAs level, current transfers of personnel should be decentralized to the regional level;
  - Pending the transfer of the power to “hire and fire” to the MMAs levels, transfer of staff from their locations in the MMAs by the HLGS should be done as far as practicable in consultation with the transferees and their political and bureaucratic supervisors;
  - Chiefs and traditional authorities should not be given any formal role in the management and administration of the MMAs even though they may be informally consulted on specific issues;
  - There is effective citizens’ participation in the management and administration of the MMAs through the Town Hall meeting system;
  - The Client Service Unit should be reflected in the Municipal Organogram;
  - Inter-district boundary demarcation disputes are creating problems for revenue mobilization.

### **Opportunities for the Future for both Metropolitan and Municipal Assemblies (MMAs)**

The following issues affecting both Metropolitan and Municipal Assemblies, raised in the form of questions, represent clear opportunities for the future management and administrative structure of both Metropolitan and Municipal Assemblies:

- Is the “one-size-fit-all” structure of the MMAs still appropriate for the MMAs? Should MMA peculiarities not reflect in their individual Legislative Instruments? For example, given the modified definition of “Municipality”, should some Municipal Assemblies such as New Juaben, Obuasi and Sunyani not continue to have Zonal Councils while the others have Urban and Town Councils?
- How are the issues of boundary demarcation disputes between several Metropolises and Municipalities and their adjoining local authority jurisdictions. How should these be resolved? In the MMAs visited, for example, the following boundary demarcation disputes were identified:
  - (i) Mfantseman Municipality/Ekumfi District;
  - (ii) Agona West Municipality/Gomoa East District/Agona East District;
  - (iii) Tema Metropolis/Kpone-Katamanso District;
  - (iv) Ledzokuku-Krowor Municipality/La-Dade Kotopon Municipality (over the Accra Mall area);
  - (v) Accra Metropolis/La-Nkwantanang-Madina Municipality/La-Dade Kotopon Municipality.
- Should Article 244 (2) of the Constitution be amended so that the Presiding Member is elected by a simple majority of the members of the Assembly present and voting.
- How should the MMCEs emerge? By appointment? By election? By the present constitutional provisions? Or by some other means?
- Should there should be a ceiling placed on the number of non-statutory Sub-Committees of the Executive Committee (Metropolitan Authority in the case of Metropolitan Assemblies) that may be established?
- Should the power to “hire and fire” staff be transferred to the Metropolitan and Municipal Assemblies and if so when and under what conditions?
- Which Departments and organisations which are currently not Departments of the MMAs should be made Departments of the MMAs?
- How should the problems of conflict of roles and overlapping jurisdictions in the merged and amalgamated Departments of the MMAs be resolved?

### **Opportunities for the Future: Metropolitan Assemblies Only**

- Should the SMDC system be retained? What should be done to familiarise the top management staff of the Metropolitan Assemblies with the provisions of the Local Government (Sub-Metropolitan District Councils of Metropolitan Assemblies) (Establishment, Composition and Functions) Instrument, 2015, L.I. 2223? How can we get the Metropolitan Assemblies to implement the provisions of L.I. 2223?



- Should the Town Council level of the Metropolitan Assembly structure be abolished?
- Should provision be made for the appointment of a Deputy Metropolitan Chief Executive?
- Should the Board system of the Metropolitan Assembly be scrapped?
- Should there be a Secretary to the Metropolitan Assembly separate and apart from the Metropolitan Coordinating Director?
- Should Metropolitan Assemblies, which are clearly in a position to borrow against their own properties and assets, be allowed to do so?
- Who should be responsible for the training and capacity building of staff of the Metropolitan Assemblies?
- How should the problem of the conflict of roles and responsibilities of the RCC and the Metropolitan Assemblies as far as the management and administration of the Metropolises are concerned be resolved?

### **Opportunities for the Future: Metropolis Specific Issues**

#### Accra Metropolitan Assembly

How should the conflict of roles and responsibilities arising from the fact that Accra is the metropolitan capital, the regional capital and the national capital be resolved?

#### Kumasi Metropolitan Assembly

There are effectively three power centres in Kumasi: the Kumasi Metropolitan Assembly, the Ashanti RCC and the Manhyia Palace. How can or should this be factored into the management and administrative structure of the Kumasi Metropolis?

#### Tema Metropolitan Assembly

There is tension and conflict of roles and responsibilities between the Tema Metropolitan Assembly and the Tema Development Corporation. How can and should this be resolved?

#### Cape Coast Metropolitan Assembly

The Cape Coast North Sub-Metropolitan District Council contains rural settlements that do not easily fit into the Metropolitan Assembly governance structure. How should this be resolved?

### **Opportunities for the Future: Municipal Assemblies Only**

- With the expanded definition of the “Municipality” concept, should the Zonal Councils be abolished? If yes, what should replace them?
- Which Departments which are currently not Departments of the Municipal Assemblies should be established as Departments of the Municipal Assemblies?
- How can the 8 Municipal Assemblies newly-created in 2012 which are not beneficiaries of the Urban Development Grant (UDG) Project of the World Bank be assisted to access additional resources?
- How can the capacity constraints of the Municipal Assemblies be addressed?
- Should there be a Secretary to the Municipal Assembly separate and apart from the Municipal Coordinating Director?

## **Conclusion**

Let me conclude by way of a summary.

In this presentation, I have described the present city/metropolitan governance structure in Ghana. I have identified the imperatives of city/metropolitan governance and detailed out the specific governance structures of the MMAs.

I have also identified the lessons that we can learn from the present governance structure of the MMAs, framing them as challenges that have confronted the system. I divided the challenges into structural challenges with the governance framework itself, challenges that have confronted the practitioners on the field, and challenges that are specific to particular MMAs.

With respect to opportunities for the future, I have framed them in the form of questions the responses to which will assist in finding the direction for the future structure for our Metropolises and Municipalities.

I now look forward to an exciting interaction that will inure to the benefit of a better, more effective and more efficient Metropolitan and Municipal governance structure for Ghana’s cities and metropolises.

I thank you very much for your attention.