



## **Demand responsive partnership for rural towns watsan**

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THE GOVERNMENT OF Uganda is committed to the improvement of the health and well being of the people and therefore accords high priority to the provision of clean, safe water and sanitation services. The Governments' development strategy, articulated in the Poverty Eradication Action Plan (PEAP), aims at increasing access of the poor to basic social services. Lack of access to water and sanitation is not only an indicator of poverty but also causes poverty slowing down health and economic development. The Water Supply and Sanitation sector is one of the five (5) priority areas of Government along with Primary health, Primary education, Feeder Roads and Agricultural extensions. External Support Agencies have also shifted their focus towards the above priority sectors.

Today access to safe water stands at approximately 43% in rural areas and 65% in urban areas. Sanitation is at 47% in rural areas and 60% in urban areas. The top-down and heavily centralised, sectoral approaches to the planning and management of water and sanitation facilities over the past years have been carried out with more emphasis on technical solutions and less to community demand, with no or minimal community involvement. The consequences have been less satisfactory with water supply coverage and operational efficiency low and the development of systems and services that have not been sustainable.

Providing improved and adequate water and sanitation services for a population increasing at a high rate, like Uganda, is a big challenge requiring a lot of financial investments and most importantly adoption of policies and strategies that will guarantee the sustainability of facilities and services. The Government has therefore adopted new strategies including the following:

- Decentralised planning and management of water supply and sanitation services thereby changing the Central Government role from that of "provider/implementer" to that of "facilitator/enabler"
- Private sector engagement for resource mobilisation and efficient and cost effective implementation of programmes.
- Promotion of demand responsive, negotiations driven, and participatory approaches that require Users to be fully involved in the planning and implementation of their facilities for which they meet part of the investment costs and are responsible for all operation and maintenance (O&M) costs as a means of creating a sense of ownership and increasing the sustainability of the improved facilities.

- Human and institutional capacity building to equip the key actors in the water and sanitation sector with the required skills and expertise to efficiently and effectively deliver the services.

Development of national enabling laws, policies and guidelines. In this respect, Policies and Guidelines for the implementation of the RURAL TOWNS WSP have been developed and a number of laws have been enacted in the last few years.

Between 1990 and 1994, the GoU assisted by the World Bank, carried out a programme preparation of a National Rural Towns Water and Sanitation Programme (RTWSP). A total of 250 small rural towns and growth centres were identified with populations ranging from 5,000-50,000 people.

### **What is a small town?**

Planning for development has traditionally been focussed on large urban centres and rural areas. Rural growth centres and small towns were generally lost in between. As a result, rural growth centres have developed as informal unplanned settlements lacking basic infrastructure for development. Water and sanitation are therefore either poorly developed or non-existent.

The "Small Towns Water and Sanitation Programme" is a new topic, perhaps globally, in the water and sanitation sector. In Uganda, the programme is just a decade old. Two hundred and fifty (250) Small Towns and Rural Growth Centres have been identified for implementation and only sixty (60) Small Towns have secured funding.

In the RTWSP, Small Towns and Rural Growth Centres have populations ranging between 5,000-50,000 people. Centres with populations below 5,000 people are regarded as part of the Rural Programmes while those with populations above 50,000 people are regarded as large urban centres and therefore implemented along supply driven concept.

Small towns and rural growth centres are very important in national development. Characteristic activities include:

- Administrative headquarters
- Trade and Commerce
- Transport – Taxi and bus parks
- Health Centres/Hospitals
- Small scale industries – rice/maize mills
- Religious institutions – mosques, churches, convents

## Institutional and legal framework

### Institutional aspects

Institutionally, the water sector in Uganda consists of a national level, comprising ministries, parastatals and other organizations (external development agencies, private sector, NGOs) and a local government level, comprising a series of local councils ranging from LC1 (the village council) to LC5 (the district council) as well as various private sector operators and governmental, municipal and community institutions. Increasingly, however, the current national policies of decentralisation and privatisation are transferring ownership and control of systems in the direction of community ownership with a growing role for the private sector. In the urban sub-sector, the National Water and Sewerage Corporation (NWSC), a government parastatal, operates and manages water and sewerage systems in Kampala and 11 other large towns.

Outside of the large towns, the Ministry of Water, Lands and Environment, through the Directorate of Water Development (DWD), has identified the need for improved water and sanitation services in over 250 small towns and rural centres. Control over these systems is held variously by the NWSC, municipalities, town councils and district councils. Most of these towns have serious water supply deficiencies and none has adequate provision for excreta disposal.

### Legal framework

Recent Policy development and legislation have established decentralization and privatization as the dominant themes in the sector. GoU has initiated measures to streamline legal and bureaucratic bottlenecks in the implementation of projects for provision of basic essential services. In the Water Sector, Government has formulated and enacted the following relevant laws.

- i) The Constitution of the Republic of Uganda 1995 which provides for planning, implementation and management of water supply and the protection of the environment. It recognises accessibility to safe water as a fundamental Human Right.
- ii) The Water Statute 1995 which provides for use, protection and management of water resources and supply; provides for formation of water and sewerage management groups, and facilitates the development of water supply and sewerage undertakings.
- iii) The National Environment Statute 1995, which provides for sustainable management of the environment.
- iv) The NWSC Statute 1995 which provides for a Corporation that shall provide water and sewerage services in areas entrusted to it under the Water Statute 1995.
- v) The Local Government Act 1997 giving effect to decentralisation of services, including water and sanitation, to the lower levels of Government.

In addition to the above laws, Government has formulated a National Water Policy 1999. The Policy promotes

an integrated approach to manage the water resources in ways that are sustainable and most beneficial to the people of Uganda.

### Ownership of assets

The Local Government Act 1997 transferred the responsibility for provision of services, including water supply and sanitation, from the central Government to the Local Governments. Furthermore, Local Governments provide for all land on which the assets are installed. According to the Land Act (1998) assets created on land registered in the names of the Local Government belong to the Local Government.

However, Government is presently carrying out the following studies:

- i) The Rural Water Sub-sector Reform Study and
- ii) The Urban Water Sub-sector Reform Study.

The studies will review and make recommendations on the appropriate institutional arrangements and ownership of assets. In theory, the restructuring of the water and sanitation sector should bring both responsibility for system operations and ownership of systems closer to the end user. In practice, however, problems of maintaining sustainable systems are now appearing at these lower levels. There are reports of communities not accepting responsibility for general cleanliness and order around water sources and sanitation points. Maintaining appropriate inventories of spare parts at private shops is another problem. And while the new community-based approach works reasonably well for simple repairs and corrective maintenance, there does not seem to be a general-accepted concept of preventive maintenance. Moreover, there is little institutional backup to address operation and maintenance problems, which may be beyond the capacity of the user communities. These and other issues will need to be resolved if the new policies of decentralisation and privatisation are to be successful. These new policies require reorientation of the key players in the sector to their new roles.

### The project cycle

Prior to inviting a particular town to participate in the project, "low key" rapid resource survey is carried out in order to confirm the population size and geographic distribution; the need and willingness of the town/communities to participate and pay; and to identify technical options that are feasible. Thereafter a formal contact with the district and town is established. Each town has its own social, economic and cultural profile. This fact does not make it possible to develop a rigid process, which could be repeated in each project town.

### Promotion, mobilization and situation analysis phase:

Local extension personnel assist the communities assess their needs and preferences in the water supply and sanitation

tion sector while raising their awareness of the potential impact of improved facilities on health.

### **Planning and design phase:**

The local extension personnel would then work with the representatives of the management units to help them determine the delineation of WUGs, WSCs and WUAs and the most appropriate service levels for each of them. A mix of technologies is likely, where spring catchments, augured or dug wells, and boreholes fitted with handpumps would be more common in low-income peripheral areas, and piped schemes would be more common in the higher-income core area where commercial activities are found.

This process results in the Beneficiaries Plan for each system and its related signed Beneficiaries Agreement. Following this, design and detailed cost estimates will be finalised, the community contribution paid, and construction contracts then finalised and signed. It is important to note that the progress of each of the groupings will vary, such that whilst details of a WUA piped scheme are being completed, construction may have commenced or even been completed for one or several single source developments for WUGs/WSCs.

### **Construction and training phase:**

The project will develop a detailed curriculum for the community training needs. The training requirements depend on the type of water supply technology(ies) chosen by the users, level(s) of service and the skill available in the town.

After finalisation of the bidding documents for goods and works, construction will start after award of contracts following competitive bidding process.

Prior to the commissioning of the improved water supply and/or sanitation systems each WUG/WUA will enter into an agreement with DWD outlining the benefits and obligations of each project partner (community, DWD, District and Town administration) and the conditions for the transfer of the ownership of the system to the community (Performance Contracts).

### **Management, operations and maintenance phase:**

This step follows the commissioning of the completed works and hand over to the communities. Follow up management and operation and maintenance training will be provided, if necessary, by the Urban Authorities and DWD

## **Roles and responsibilities**

### **User community**

The user community are major stakeholders in the project. Consequently, they have a big role to play. The following are their roles and responsibilities.

- Contribute to the Capital Cost Community Contribution.

- Participate in planning and implementation of the Project. The users are primarily responsible for deciding the location of the water and sanitation facilities.
- Establish management structures and procedures for operation and maintenance of installed facilities.
- Generate income for operation and maintenance of the water system and communal sanitation facilities by paying tariffs established by the WSCs/WUAs and approved by Government.

### **Local authority**

The Local Authority will provide the organisational framework and political support needed to implement the project. Other roles and responsibilities of the Local Authority include the following:

- Mobilise the community towards active participation in the project.
- Use its administrative and management structures to facilitate project work.
- Provide land free of encumbrances required for the construction of water and sanitation facilities.
- Liaise with WSCs and WUAs to collect and manage the Capital Cost Community Contribution.
- Sign a Letter of Understanding with the Project that assigns roles and responsibilities.
- Contract and supervise small scale construction works.

### **Government**

The Government has the responsibility to ensure that the project is successfully implemented. Other roles and responsibilities include:

- Provide the financial needs of the water schemes based on the basic service levels. Users will pay for higher service levels as in-house connection.
- Provide the financial needs for the promotion of sanitation.
- Provide the main technical inputs such as personnel and equipment for the studies, planning, design, implementation, monitoring and evaluation of project activities.
- Monitor and ensure the proper use of the Capital Cost Community Contribution.
- Provide necessary skill through training relevant groups to promote hygiene and sanitation activities and plan for the water supply schemes including organisational skills to operate, manage and sustain the water and sanitation systems installed.
- Sign the Letter of Understanding with the Local Authority and the Facilities and Management Plan with the WSCs or WUA.

### **External support agencies**

ESA have played a major role in supporting Government in implementation of the RTWSP. Support has been received in areas of policy development, capital development, fi-

nancing and technical assistance. The following ESA have assisted as follows:

- The IDA/World Bank has supported emergency rehabilitation of 6 towns in Northern Uganda and construction of 12 new systems in the south. Most of the systems will be commissioned by July 2000.
- The Government of Denmark through DANIDA has provided financial and technical assistance for implementation in 11 Small Towns situated in Eastern Uganda. Design of systems is completed and construction is scheduled to start in August 2000.
- The Government of Austria through the Regional Bureau has provided technical and financial assistance to implement the programme in 19 towns in South Western Uganda. The Project is under the Construction phase.
- The Government of France through the AFD has provided financial assistance to implement in 10 towns in Central Uganda, which are at the design stage, and 2 towns in Southern Uganda, which have been completed.
- The Government of German through the KfW has provided financial assistance for 3 towns in Western Uganda which have been completed and commissioned and also for 1 town in Southern Uganda.

More support has been obtained from JICA of Japan, NGOs and Embassies.

#### Private sector participation (PSP)

One of the main implementation strategies of RTWSP is active participation by the Private Sector. While allocating assignments to the private sector a number of issues are considered such as:

- The complexity of the assignment. Some of the tasks are too simple and budgets too small to attract PSP. But some tasks are too large and too complex that PSP becomes a necessity.
- Balancing the need for PSP with community participation requirements. Some tasks have been allocated to the community in order to enhance the sense of participation by the community.

#### Management models

The Urban Water and Sanitation Sub-Sector is to be managed under two dispensations.

A single lease contract for the operation and management of a grouping of about 31-45 designated Water and Sewerage Supply areas covering at least the towns with a population in excess of 15000 people. The present total population in this group is about 2.5 million people. The water and sewerage assets, which will be operated by the lessee, will be owned by an Asset Holding Authority, under a concession from the Government.

Operation of the remaining towns is by Local Government with strong support from a dedicated Water Development Agency, which will be a centre of "Best practice" in both the technical, management and business operation of Water and Sanitation. The present total population in this group of about 44 towns is less than 0.5 million people. Private Operators will be contracted to operate and maintain water systems falling under this category.

There will be appropriate mechanisms for Towns to move into the group managed under the lease.

#### Lessons learnt

- Community participation and application of demand responsive approaches in water and sanitation improvement interventions under favourable legal and policy environment can greatly improve on the efficiency and effectiveness of service deliveries and enhance the sustainability of the investments.
- Small Towns Water and Sanitation programs should preferably be designed as "simplified urban water and sanitation schemes" rather than "upgraded rural water and sanitation schemes" with emphasis on demand assessment, optimum dimensioning of the schemes, appropriate management and cost recovery arrangements and interface with local urban councils.
- There is need to explore the involvement of the private sector in the delivery of services in the small towns so as to improve efficiency and reduce costs of providing the water and sanitation services. This will be translated into lower tariffs charged and better services to the consumers. Associated with the private sector involvement is the need to establish the regulatory and contractual frame work in which the stakeholders will operate.
- It is important to recognize that peoples attitudes are difficult to change, so the introduction of demand responsive concepts and community participatory approaches in the sector where the central government was previously looked at as a sole provider of services requires sustained dialogue with the project professional team. The need to achieve specific targets in a specified time frame sometimes comprises the slow decision making process required under the demand driven approaches.
- Continuity of implementation particularly the physical interventions are key in keeping the momentum and interest of the communities. Community contributions are easier to realise when construction is taking place alongside other activities like planning and design. Pre-conditions that may cause interruption of the work should be avoided where possible.

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