

CHALLENGES INVOLVED IN THE IMPLEMENTATION OF BUILDING CONTROL REGULATIONS: A CASE OF KPESHIE SUB – METRO DISTRICT ASSEMBLY IN GHANA.

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ABSTRACT

This study was embarked in order to discover challenges involved in the implementation of building regulations at the district assembly level precisely the Kpeshie sub – metro district assembly in Ghana. Review of relevant and available literature on the subject matter was made to gain better insight into the topic in obtaining the needed information, the method used were field survey and was supported by the distribution of questionnaires to the district assembly. In all, thirty-five questionnaires were administered to personnel who work with three zonal capital towns and three sub-towns of the district assemblies via random sampling. The analysis of the data collected from the District Assembly revealed that 66.7% remarked they lack have enough personnel to see to the proper implementation of the Building Regulation. 100% responds from Town and Country Planning shown the various challenges they encounter including; lack of ownership (title to land) of developers, Poor compliance to design standards, Poor site description and Poor presentation of design proposals. The study recommends the following among other things that the District Assembly must institute and organize educational programmes such as symposia, community seminars regarding Building Regulations and other relevant themes to broaden the knowledge of both their personnel and the community. Also, the monitoring team of the District Assembly must ensure and approved buildings drawings are in compliant with the building regulations during the construction stage of the project.

Keywords: *Assessing, building regulations, implementation construction industry*

INTRODUCTION

The interrelationship of the various elements of the built environment in the majority of town and cities is a result of historical development on the basis of economics and convenience. However, the recent attention to Town and Country Planning has brought the various relationships under examination, and new towns are now designed on a more selective basis with consideration being to the interrelationship of man's several activities (Grundy, 1992)

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Building regulation is the statutory instrument which sets out the minimum performance standards for the design and construction of the building is paramount to Ghana's economy. According to municipal council ordinance by the ministry of works and housing (1953), No building shall be erected or any work carried out without the approval of the town engineer or health officer who may enforce full complainant with the regulation in the case of building materials and construction. The fact that the regulation has been in existence and controlled by Town and Country Planning Department of the District assembly, the majority of building and structures constructed are not in compliant with the building regulations. The effort to meet the increasing population on the issue of unauthorised structures in Accra metropolis has not been adequate.

The Kpeshie Sub-metro District Assembly is one of the six sub-districts under the Accra Metropolitan Assembly, which came created in 1988 by the Provisional National Defence Council National Democratic Congress (P.N.D.C/NDC) Government. A lot of residents who live around the Kpeshie Sub-metro District Assembly have not realised the importance of the building control regulations. This is because of how they have ignored the regulations and have built haphazardly without conforming to their approved drawings. Observations of the unauthorised location of structures that have sprung-up across selected areas in the sub-metro show that only a few structures are in conformity with the originally approved designs. Despite all the strenuous efforts by the Town and Country Planners and the District Assembly engineers in checking structures without documentations, the structural problems and encroachment of service reserve areas for markets, schools among others, still building construction goes on without complying the proper the proper control measure and by-laws. Also, unauthorised and unapproved locations of structures at space to create access during fire outbreak have as well being occupied. This study, therefore, seek to ascertain the challenges involved in the implementation of building control regulations at the district assembly level precisely the Kpeshie sub – metro district assembly in Ghana.

AIM OF THE STUDY

The aim of the study is to assess the challenges involved in the implementation the building control regulations.

METHODOLOGY

The study adopted a mixed method of both qualitative and quantitative technique. The qualitative technique made use of review of relevant literature on building control regulation via existing government gazettes and publication supported by other published resources. The quantitative method on the other hand adopted the use of questionnaire survey. In all, thirty-five questionnaires were administered to the targeted population who work with three zonal

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capital towns and three sub-towns of the district assemblies via random sampling technique. The main respondents of the questionnaires were building professionals, real estate managers, building owners. The entire administered questionnaires were however retrieved. The questionnaires were of the semi-structured format that allowed the inclusion of respondent opinion.

FINDINGS OF RESULTS

The validity of the questionnaire and its responses established the following results.

The analysis of the data collected from the District Assembly revealed that 66.7% of the respondent remarked they lack have enough personnel to see to the proper implementation of the Building Regulation. 100% responds from Town and Country Planning shown the various challenges they encounter including; lack of ownership (title to land) of developers, Poor compliance to design standards, Poor site description and Poor presentation of design proposals.

100% of the respondents stressed that the problems associated with the citing of unauthorized structures at unapproved locations can be solved in the communities when the Legislative instrument (LI) 1639 (1996) of the building regulations is adhered to strictly. Also, 33% of the respondents expressed the sentiments that the District Assembly must enforce a penalty fee for encroachers and defaulters or demolish the structure. On the issues of problems building owners encounter during application process for their development permits, 95% of the respondents indicated following as some of the challenges they encounter during the acquisition of the building permits: Lack of ownership (title to land) of developers, Poor compliance to design standards, Poor site description and demarcation and Poor presentation of design proposals. Findings on issues regarding the bylaws within the scope of the national building regulations in the district two respondents representing 66.75 pointed they have the bylaws. While one respondent representing 33.3% indicated, he has no knowledge of the laws. Also, 100% respondents indicated that the processes involved in the acquisition of the building permit are too long and as a result, it compiles building owners to ignore the lengthy process and construct their buildings without regard to the regulations. This implies that work such as structures, drainage, and sanitation; streets and sign boarding among others will be poorly constructed.

Table A: Classification of study population

Professionals	Total number
Real estate Managers	12
Site engineers	5
Town and country planners	5
Building owners	31
Total (N)	53

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The sample size for the study was the proportion of the selected professionals. This is because it was impossible to distribute the questionnaires to all professionals. There was the need to obtain a representative sample size for all the respondents. The formula recommended by Kish Leslie (1965) was used to obtain the representative sample. These include using a census for a small population, limiting a sample size of similar studied using formulas to calculate a sample size.

For critical sampling, however, the Kish Formula was used to compute the number of questionnaires to be given to the workers sampled under the simple random sampling.

The computation is done as follows: $n = \frac{n}{(1 + \frac{e^2}{N})}$

And $n = \frac{S^2}{V^2}$

Where

n= Sample Size

N= Total population

=Max standard development of population element (using max variability of p=0.5 at confidence level of 95%)

V =the desired level of precision $\pm 5\%$ =(0.5)

P = the proportion of population element that belong to the define class.

$S^2 = P(1-P)$

=0.5(1-0.5)

=0.25

$n' = \frac{S^2}{V^2}$

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$$0.25/0.05^2$$

$$=100$$

$$n = \frac{n}{(1 + \frac{n}{N})}$$

$$n = \frac{100}{(1 + \frac{100}{53})}$$

$$=34.6$$

$$n= 35$$

Therefore, thirty five (35) questionnaires were distributed randomly among respondents.

Response Rate of Respondents

Professional	Questionnaires issued	Responses	Percentage
Real estate Managers	8	4	50%
Site engineers	3	3	100%
Town and country planners	2	2	100%
Building owners	22	22	100%
Total	35	31	89%

CONCLUSION

This studies into the challenges involved in the implementation of building control regulations at the Kpeshie Sub Metro District Assembly concludes on the following:

- x. The proper implementation of the Building Regulation by the sub-Metro District is not being achieved.
- xi. The composition of the District Planning Authority has an excellent task on them.
- xii. The District Assembly lacks qualify expertise because they fail to attract Planning Professionals.
- xiii. There is a fair amount of confusion as to whether or not LI 1630 is playing the role of Building Regulation or Town Planning Regulation.
- xiv. The District Planning Authority for the impact on the Regulations has not fulfilled education for the general public within the communities.

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- xv. The haphazard positioning of building in the communities usually accompanied by flooding, the fire which causes loss of properties, the District has not demolished such unauthorized structures.
- xvi. The haphazard positioning of building in the communities often accompanied by flooding, the fire which causes loss of properties, the District has not demolish such unauthorized structures.
- xvii. Issuance of development and Building permit do not conform to the physical structure on the ground after being approved.
- xviii. Custodians of lands in the District Assembly ignore expert advice before developing their lands leading to misuse of the land.

RECOMMENDATIONS

The following recommendations are drawn to enhance effective planning and development of the district with the aim of instituting proper implementation into the community development.

- x. The Sub Metro District Assembly should see to the proper implementation of the Building Regulation by enforcing the law on the community developers from day one.
- xi. The greater task on the compositions of the District Planning Authority is to help in fighting against unauthorized developers by bringing all the ideas of the technicality from the various departments, i.e. the Town and Country planning, Metro Works, Roads, Survey department, Housing and water Company.
- xii. The building inspectors have a great task for carrying out their duties properly to ensure that buildings under construction conform to specifications as prescribe by permit, to stop unauthorized development and to examine building materials properly to ensure that buildings under construction conform to specifications as prescribe by permit, to stop unauthorized development and to examine building materials properly.
- xiii. There should be qualified expertise in the District Assembly to exhibit human resources of building the discipline of integrity high reputation to oversee the total planning development.
- xiv. The confusion whether or not LI 1630 is playing the role of building Regulation, or Town and Country Planning both laws are operating side by side. It is hereby recommended that a building Regulation law should be promulgated to see the standard in a proper building code.
- xv. Due to inefficient by the District Assemblies to educate the community members either by using the media, patrolling the communities with information van and by a demolishing exercise, most of the opinion leaders has also not felt the impact and the development plan the authorities has set up for the communities.

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- xvi. District Assembly must institute and organize educational programmes such as symposia, community seminars regarding Building Regulations and other relevant themes to broaden the knowledge of both their personnel and the community.
- xvii. The Assembly should embark on a demolishing exercise to put a stop to the haphazard positioning of buildings in the communities. The assembly should enforce that the approved building permit conforms to what is pertaining structure.
- xviii. Custodians of lands in the district should constantly be advice through by the District Planning Authority before developing their lands in order not to lead to misuse of the land.

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