



**Food Production, Processing and Retailing through the Lens of Spatial  
Planning Legislation and Regulations in Zimbabwe: Evidence from Epworth**

**By  
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Town, Department of Environmental and Geographical Sciences**

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## Declaration

I hereby declare that this thesis is my own work, in conception and execution.  
Neither this work nor any part thereof has been previously submitted to this or any  
other University for the awarding of a degree.

Signed by candidate

Percy Toriro

Date: August 2018

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## **Abstract**

The thesis investigates whether the Zimbabwe planning regulatory framework engages with urban food systems and whether those regulations and plans are appropriate to the lived experience in African cities particularly focusing on the poor through the lens of food. This is done by examining how food production, processing and retailing have been enhanced, constrained and regulated by urban planning laws and regulations and the administering professionals in the urban settlement of Epworth near Harare in Zimbabwe. Food is a basic need but has not been given prominence in planning discourses.

The use of food as a lens through which to examine the appropriateness of planning practice, laws, and the general regulatory framework provides a useful opportunity to consider the impact of planning on livelihoods of the urban poor in the global South. This thesis also provides an opportunity to link the two distinct but complimentary disciplines of urban planning and urban food and contributes to knowledge on contemporary planning and food systems. Treating the two as separate and disconnected fields has created gaps and inconsistencies that manifest themselves in inappropriate regulations and plans thereby causing insecure and risky food systems.

Using mixed research methods, the thesis concludes that the legislative framework engages food in a largely inappropriate way for several reasons. Firstly, the legislative framework was adapted from a Western context which differs significantly with that of the global South. Secondly the framework was enacted for a different time and context many years ago unlike the context prevailing now. Thirdly the inappropriateness of the governance framework has been exacerbated by the modernist values held by most planning professionals. A key finding of the thesis is that most planners do not support informal livelihoods; whilst they practice in a largely informal poverty-stricken environment, they aspire for a modern 'world-class' city environment. The planners also do not believe that they have a role in food systems planning. Meanwhile, they are busy making decisions that threaten the same food systems. The planning regulatory framework therefore requires amendment of the inappropriate clauses whilst positive clauses should be utilized.

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## Abbreviations and Acronyms

ACC	African Centre for Cities
AFSUN	Africa Food Security Urban Network
CUP	Consuming Urban Poverty
CoH	City of Harare
DFID	Department for International Development
DPP	Department of Physical Planning
DRUP	Department of Rural and Urban Planning
EGS	Environmental and Geographical Sciences
EIA	Environmental Impact Assessment
ELB	Epworth Local Board
EMA	Environmental Management Act
EMA	Environmental Management Agency
ESAP	Economic Structural Adjustment Programme
ESRC	Economic and Social Research Council
EU	European Union
FAO	Food and Agriculture Organization
FARNPAN	Food and Agriculture and Natural Resources Policy Analysis
FEWSNET	Famine Early Warning Systems Network
FTLRP	Fast Track Land Reform Programme
GIS	Geographical Information System
GNU	Government of National Unity
GoZ	Government of Zimbabwe
GPS	Geographical Positioning System
HCC	Harare City Council
HMP	Harare Master Plan
IDRC	International Development Research Centre
ILO	International Labour Organization
MDC	Movement for Democratic Change
NGO	Non-Governmental Organization
NSSA	National Social Security Authority
OECD	Organization for Economic Cooperation and Development
PHA	Public Health Act
RGN	Rhodesia Government Notice
RTCPA	Regional Town and Country Planning Act
RUAF	Resource centres for Urban Agriculture and Food Security
SADC	Southern Africa Development Community
SAMP	Southern Africa Migration Project
SI	Statutory Instrument
SNV	Stichting Nederlandse Vrijwilligers

SPSS	Statistical Package for Social Sciences
UA	Urban Agriculture
UCA	Urban Councils Act
	University of Cape Town Faculty of Science Research Ethics Committee
UCT-FSREC	
UDCORP	Urban Development Corporation
UN	United Nations
UN-DESA	United Nations Department of Economic and Social Affairs
UNDP	United Nations Development Programme
UNECA	United Nations Economic Commission for Africa
UNFPA	United Nations Population Fund
UN-Habitat	United Nations Human Settlements Programme
UNICEF	United Nations International Children's Education Fund
UPA	Urban and Peri-Urban Agriculture
USA	United States of America
UZ	University of Zimbabwe
WTO	World Trade Organization
ZANU PF	Zimbabwe African National Union Patriotic Front
ZIMASSET	Zimbabwe Agenda for Socio-Economic Transformation
ZINWA	Zimbabwe National Water Authority
ZIRUP	Zimbabwe Institute of Regional and Urban Planners



## **Glossary of Local Language Words Used**

Chigayo	Grinding Mill or hammer mill
Maputi	A snack made from corn or maize
Sadza	The Zimbabwean staple food prepared from maize meal

# Chapter 1: Introduction and Background

...generally, the links between land use planning and food security are poorly understood, inadequately articulated, and not readily apparent to most people, let alone to many persons who operate in the separate fields of land use planning and food security. Food security and the specific links to land use planning is not recognised by any structure or defined roles and responsibilities in government generally or local government specifically. Nor is it explicitly recognised by any legislative or policy mechanism. For many people and organisations the link between food security and land use planning is still either too long a bow to draw or their field of perception is too narrow in terms of root cause and effect.

Budge and Slade (2009:6)

## 1.0 Introduction

Carolyn Steel (2008) in her ground-breaking work on urban food noted that feeding cities 'takes a gargantuan effort' and that food affects our cities in many ways. She further observed that very 'few' people in the west are 'conscious' of the processes of feeding cities. This statement is as valid or even more valid in the global south as it is in the west or anywhere in the world for that matter. Understanding urban food is a multi-dimensional journey. Given the centrality of food in a fast-urbanizing world, it has become increasingly important to understand urban food security in as far as it is affected by one of its critical dimensions, urban planning. A study by AFSUN focussing on poor neighbourhoods' food security in Southern Africa found 'four out of five households' in the sampled areas of the 11 cities to be moderately or severely food insecure. Furthermore, the insecurity was not really driven by lack of food, but by lack of access (Crush and Frayne, 2010; Crush, Frayne, and Pendleton, 2012). This thesis contends that land use planning plays a significant role in determining access in any city. Spaces in which food can be produced, processed or retailed are determined by land use. This determination in turn has impact on where food is legitimately accessed. Understanding how planning affects access to food can go a long way in finding meaningful solutions to urban food security.

This thesis examines how Zimbabwe's planning regulatory framework comprising legislation, plans, policies, and practice affect the production processing

and retailing of food in urban areas. Harare's satellite urban settlement of Epworth is used as a case study. In this respect, this chapter provides an introduction and background to the study whose primary aim is to document, explain and discuss the spatial planning legislative and regulatory frameworks with respect to their place in addressing food in fast growing human settlements in Africa. The thesis's overall focus is how food production, processing and retailing have been handled by the spatial planning regulatory, legislative, policy and institutional frameworks. The thesis looks at whether planning regulations are appropriate to the lived experience in African cities particularly focusing on the poor. This is done through the lens of food. Food is a basic need, but food security has not been given much attention in planning discourses. Whilst much of the food security research has focused on the household, this thesis focuses on the planning practice and its regulations as one of the identified determinants of access. The study is located in Epworth, a satellite urban settlement of Harare in Zimbabwe.

The chapter starts by presenting the study context and overview followed by the problem statement; the study aims; research objectives; research questions; the study justification in the form of a rationale for the study and the conclusion respectively.

## **1.1 Study Context and Overview**

### **1.1.1 Rapid Urbanization**

Although Africa remains the least urbanized continent on earth<sup>1</sup> (Un-Habitat, 2015), it has the highest rates of urban population growth globally. It is estimated that more than fifty percent of Africans will live in urban areas by the year 2030 (United Nations, 2014; United Nations, 2015). Sub-Saharan Africa has seen a fair share of this rapid growth in its urban areas. Unfortunately, unlike other regions of the world such as Asia and Europe where urbanization translated to improved standard of living, rapid urbanization in this region has been accompanied by a myriad of urban challenges due to poverty (Chirisa, 2008; Prasad and Mostafa, 2017).

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<sup>1</sup> According to UN-Habitat, Africa is the least urbanized continent with only 40% of its population in urban areas

This resultant rapid concentration of many poor people in the cities has led to inadequate amenities and straining of urban facilities. Urban growth in Africa has not been accompanied by a corresponding growth in infrastructure, public amenities, and governance capabilities (UN-Habitat, 2015). This has led to shortages of basic needs and strain of existing urban facilities, declining access to urban amenities as the city boundaries extend into contiguous rural land without corresponding increase in other capacities (Hill, 1998). Therefore, it is not only territorial expansion that characterize the rapid urbanization, but there are functional challenges, including poverty and rising food insecurity, that take place in the expanding cities (Koc et al, 1999; Maxwell, 1999; Battersby, 2013). Physically the rapid urban growth is characterized by the constant shifting of city boundaries and the expansion of urban administrative territories encroaching into contiguous rural land (Hill, 1986).

### **1.1.2 New challenge of feeding cities**

There is evidence that, urbanization in Africa is associated with food insecurity particularly for the urban poor (Crush and Frayne, 2010; Tawodzera, 2013) and the consequences therefrom affect human health and social development. In 2008 there were food riots in some cities of Africa protesting the rising food prices (Holt-Gimenez, Patel: 2009). In this case, food insecurity becomes a cause for urban social insecurity and violence (Cohen and Garrett, 2009).

With the rising urban populations comes a resultant challenge of feeding cities. This has however continued to receive discordant attention. The three separate and disconnected Sustainable Development Goals (SDGs) have implications on food security but show lack of connectivity in framing them: Goal One intends to end poverty, Goal 2 aims to end hunger whilst Goal 11 aims to make cities inclusive, safe and resilient (UN, 2015). The approach does not locate food security within cities and fails to capture the geography of food hence is considered space blind (Battersby, 2017). Linked to the SDGs is the New Urban Agenda which is more focused on the development of urban areas as the new socio-economic frontier. The agenda has useful clauses impacting on urban food provisioning. It starts by acknowledging food security as one of the urban management challenges as the world continues to urbanize. Again, as if to emphasize the growing concern with urban food security,

almost at the beginning it refers to SDG Goal 2 to end hunger 'in all its forms'. In the context of the rapid urbanization it seeks to establish 'sustainable' and 'inclusive' cities that are food secure. The building blocks to the envisioned cities include the creation of cities that encourage 'appropriate' planning, increase economic productivity, creates 'decent' work for all, acknowledges the contribution of the 'working poor' and the informal economy all of which form the key supply chains in cities of the global South (United Nations Assembly, 2017). To achieve all the above the agenda requires that governments enact 'enabling policy frameworks'. Whilst acknowledging the importance of planned and sustainable cities, calls for regulations that are relevant. Whilst acknowledging the importance of SDGs, there has been criticism that as with their predecessor the Millennium Development Goals, they lack in how goals can be achieved hence there is need to further understand the link between food and planning regulations.

The multiple urban challenges identified in the SDGs and the New Urban Agenda have renewed interest in urban food. The following specific clauses in paragraph 51, 95, and 123 demonstrate the New Urban Agenda's enhanced concern with urban food security. Paragraph 51 calls for cities to 'strengthen food system planning'. Paragraph 95 identifies the contribution of secondary cities by committing to 'strengthen the role of small and intermediate cities and towns in enhancing food security'. Paragraph 123 then links the hunger goal to cities by stating that 'We will promote the integration of food security and the nutritional needs of urban residents, particularly the urban poor, in urban and territorial planning, in order to end hunger and malnutrition'. This thesis examines whether this renewed interest in urban food at global level has found its way to planning systems of the global South.

In the past realization of growing need to feed cities created increased support for urban food production. Organizations such as IDRC and RUAFA started off supporting urban agriculture policy development as well as organized food production in urban areas up to the 1990s and early 2000s (Van Veenhuizen, 2006; Koc et al, 1999). Later on, these organizations adopted a more robust approach that looked beyond policy advocacy for urban food production, instead focusing on the creation of partners for the cause. This new take now also includes advocating a more holistic value-chain approach which they coined 'from seed-to-table' approach (RUAFA, 2010). Whilst this approach recognizes policy as an important enabler in the urban food system, it goes on to link production with marketing of urban food. It however fails to

fully appreciate the critical importance of planning and its attendant tools such as legislation and policy as critical to addressing urban food.

### **1.1.3 Different Approaches to Urban Food**

Whilst there have been extensive studies on urban food in the global North (Pothukuchi and Kaufmann 2000; Born and Purcell, 2006; Libman, 2014), it has been framed differently from the global South (Battersby, 2013). The literature has focused not only on production but also on market-related aspects including 'food deserts' and other concerns such as obesity and the 'local trap' (Battersby and Crush, 2014; Born and Purcell, 2006). As part of efforts to create cities designed to mainstream food and with increasing recognition of the importance of the food agenda in city planning, some are even advocating for all cities to have a department responsible for food. In some cities food has become an election issue. Voters have lobbied political candidates to make food an election agenda issue in a city to create more resilient cities (Freudenberg and Atkinson, 2015; Burton et. al, 2013).

Meanwhile the urban food studies in the global South have tended to conflate urban food production or urban agriculture with urban food security. Whereas in the north local production is one of the many strategies to address urban food security, in the global South studies, it is framed as the 'only' strategy within a 'poverty alleviation' approach. It is dislocated from other elements of the food system and the urban system (Battersby, 2013; Redwood, 2012).

### **1.1.4 Urban Planning and Food**

Urban food systems occur in urban space hence are therefore regulated by urban planning. Urban planning is a key instrument for creating and governing urban space for various uses (Watson, 2003; Tibaijuka, 2006). However, there is no evidence that planning takes food into consideration in its regulatory framework and practice. What is known is that current planning practice in the global south appears to promote the social exclusion of the poor (Roy, 2005; Yiftachel, 2009; Watson, 2009a). This social exclusionary urban planning trajectory may not help develop sustainable urban food systems. More broadly urban planning in Africa has not concerned itself with matters to actively resolve urban food access challenges as

compared to other challenges like urban housing, sanitation and or transportation among others (Tibaijuka, 2006; Watson, 2009). Yet food provisioning including production is now recommended as a key planning and policy issue for urban areas (Bakker et al, 2000). A focus on food provisioning has also been demonstrated to help build 'resilient cities' (De Zeeuw et al (2011). Literature however does not show this as having been implemented by cities in the global South. Where food has been considered in planning and policy, the focus appears to have been mainly on food production as will be shown in Chapter Two.

Planners have not taken advantage of their profession to improve urban livelihoods and opportunities, but rather have been seen to generally act in the interests of large-scale capital and real estate (Kamete, 2013; Watson, 2012). Rather than promote the poor's efforts, Watson (2009) laments that the profession tends to 'sweep' the poor away from the many initiatives they attempt to embark on to survive in urban areas. There is therefore a gap that exists in urban studies that link the two important fields of urban planning and urban food. This needs attention because as Pothukuchi and Kaufmann (2000) observed, when planners ignore food in their planning, the impact is not neutral on food systems, it is negative. There is therefore need to respond to the question of how planners have engaged and do engage with food in cities of the global South.

### **1.1.5 The Determinants of Urban Food Insecurity**

The achievement of food security is based on the four pillars namely 'availability, accessibility, utilization, and stability' (FAO, 2006 in Battersby, 2018:204). In urban areas, food insecurity causes extend beyond limits to availability. Amartya Sen has demonstrated that it is not really overall food availability that causes famines, but other factors beyond general availability of food (Sen, 1981). Sen offers the theory of entitlements which explains 'why some groups suffer deprivation' (Desai, 1984). This has helped understand the determinants of food insecurity. For several years now, there has been an acknowledgement that determinants of food insecurity in urban areas are diverse and complex. Food insecurity in urban areas is not so much about availability of food, but access to the food (Mougeot, 1999; Crush and Frayne,

2010); this stresses that it is increasingly important to address all factors that enhance food availability and access (Cohen and Garrett, 2009).

In much of the global South, poverty and unemployment remain high making food inaccessible to most urban dwellers even where markets are full of food (Devas, 2004; Tawodzera, 2010; De Zeeuw and Drechsel, 2015). Since urban dwellers obtain most of their food from the market, the high levels of poverty and unemployment in much of the developing world cities present challenges to accessing food (Garrett, 2000; Chimbwanda, 2014; Prasad and Mostafa, 2017).

Planning decisions impact on food prices, availability and ultimately accessibility. Understanding how planning decisions, plans, and regulations affect the production processing and retailing of food is a useful way of understanding the appropriateness of planning to the lived experience in the global South context.

#### **1.1.6 The Zimbabwe Urban Food Context**

With specific reference to Zimbabwe, whilst there has been substantial research focus on urban food, the studies have however mainly focused on food production also known as urban agriculture (Mbiba, 1994 and 1995; Smith and Tevera, 1997; Tevera, 1999; Taru and Basure, 2013; Chimbwanda, 2014). Most of the studies have focused on highlighting the benefits and negative impacts of urban agriculture. The literature also highlights the increasing recognition of the importance and centrality of urban food and urban food security (Crush and Frayne, 2010; Tawodzera, 2013). The matter is certainly gaining currency.

Whilst there is this rising interest in academic circles, the same may not be said in terms of the food policy and food planning agendas of African cities. Certainly, there has been a demonstrable shift from negative and heavy-handed approaches to softening attitudes amongst urban authorities in the country (Toriro, 2009; Kutiwa et al, 2010). The Nyanga Declaration (2002) and the Harare Declaration (2003) bear testimony to this development. A literature search revealed that there are no studies that have assessed whether these public pronouncements have been reflected in the local planning legislation and plans. What has happened to the legislation and plans



since these declarations? Can one now see a pattern where the planning legislation and policy framework now facilitates the production, processing, and retailing of food? These are some of the questions that this thesis sought to answer.

Consequently, for a settlement such as Epworth which emerged organically and has gone a few steps towards regularization, it is important to investigate whether the emerging plans consider food in their focus. How visible are food production, processing and retailing in these plans? The planning regulatory and policy framework determines how sustainable a city's food production, processing and retailing outlets and networks operate. This thesis therefore examines Epworth's plans, planning laws, policies and regulations how they are enacted and implemented to establish their appropriateness to the lived reality in the urban settlement.

### **1.1.7 Rationale for Understanding the Role of the Planning Legislative and Regulatory Frameworks in Food Systems**

It is widely acknowledged that inappropriate policies and legislation constitute a serious constraint on economic, environmental and social development (Morgan, 2009). Inappropriate land use planning institutions may discourage investment and do not help build sustainable food systems. OECD (2010) defines a regulation as any instrument by which governments, their subsidiary bodies set requirements on citizens and businesses that have legal force. Spatial planning is one such government tool. Its laws, different plans, regulations and policies have an impact on how urban residents access food.

Various spatial planning legislative and regulatory frameworks have been formulated with the intention to realize the government's (local and central) desire for harmony and order among other objectives of spatial planning. However, it is not clear whether these efforts have paid adequate attention to the urban poor in terms of their food systems. It, therefore, becomes critical to question the appropriateness of planning regulations including laws and practices in the creation of an appropriate urban environment; a society that caters for all in terms of food systems.

Given that land plays a significant role in the livelihoods of the majority, food security and poverty reduction cannot be achieved unless issues of access to land, security of tenure and the capacity to use land productively and in a sustainable manner are addressed (FAO, 2012). In urban areas, the use of land falls within the jurisdiction of spatial planning hence the profession is crucial in determining the efficiency, convenience, and soundness of urban food systems. The rationale for analyzing legislative and regulatory frameworks in food systems is that the regulatory framework being one of the three key levers of state power (together with fiscal and monetary policy) has critical influence in shaping the urban food system if consciously crafted for the good of the same (Freudenberg and Atkinson, 2015).

## **1.2 Statement of the Problem**

The absence of literature on how planning laws, policies, plans and the practice in general engages with and affects urban food production processing and retailing in Zimbabwe creates a gap in evidence-based policy-making and planning. Laws and other tools used in urban planning and management must address the many urbanization challenges confronting settlements of the global South. However, they can only address the challenges if there is a clear understanding of how they affect these challenges. An examination of these governance tools through the lens of food is a useful entry. Food access, availability, and utilization affect everyone. The outplay of the regulatory framework and food is an interesting way of interrogating the appropriateness of these laws, policies, plans as well as the people that implement them. How visible is food in the national spatial planning laws of Zimbabwe? Despite having a vast literature on the relevance of urban agriculture to the urban economy in the country, how is this supported by laws, policies, plans, and regulations? The seeming inadequate attention by spatial planning to the food system in Zimbabwe not only compromises urban food security but possibly jeopardizes other livelihoods of the poor in urban areas.

This thesis interrogates the role, place and appropriateness of the existing urban planning laws or regulations in the production, processing and retailing of food in Epworth as an example of a rapidly growing urban settlement in a global South context. The overall focus of this study is how food production, processing and retailing

have been enhanced, constrained and regulated by urban planning laws and regulations. It brings to the fore key issues such as whether the authorities' vision of urbanity is shared by all citizens and whether that vision listens to all stakeholder voices.

### **1.3 Aim of the Study**

The aim of this study is to examine the appropriateness of urban planning practices legislative and regulatory frameworks to food production, processing and retailing in fast growing human settlements in Africa as represented by Epworth.

### **1.4 Objectives of the Study**

Specific to this study are the following objectives aimed at operationalizing the research aim stated above:

- 1) To examine the planning legislative and regulatory frameworks and the extent to which they engage with food as an issue.
- 2) To analyze the role and scope of the planning and regulatory framework for food production in Epworth.
- 3) To investigate the role of the regulatory framework and their effect on grinding mills as part of food processing in Epworth.
- 4) To investigate the role of the planning regulatory framework on food retailing in Epworth.

### **1.5 Research Questions**

The study poses the following key questions:

- 1) What are the laws, policies, by-laws, plans that affect food production, processing (mainly maize milling), and food retail?
- 2) When were these laws, policies, plans and by-laws enacted?
- 3) What type of environment do these laws, policies, plans, and by-laws envisage?
- 4) What connection exists between land-use planning and food production processing and retailing?

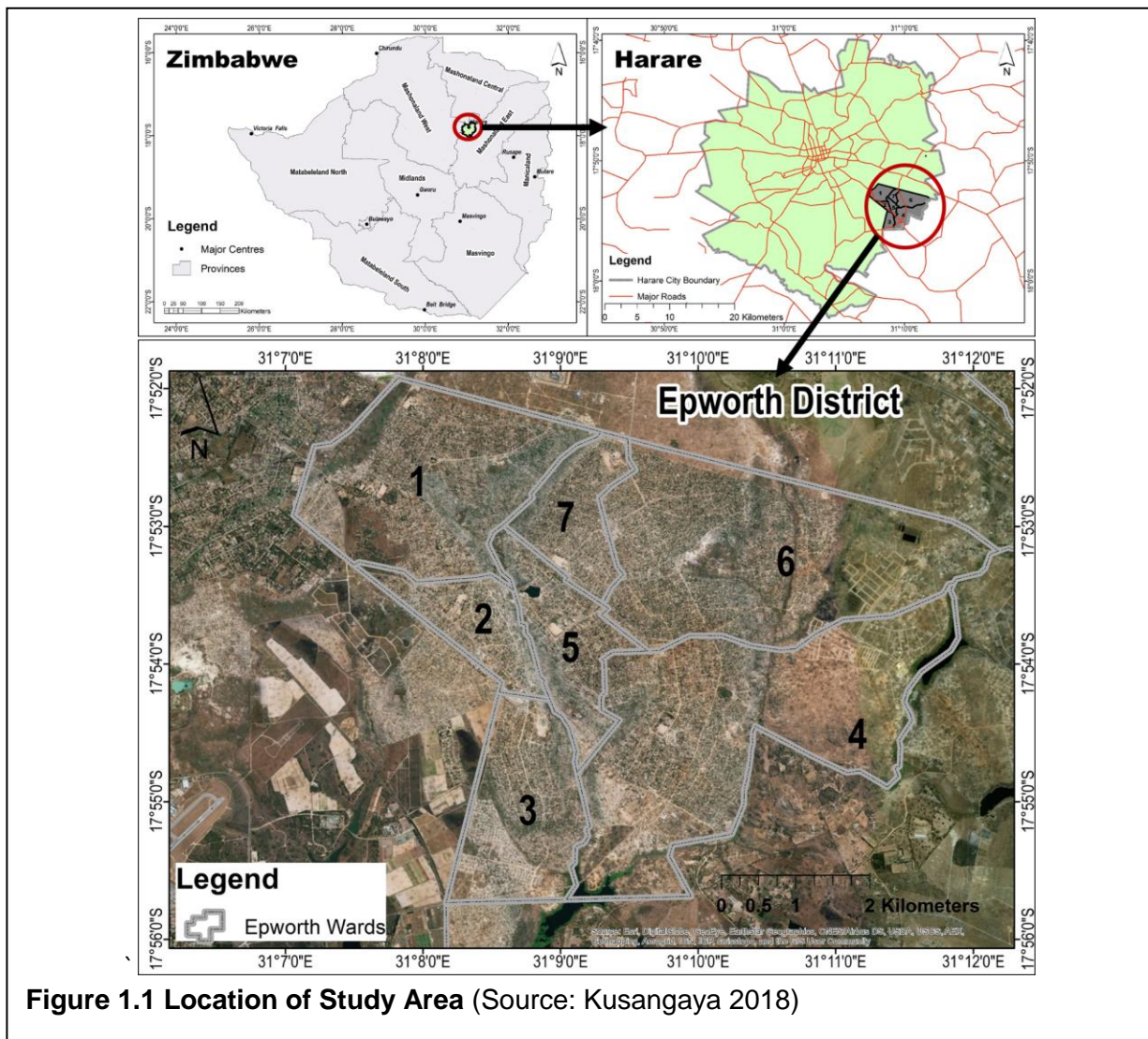
- 5) How does the planning practice in Zimbabwe affect urban food production, processing and retailing?

## **1.6 Epworth: The thesis setting**

The study focused on the case of Epworth. Epworth is an urban settlement which developed mainly due to its proximity to Harare. It is located about 15 kilometres to the southeast of the city centre, just beyond the low-density area of Hatfield. It falls within the Harare provincial boundary. Although Epworth falls within the Harare municipal boundaries, it is recognized according to Zimbabwe's Urban Councils Act (GoZ, 1996a) as an independent and legal urban settlement. The urban area is also considered a complete administrative district, which is the third administrative level after national government, followed by province, then district. The land on which the suburb is situated was donated by Cecil John Rhodes to the Wesleyan Methodist Mission Trust in 1900 (Butcher, 1986; Rakodi, 1995). Historically, the church in turn allocated some of the land to inhabitants of the area who were mainly subsistence farmers. This was the case until the early 1970s when the church opened up the area to the many refugees who were fleeing war in rural areas. Although early refugees came from the surrounding rural areas of Seke and Goromonzi, the intensification of the war across the width and breadth of the country resulted in refugees from faraway places fleeing to Harare which was considered relatively safer than the smaller towns which they passed through. When they could not find opportunities in Harare, most of the people settled in nearby Epworth. Thus, today the residential settlement of Epworth accommodates people from various parts of the country. Around 1986 the challenges associated with the settlement reached a point where the church could not manage the fast-growing urban settlement. They handed over the settlement to the government who did not incorporate it into Harare but instead appointed a local board to administer the settlement (Butcher, 1986; Chatiza and Mlalazi, 2009).

Epworth is a fast-growing urban area characterized by high levels of poverty and food insecurity (Tawodzera, 2013); the population of Epworth according to the 2002 population census was 114067 but this increased to 167462 according to the 2012 census (GoZ, 2002, 2012). The proximity of the settlement to Harare has offered the inhabitant with a number of 'arrival city advantages' for example easy cheaper and

less regulated access to urbanization (Chatiza and Mlalazi, 2009). In recognition of Epworth's informal origins, the Government of Zimbabwe decided to upgrade it rather than take its well-documented approach of demolishing unplanned settlements (Butcher, 1986; Matovu, 2000; Chenga, 2010; Dialogue on Shelter, 2012). Epworth is also an interesting case study since it follows defacto by-laws from Harare. Whilst the Harare influence can be explained by the geographical proximity, the by-laws for Harare were enacted for a different population and this raises issues of relevance due to the difference between the socio-economic reality of Harare and that of Epworth. Figure 1:1 shows the geographical location of Epworth in relation to Harare as well as other urban and rural areas in the country. It is an autonomous urban settlement as well as an administrative district.



## 1.7 Definition of Key Terms

**Food security** – is ‘when all people, at all times, have physical and economic access to sufficient, safe and nutritious food to meet their dietary needs and food preferences for an active and healthy life’<sup>2</sup>

**Food system** – is the chain of activities connecting food production, processing, distribution and access, consumption, and waste management, as well as all the associated supporting and regulatory institutions and activities (De Zeeuw and Drechsel, 2015).

**Food Production** – means growing of plants or raising of animals used for food. It also refers to where food is produced, whether within one’s property (on-plot) or in some open space or reservation (off-plot) (Mougeot, 2000).

**Food Processing** – Processing means changing plants or animals into what we recognize and buy as food. Processing involves different steps for different kinds of foods. In this study, the processing is however only limited to the grinding of maize into the staple food maize meal.

**Food Retailing** – in this thesis refers to getting food from the seller to a consumer.

**Regulation**<sup>3</sup> – is any instrument by which governments, their subsidiary bodies, and supranational bodies (such as the EU or the WTO) set requirements on citizens and businesses that have legal force.

**Spatial planning** – involves ensuring the orderly and functional arrangement of uses of space to ensure observance of public interest, being community-driven and enhancing quality of life.

## 1.8 Thesis Structure

The thesis is structured as follows: Chapter One provides an introduction and background to the study. Chapter Two discusses and examines key literature and relevant theories informing the study around food, food systems, urbanization, and land use planning. Chapter Three sets out the methodology of the study and justifies the methods used to collect data. Chapter Four conducts a high-level examination of the country’s policy, regulatory and legislative framework with a view to finding out

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<sup>2</sup> Definition adopted at the 1996 World Food Summit in Rome.

<sup>3</sup> OECD (2010) definition

whether they engage with food as an issue. Chapter Five analyses the role and scope of local food production in Epworth. Despite the fact that Epworth started off with both residential and agricultural uses, the settlement has become so densely populated that this chapter examines the types and spaces for food production that now takes place in Epworth and how that plays out with the regulatory framework.

Chapter Six unpacks the Epworth food processing system focussing on the function and operation of grinding mills as key infrastructure for processing staple maize milling examining their prevalence and how the regulatory framework views their operations. Chapter Seven examines the nature and characteristics of the Epworth food retail networks and nodes, both formal and informal by analyzing them through the regulatory framework. Chapter Eight revisits all the issues raised in the empirical chapters (4-7) and discusses the major themes and common threads. Chapter Nine then draws conclusions and indicates the areas in which the thesis contributes new knowledge.

# **Chapter 2: Literature Review and Theoretical Frameworks**

## **2.0 Introduction**

This chapter presents a review of literature that informs the study. The chapter engages two main bodies of literature namely planning literature and food systems literature within an urbanizing context. The planning literature explores the failure of rational planning and looks at planning theories and practices that are relevant to urbanization trends and characteristics of the global South urban areas such as Epworth. The food systems literature starts with looking at the three components of food systems whilst acknowledging the informal nature of urban livelihoods. Planning literature here includes planning practice and all its attendant tools such as laws, policies, and plans. The literature starts by looking at the urbanization trends and how they present challenges to the management of those cities. Planning is one important tool of urban development and management. The chapter demonstrates problems associated with the conventional rigid planning paradigms and how it has largely failed to work for the poor and weak members of society. The literature also exposes how the planning profession has not meaningfully considered food in its practice. The review also tackles the related urban issues that affect food security such as employment and informality as well as the debates on food production and its role and potential in sustainable food provision and access. It concludes with a discussion of whether there is a link between food and land use planning.

## **2.1 The Urbanization Context and Challenges**

As noted in Chapter One, Africa is undergoing rapid urbanization. It is estimated that the urban population of the continent will reach 66 percent by the year 2050 (UN, 2014; UN-Habitat, 2015). Unlike most regions of the world where urbanization has translated to improved standards of living, in Africa the rapid urbanization is being driven by poverty (Tawodzera, 2013; UN, 2015; Rogerson, 2016). Most of these cities face a plethora of challenges in the areas of infrastructure, housing, informality, governance, and food security (Kamete, 2009; Battersby, 2013; Pieterse and Parnell, 2014; Muchadenyika and Williams, 2017; Crush and Frayne, 2006). Academics have described urbanization in Sub-Saharan Africa as a 'state of crisis' (Parnell and Pieterse, 2014) requiring innovative urgent planning policy and regulatory attention.



Unfortunately, authorities in many parts of Africa seem 'reluctant' to face up to the fact that most of their current and future governance challenges will be urban (Bass, 2006). It appears the leaders lack a sharp vision about cities. The emerging urban challenges are compounded by a 'deep ambivalence towards urbanity' (Parnell, Pieterse, and Watson, 2014:233). In addition to the reluctance to realize the growing importance of urban areas, most local governments and planners have not drawn useful lessons from planning theory and practice. It is clear that informality has grown significantly in many African cities (SAMP, 2014). Unfortunately, Roy (2005:150) observes that 'the relationship between informality and planners is complicated'. Whilst clearly informality is now an 'epistemology of planning', she notes a contradiction: 'engagement with informality is in many ways quite difficult for planners (Roy, 2005:155).

Planners rather see informality as 'gray spaces' (Yiftachel, 2009) distinctively different from the 'white' spaces that are acceptable and 'legal'. Other planners feel these spaces where informality thrives are 'pathological' and must go through a process of 'normalisation' (Kamete, 2012). Despite the challenges and realities of urbanization in the region, supportive policies and inclusive planning is absent from the agenda of policy makers (Rogerson, 2016).

The growing importance of the informal sector is another contextual reality of urbanization in the developing world. Understanding and unpacking informality is important because one of the challenges of urbanization in Africa has been the failure to accept informality as a new urbanization reality. Due to the importance of informality in this thesis, it is important to discuss the urban informal sector to some depth as it has been identified as critical to resolving most of the socio-economic challenges prevailing in cities of the global South (Roy, 2005; Kamete, 2009; Skinner and Watson, 2018).

Informality has become a reality of cities of the global South (Roy, 2005; Kamete, 2008). According to Bromley (2000), municipal authorities globally typically adopt one or both of the following approaches in dealing with the informal sector; attempting to remove the sector or ignoring its existence. Both approaches are

problematic in that they both stand in the way of the progression and growth of the sector as they expose the sector operators to disruptions and other negative behaviors such as bribe taking by officials (Chen, 2012).

Another observed obstacle to the growth and development of the informal sector is its misplacement in terms of management. In many instances the management of the informal sector is put under enforcement minded departments such as the municipal police or health where the starting point is a negative desire to stop or over-regulate the sector operations (Mitullah, 2004). There is need to reconsider the regulatory framework for the sector and in doing so there is need to consider the appropriateness of regulations rather than assume one set of regulations will suit all sectors in the same manner (Chen, 2012).

Other scholars also argue for the need for legal protection of the poor's entrepreneurship without which the poor's assets remain 'untapped' (de Soto, 2000). Chen (2012:19) argues that to improve the plight of the informal sector, authorities must 'increase the positives' and 'reduce the negatives'. She further singles out urban planners as key to the process if only they recognized that the informal sector is the 'main generator' of jobs in much of the developing world. She notes the anomaly that often occurs where urban planners fail to address urban informal livelihoods when they upgrade informal settlements. These ideas are echoed by Rogerson (2016) when he notes that supportive planning policies are generally absent from the agenda of policy makers. Using data on how authorities have dealt with informal traders in Harare, Rogerson (2016) foresees an 'unpromising future' for the informal traders

### **2.1.1 Urban Food Security and Poverty in Africa**

There is evidence to show that urban poverty is driving the urban food security challenge (Cohen and Garrett, 2010; Beall, 2004; Maxwell, 2006). The proportion of the world's poor living in urban areas is increasing, not simply because the poor are urbanising faster than the non-poor but because the conditions in many urban areas drive many existing and new urban residents into poverty (Battersby, 2012). Poverty and hunger therefore require special attention in Africa to improve the position of the many poor people who reside on the continent (Holt-Gimenez and Patel, 2009:130).

There is therefore need to understand the drivers of hunger and poverty to develop appropriate responses.

Harare's food security situation is as dire as that of much of the region. Three quarters of Harare's poor households were found to be surviving on multiple income sources (Crush, Horvoka, and Tevera, 2010). In conditions of economic difficulties such as have prevailed in Harare over past decade, the poor have resorted to using many strategies including 'socio-cultural linkages between the city and the village' to cope (Tawodzera, 2013; Potts, 2010). Urban food insecurity has become a 'chronic' problem of the poor who spend as much as three quarters of their incomes on food (Maxwell, 1999). Whilst building on the well-documented existence of the linkage between urbanization and the above challenges, this thesis uses that as the setting in which the untold story of urban planning and its regulations adding on to a plethora of existing urban challenges is revealed.

The issue of food is closely linked to the rights and freedoms of people in affected areas. 'Food sovereignty' is a concept advanced by La ViaCampesina (1996). They define food sovereignty as the right of nations and peoples to control their own food systems, including their own markets, production modes, food cultures and environments. The concept envisions an integrated, democratised, localised food production model. A localized food production model in African cities has not been fully accepted by many local governments across the continent (Rakodi, 1988; Mbiba, 1995; Mkwambisi et al, 2011; Battersby, 2013). Literature on current planning practice and regulations particularly in the global south tends to frame it as excluding the poor and their needs (Watson, 2009; Kamete, 2010). This is contrary to the right to the city concept that advocated for equal access to urban space by all classes (Purcell, 2002). Although food production, processing and retailing are key in addressing food security as aspects of the urban food system, a comprehensive understanding of their importance remains remote in the global south. It is important to highlight that it is not only in Africa where understanding the linkages between planning and food is a problem: Even in some contexts within the developed countries such as Australia similar gaps in understanding of the issues still exist. The example of Victoria in Australia is summarised by the observation by Budge and Slade (2009:6):

... generally the links between land use planning and food security are poorly understood, inadequately articulated, and not readily apparent to most people, let alone to many persons who operate in the separate fields of land use planning and food security. Food security and the specific links to land use planning is not recognised by any structure or defined roles and responsibilities in government generally or local government specifically. Nor is it explicitly recognised by any legislative or policy mechanism. For many people and organisations the link between food security and land use planning is still either too long a bow to draw or their field of perception is too narrow in terms of root cause and effect.

The relevance of a study that seeks to understand the relationship between food and urban planning as observed through the lens of planning and regulations is therefore critical not just in Epworth, but in many contexts as well.

## **2.2 Planning Definitions and Purpose**

Planning as a discipline has been defined in two broad ways, that is either in relation to the management of space, or as a governance tool. It has been defined as 'the ordering of space' (Kamete, 2009). It has also been defined as 'the formulation, content and implementation of spatial public policies' (Watson, 2013). Planning has also been given an even broader definition where it is referred to as 'all public policies which affect urban and regional development, zoning and land use, or what is often called public production of space' (Yiftachel, 1998:2). Planning is concerned with creating 'orderly environments' which are assumed to in turn 'enhance living conditions' (Fainsten, 2000). It has also been framed as 'progressive' at times 'reformist' but oftentimes promoting a 'modernist' agenda (Dear, 1986; Hall, 1988). This thesis adopts Yiftachel's (1998) broad definition of planning as it considers many laws and public policies as planning tools.

Although planning's main purpose is to serve the 'public interest' (Faludi, 1973; Wekwete, 2006), there has been contestations in terms of whose public interest. There is a large body of literature that shows planning as a negative force or as a failure to address society's challenges or to live up to its noble intentions of being done in 'public interest' and for the common good (Watson, 2003; Pieterse, 2008; Kamete, 2009;

Yiftachel, 2009). As a result of its perceived failure, 'planning as a discipline and as a profession has been increasingly challenged' (Yiftachel, 1988:24). In a later publication Yiftachel examined the 'dark side' of planning and exposed planning's 'regressive and oppressive functions' and described it as a 'project of the elites'. Its results were 'social oppression, economic retardation, male domination and economic stagnation' (Yiftachel, 1998:2). Oren Yiftachel constantly criticizes planning for its insensitivity to special sector needs such as the poor, the oppressed, and gender. His work seems to poke holes into all the supposed virtues and aims of planning.

Planning is also affected by politics. There is therefore a political dimension to planning in general including food production processing and retailing. This phenomenon is explained by Muchadenyika and Williams (2017) when they concluded that there are a lot of essentially political dynamics that affect the practice of planning. Kamete also exposes this political dimension as power dynamics that cause planners to be influenced by politics. As a result, there are many planning decisions that are influenced by politics (Kamete, 2009 and 2010). Mbiba's urban agriculture work also found producers who were linked to political parties as a strategy to access urban agriculture land (Mbiba, 1995). In other conflicts over land in Harare, many farmers were reported to resort to political patronage in an attempt to gain leverage in resolving land disputes (Taru and Basure, 2013). The effect of politics in planning becomes even more complex and toxic in a contested environment as that which exists between Zimbabwe's two main political parties, ZANU PF and MDC (Muchadenyika and Williams, 2017). Planners operating in such spaces may also be forced to make decisions that are biased towards either of the political forces.

Commenting on the then UN-Habitat Executive Director's call for planning to be 'inclusive' and be a tool for solving urban challenges (Tibaijuka, 2006), Vanessa Watson laments that planning is part of the problem because it appears the 'planned city' rather than benefit all, tends to 'sweep the poor away' (Watson, 2009). Whilst the intentions of planning appear noble, the profession has not delivered as intended. This failure of planning to deliver has led to shifts in planning theories in response to criticism of the theories. The section below discusses how planning developed and why the rational scientific planning fell out of favour. Planning theory evolution helps

to explain these shifts and so the section will further review how the normative theories that followed also failed to fully address public expectations.

### **2.3 The Critique of Rational Planning in Africa**

Traditional planning approaches also known as 'scientific rational planning' have their roots in the west, particularly Europe and North America (Huxley and Yiftachel, 2000; Watson, 2009; Miraftab, 2012). These planning approaches found their way to the global South through colonialism, planning education and skills transfer (Roy, 2005; Watson, 2009a; Watson and Odendaal, 2013). In the colonial cities rational planning appeared to work because it was masked by influx control regulations and segregatory systems that catered for interests of the minority. The rational planning failure was exposed when most of the colonies gained independence and different interest groups pushed for their right of belonging (Potts, 2008; Simone, 2010; Watson and Odendaal, 2013).

Planning practice in the global South remains dominated by the spirit of the 'ideal image of a modern British town' and has continued to use planning legislation that the British have since abandoned or improved on (McAuslan, 2003; Skinner and Watson, 2018:145). The African city retains 'relics' of colonial periods that demonstrate an attachment with old concepts such as 'garden cities', large parks, and traffic plans dominated by the use of the car (Parnell et.al, 2009; UN-Habitat, 2009).

It is not only the old notions of the garden cities and the modernist 'beautiful' cities that have continued to shape the African leaders' vision of urbanity but the rhetoric of the new 'world class cities' as well. There is a new drive to achieve 'world-class' city status even for cities battling to provide basic services such as water, sanitation, and housing (CoH, 2003). Watson (2014) questions whether these grand visions shaped by 'world-class cities' such as Dubai, Shanghai or New York are realistic dreams or 'nightmares' as they do not reflect the living conditions of their people. One of the 'striking' features about African cities are that 'colonial regulatory frameworks have never been amended to take account of contemporary urban pressures' (Parnell et.al, 2009:238).

The law is particularly important in African cities as it has been the planners' most important tool of governance and has been used and 'abused' extensively (Kamete, 2012). In fact, planning law is said to have a 'poor record in Africa' and has been noted to give 'oppressive regimes, whether colonial or independent, with useful legal mechanism for restricting social and economic opportunities for most people' (Berrisford, 2011:215). During Zimbabwe's 2005 extensive urban demolitions also known as Operation Restore Order, the law was also referred to as being violated by the victims of the demolitions (Potts, 2008; Kamete, 2012). The law is however generally seen as unfair and unreasonable as it does not consider the reality of poverty, unemployment, and other challenges affecting cities of the global South (Guha-Khasnabis, 2006; Watson, 2009a; Crush et al, 2015).

The modernist approach to planning where master planning and zoning are the main tools for separating uses and legitimizing or criminalizing certain uses led by technocratic and authoritative planners who were assumed to know 'public interest' has not helped bring the desired order, equity, or efficiency in cities of the global South (Watson, 2002; Kamete, 2010). The entrusting of public interest in certain individuals has been criticized and has not worked. This approach has been criticized as further disadvantaging certain groups as well as advancing interests of global capital and the rich whose values and intentions may be out of place in most cities (Flyvberg, 1998; Forester, 1999; Devas, 2001; Innes, 2004). Some academics have blamed the planning profession for its role in 'policing' development and determining what is legal and illegal and ultimately what is legitimate and illegitimate in an unreasonable manner (Roy, 2005; Kamete, 2012).

There is an argument for the need to rethink the ideal city of the global South that brings to the table a new planning paradigm that recognizes the reality of poverty, informality, and unemployment (Simone, 2000; Potts, 2008; Parnell et.al, 2009). This adoption of a planning approach that is rooted in a typical western city has been challenged as inappropriate (Watson, 2009a). Rather there was need to think planning theories that were grounded in the 'African Metropolis' (Mbembe and Nuttall, 2004). Kamete is especially critical of planners and questions the power of planners in African cities. He suggests that there is need for 're-orientation' of the current crop of planners

who he sees as operating out of sync with their communities' lived reality (Kamete, 2012).

Having discussed how literature generally frames rational planning as failing to meet the challenges, needs and realities of the global South highlighted above, the next section discusses a few normative theories of planning and evaluates their relevance and usefulness in addressing African planning and urbanization challenges.

## **2.4 Normative Theories of Planning**

This section explores some theories of planning that have shaped debates on the practice of planning. The entry point is the normative theories which took root after the fall of the 'rational scientific planning influenced by growing disillusionment with modernist thinking and technocratic planning' in the west (Watson, 2002:29). Three strands of the normative theories are explored; the communicative theory, the just city theory, and the co-production theory. These theories are explored for their relevance in an attempt to identify planning approaches that could best explain and address the urbanization challenges in an urban area such as Epworth. The discussion will conclude by looking at the arguments built on the inadequacies of the mainstream normative theories and elements of the normative theories mainly driven by planning theorists from the global south.

### **2.4.1 The Communicative Theory**

The twin challenges of failure to communicate with citizens and limited democratic space motivated the communicative theories of planning. The communicative theory has its roots in Habermas's 'liberalism' (Watson, 2006). Habermas believed in the possibility of 'rational consensus-formation' and that people can genuinely discuss until a common acceptable solution is found (Hillier, 2003). The underlying argument in the communicative strand is that communication is the 'most important' aspect of planning (Healy, 1999). According to the communicative theory, the key elements that makes planning a success include interaction, communication, discussion and debating, all influenced by Habermas (Healy, 1992; Forester, 1989). Patsy Healy argues against the 'narrow' democratic space accorded to other actors in the traditional rational planning approach and advocates for 'democratic pluralism'



underpinned by debate as a way to find consensus. Whilst she acknowledged that people and interests differ, she still believed that through debate, a common position could still be reached that benefits all stakeholders (Healy, 1992; Graham and Healy, 1999). The communicative theory is also supported by Innes who touts the 'communicative turn' as a 'new paradigm' in planning with potential to deliver improved planning as it was based on 'grounded theorizing' (Innes, 1995).

The communicative theory is not without its critics. Hillier (2003:38) criticizes the communicative theory because of the 'permanence of conflict, non-reciprocity and domination' amongst some players in the planning process. Huxley and Yiftachel (2000) criticize the communicative theory particularly the way it 'overstated' the achievement of consensus. They argue that although the communicative turn seems to assume a break from rigid rational planning, the reality indicated that not to be entirely true. Huxley (2000) further refutes the assumption of argument as a basis to finding planning solutions. It is not always the best idea that is best articulated. Some of the most fluent and influential people do not necessarily have the best ideas for communities. For much of the global South and Sub-Saharan Africa where the public is rarely consulted in planning and the democratic space remains constrained, the communicative turn however could be useful in reflecting how planning occurs and should occur.

#### **2.4.2 The Just City Theory**

Another strand of the communicative theory that may be relevant in interrogating the appropriateness of current planning approaches of global South cities is Fainstein's 'just city' theory. Her work is influenced by a concern for the 'distributive effects' of planning. Fainstein's just city has elements of and relates to Henri Lefebvre's 'right to the city' (Purcell, 2013). Lefebvre's right to the city theory was about access to urban spaces by all citizens. There are similarities between the earlier 'right to the city' theory and Fainstein's just city theory in that whilst Lefebvre asserted the right to the city, Fainstein articulated how communication is key to achieving that right. The right to the city can only be meaningfully achieved if and when all stakeholders are actively involved and participate in their governance. 'A theory of the just city values participation in decision making by relatively powerless groups and equity of

outcomes' (Fainstein, 2000:468). This like other communicative strands arose from a criticism of planners for being 'undemocratic by not consulting the people most directly affected by their planning initiatives' (Fainstein, 2005:123; Teitz, 1996; Hall, 1996). This was built on a 'post-Marxist political economy' that assumed that the transformation of communities can be developed from the 'bottom-up' (Fainstein, 2005).

Fainstein uses the City of Amsterdam as a typical model demonstrating elements of a just city (Watson, 2002). Whilst believing in the power of communities to motivate their planning processes, Fainstein however concedes that some 'marginalized' societies may require certain individuals to advocate on their behalf. Her departure from the mainstream communicative theory is her acceptance that just processes were not necessarily a panacea to just planning products (Fainstein 2009 and 2010). In an environment with a poisoned, contested and largely undeveloped democracy such as Epworth, this theory could be an interesting perspective from which to look at the appropriateness of planning regulations to food production, processing and retailing. An attempt to achieve a just city could be useful in influencing fair and inclusive planning in Epworth.

### **2.4.3 The Co-Production Theory**

One way to understand the way residents or citizens in a city engage with authorities and participate in its development is through the co-production theory. The co-production theory has its origins in the work of the homeless people's federations. Mitlin (2008) argues that coproduction is advantageous as it helps prepare citizens for more effective and sustainable engagements with the state. This view is supported by Albrechts who also asserts that 'it prepares citizens and grassroots organizations for a more substantive engagement with the political system' (Albrechts, 2012:48). Inherent in the co-production theories is the sharing of space by bringing together different parties affected by planning. Also, a common thread in this form of engagement is the avoidance of a radical approach rather embracing incrementalism, adopting an 'evolutionary approach', and embracing 'social learning' (Watson, 2014).

Due to intended spatial planning upgrading and regularization plans, and co-production's adoption of strategic planning approaches offer hope as they address practical 'immediate needs' of communities, give a role to communities, and are geared towards 'solution generation' (Albrechts, 2013). These newer approaches to planning bring in two important dimensions: Firstly, an acknowledgement that both authorities and citizens are important in achieving sustainable planning; secondly, they achieve the bringing together of authorities and citizens in a gentle rather than a radical manner. This could prove more effective as it does not appear to threaten either party's position hence more likely acceptable and beneficial. For low-income groups such as is the case with Epworth, the approach also offers a realistic mode of development.

#### **2.4.4 Need for Southern Context to Theory**

It is a fact that all the theories of planning have their origin in the north specifically Europe and North America and their application to cities of the global south is not always a perfect fit (Kamete, 2004; 2010; 2012). As a result of that scholars from the south have largely criticized the normative theories and come up with views 'from the south' (Watson, 2009a; Roy, 2005; Watson, 2014). There is need to consider the different nature of rationalities motivating the positions and approach those planners or supposed beneficiaries of a planning service operate in. Watson (2003) refers to this as a 'conflict of rationalities'. This thesis leans towards the latter group of scholars who accept the efficacy of normative theories in understanding and shaping planning but recognize that a 'view from the south' is important. The thesis therefore adopts the hypothesis that the planned city 'sweeps the poor away' (Watson, 2009b) and therefore authorities must find ways of planning that responds to the views of the beneficiaries of planning. Perhaps the emerging co-production theories influenced by work in the informal settlements of India and South America remains an interesting theoretical perspective to suggest ways of engagement and planning in a settlement with strong informality such as Epworth.

## **2.5 The Conceptual framework**

This section lays out the building blocks shaping the thesis and discusses how these come out in literature and how they help develop positions taken in this thesis.

There are a number of past and on-going debates that have assisted in coming up with a conceptual framework for this thesis.

Food security and poverty was in the past mainly conceptualized as mainly rural (Maxwell, 2006; Battersby, 2013). Recent developments however show high levels of poverty and unemployment in many of the urban areas in the global South (Rogerson, 2016; Tawodzera, 2013). This means city authorities will have to focus more on urban food security matters due to the stated evidence of food insecurity, urban poverty and growing urban populations. This also challenges the traditional approach to food security which was production-oriented thereby missing the reality of food insecurity to individual households even when there is general food availability (Sen, 1981). The interplay of poverty, unemployment and food security shifts the way in which the drivers of food insecurity are examined. That food insecurity is now conceptualized as being driven by other less obvious factors influenced how this thesis pans out.

The conceptualization of city or urban planning as a public service meant to promote economic, social and environmental sustainability (Cassidy and Patterson, 2008; Dowding-Smith, 2013) is also important. Questions have been raised regarding what form planning must take in light of the rapid changes occurring in these spheres (social, economic and environmental). Are the plans that are being used relevant to the cities of the global South? The statutory blueprint plans such as master plans, town planning schemes, local development plans and layout plans are all tools frequently used by urban planning to manage urban areas (Roy, 2005; Kamete, 2012). Several scholars have argued that the plans continue to be disconnected to their intended purpose as well as reality of the lived experience (Watson, 2013; Chirisa, 2008). Planning being central to urban development and social inclusion, is expected to consider the challenges in urbanization today. These challenges are economic, social, and environmental (Tibaijuka, 2006). Unpacking the United Nations expectation as articulated by Tibaijuka above, planning is also expected to tackle food insecurity, climate change, inequalities in urbanization, poor economic performance which has led to high unemployment and increasing urban poverty as well as the deterioration of urban infrastructure. All the above challenges call for different approaches to spatial planning (Wekwete, 1989; UNECA, 2015).

In Zimbabwe land-use planning as in many similar planning jurisdictions is guided by legislation. The law determines how plans such as master plans, local plans, layout plans, and other planning tools are prepared in terms of both substance and procedures (GoZ, 1977; GoZ, 1996). Various laws bear testimony to this starting with the National Constitution followed by a host of other pieces of legislation such as the Urban Councils Act; the Regional, Town and Country Planning Act and the Environmental Management Act among other acts.

Whilst the Regional Town and Country Planning Act is the principal planning law, many clauses that impact on land management in other acts are also used by planners in their practice. For example, any planning near dams or major rivers must be guided by provisions of the Zimbabwe National Water Authority Act (GoZ, 2000). Similarly, any planning that may significantly affect the natural environment is subject to the provisions of the Environmental Management Act (GoZ, 2003). In regulating public and commercial buildings planners use guidelines set out in the Public Health Act (1996c). All these laws are used to shape and regulate activities in the urban built environment. They all therefore become planning laws.

The planning laws and regulations, in this regard, are put in place to promote sound public health and sanitation, order and harmony, environmental protection, accessibility (efficiency in transportation) and also to promote sustainable socially and environmentally responsible economic development (GoZ, 1996). However, there is no comprehensive literature that interrogates if urban planning laws and practice have considered food as an important planning matter. This is not just a Zimbabwean or African position; In a study of numerous urban planning publications in America, Pothukuchi and Kaufmann (2000) also found planning being a 'stranger' to food matters. The Zimbabwean laws however clearly focus on conventional urban land-uses which include housing, industrial/commercial, recreation and transportation planning (GoZ, 1977; GoZ, 1996a, GoZ, 1996b, GoZ, 2003).

Whilst food production, processing and retailing are rarely statutorily promoted, especially for the small-scale and informal sectors rather it looks as if planning only serves to prohibit at worst, or regulate it at best (Mbiba, 1994 and 1995; Drakakis-Smith, 1996; Moyo, 2013). An in-depth interrogation of how planning laws affects

urban food systems deserves academic attention. Land reserved as open spaces, wetlands, road reserves and other buffer areas (for rivers, dams, and sewer and power lines) have been occupied for food production, and at times even for processing and retailing (Mbiba, 1995). This may be because the law and land use plans do not explicitly provide spaces for such uses. Whilst the planning regulatory framework and spatial plans seem not to prioritize food, it has been argued already that an understanding and consideration of food and food systems in urban planning is important.

Amartya Sen's ideas on the link between poverty, famine and property rights are also useful in conceptualizing the interplay between food systems and planning regulations. Of particular significance is his 'food availability decline (FAD) thesis in his entitlements theory. He argued that 'famines occur if and only if there is a sharp decline in average food availability per head' (Sen, 1981:118). He used the three famines namely the Great Bengal Famine of 1943, the Ethiopian famine of 1972-4 and the Bangladesh famine of 1974 to highlight that overall food output was not the cause of deaths but individual circumstances within the people's 'endowment' as well as 'entitlement' sets (Nayak, 2000). In the endowment and entitlement sets he examined the basic legal rights of ownership and exchange. Sen's conceptualization of famines and their causes using the entitlements theory led to a fundamental shift in the manner food availability is understood and defined. It brought to the fore the 'plurality of causes' that led to a new understanding of why even under similar production outputs some communities suffer deaths from famine (Scalet and Schmidt, 2010). Sen's ideas especially the 'plurality of causes' is useful to this thesis. An understanding of Sen's thesis and Zimbabwe's planning regulatory framework becomes an interesting basis for examining the relevance of the role and practice of planning in Zimbabwe in food.

The planning theories that have been identified as relevant to this thesis in section 2.4 above are also useful in understanding the links with food in urban areas. The communicative theory encourages engagement as a progressive way to involve communities in their own planning. The just city theory reinforces the same by adding the importance of distributive justice in planning. The co-production theory provides for the establishment of roles for authorities and communities by bringing together regulatory authorities and those affected by planning. All these theories and their objectives find relevance in food systems planning and management. This thesis

conceptualizes food as a public good and in planning food systems, the approach must be well-communicated and be just. All that must be achieved in a collaborative framework between authorities and communities. How does Zimbabwe's blueprint planning incorporate the relevant planning theories?

Having looked at the general framework that governs food above, the thesis now proceeds to discuss the food system in the section below. The next section discusses the food system and the three food system components that are the subject of this thesis before proceeding to examine whether there is a connection between planning and food.

## **2.6 The Food System**

The food system consists of all processes and infrastructure involved in feeding a population; production, harvesting, processing, packaging, transporting, marketing, consumption, and disposal of food and food-related items (Smith, 1998; Pothukuchi, 2000; Ericksen, 2008). In Zimbabwe, most of the food studies that exist have focused on urban food production or urban agriculture (Mbiba, 1995; Bowyer-Bower and Tengeh, 1995; Mudimu, 1997; Toriro, 2009; Kutiwa et.al, 2010; Mutonhodzo, 2012). Few if any studies have attempted to consider food as a system. A literature search of food systems studies in Harare only found one publication that takes a food systems approach in Zimbabwe that was done way back in 1993. This was a study of how the poor were coping under the 1990s economic structural adjustment programme (Drakakis-Smith, 1994). The more recent work undertaken by AFSUN focusses more on the household. Whilst identifying the informal sector as the main source of food in Harare's poor areas and the existence of governance bottlenecks, the study did not examine the impact of planning on food systems (Tawodzera et.al, 2012). It is this gap that this thesis fills by examining the impact of planning and regulations on food production, processing and retailing. The following section discusses each of the three food system components.

### **2.6.1 Food Production**

Food production also known as urban agriculture refers to the growing of plants or raising the animals used for food as well as assets for some communities (Mougeot,

2000). It can be categorized into crop husbandry and animal husbandry, wherein crop husbandry comprises of grain crop production (maize, sorghum), vegetable gardens, horticulture (vegetables, fruits, flowers, herbs), legumes (beans, groundnuts), urban greening and beautifying the City, tubal and bulbs crops (cassava, sweet potatoes), as well as production of some plants such as mushroom and animal husbandry comprises of poultry for eggs and meat, cattle rearing for milk and beef, horses, goats and sheep, fisheries, piggeries as well as bee keeping (Moyo, 2013). Food production also includes the growing of food within residents' properties (on-plot) and in open spaces owned by authorities usually reserved for other uses (off-plot) (Mougeot, 2006).

There is considerable focus on urban food production and its role (Chaipa, 2001; Mougeot, 2000 and 2006; Redwood, 2009; Toriro, 2009; Crush, Horvorka, Tevera, 2011; de Zeeuw and Drechsel, 2015). The production focus is perhaps explained by the manner in which food has been framed as a 'predominantly rural problem that can be addressed either through the support of small-scale subsistence farmers, or as a national problem that can be addressed by increasing the productivity of large-scale commercial agriculture'. (Battersby, 2018:205). Both solutions proposed above are not urban as they both are located in a rural setting. This is what may have traditionally caused urban authorities to consider food as outside their focus areas.

In Mbiba's seminal work, whilst accepting that urban food production remained 'trivial' and 'neglected', he found the producers operating in a very repressed environment (Mbiba, 1995). He went on to question the logic for harassing the urban food producers given their 'positive' contribution to 'household economy, nutrition, and food' for some families. Whilst Mbiba's work (Mbiba 1994 and 1995) also mentioned the use of regulations to stop urban food production in passing, it does not demonstrate how an outdated, unresponsive legislative, policy and planning framework that is out of sync with the contextual reality, affects the production processing and retailing of food.

Authorities in the Southern African region have shifted their positions regarding urban agriculture. Whilst initially many of them regarded urban agriculture as 'illegal' and took radical actions to stop it, the position has changed significantly as a result of



lobby efforts by international NGOs that are working in the area of urban food (Koc et al, 1999; van Veenhuizen, 2006). There are now a number of cities that have developed urban agriculture policies including Cape Town, Bulawayo, and Ndola (Dubelling et al, 2010). However, this has not led to full acceptance of urban agriculture even in those cities with written policies (Battersby, 2018). This uneasy acceptance of urban agriculture is partly explained by its framing as 'rural' and 'backward' (Mkwambisi et al, 2011; Battersby, 2013).

However, it is important to dispel the rhetoric of urban agriculture as a panacea to urban food challenges. Besides it being a 'precarious livelihood' due to authorities' general 'ambivalence' about it (Battersby, 2018), urban food production on its own will not and cannot bring about urban food security (Drakakis-Smith, 1994; Kutiwa et al, 2010). However, for many local governments and NGOs, urban agriculture is mostly framed as the only solution to addressing urban food security. Haysom and Battersby (2016) argue that while many NGOs and municipal authorities have put in huge resources into urban food production, if towns and cities are to have sustainable food systems, they must look beyond urban agriculture because of its inherent weaknesses. This 'exaggerated' framing of the role of urban agriculture in an effort to address urban food security has been challenged by numerous academics (Crush and Frayne, 2010; Haysom and Battersby, 2016; Frayne et.al, 2016). They argue that it is not practical and is akin to 'putting all eggs in one basket' (Battersby, 2014). There is therefore need to look beyond urban agriculture for sustainable urban food security.

### **2.6.2 Food Processing**

Food processing involves a variety of activities all engaged to add value on the farming outputs from animal and crop husbandry, these include canning, grinding and various forms of packaging which makes the outputs from production consumable (Da Silva et.al, 2009). It includes the 'post-harvest activities adding value to produce prior to marketing' (Wilkinson, 2008:87).

The change in the types of processing of maize has part of its history in the control of grain in much of sub Saharan Africa. 'The history of maize in Africa is one of encouragement of maize production to feed an urbanizing population' (Battersby,

2018:208). The production and processing of maize was therefore carefully controlled through grain marketing boards that were found in many countries (Smale and Jayne, 2003). In Zimbabwe the controls over trade in grain and maize were removed during the years of the economic structural adjustment leading to the open trading of maize and the opening up of sources of milling (Jayne and Ruby 1993).

It is also important to note that processing has evolved over the years. From the 1950s to the early 1980s, the sector was dominated by government-led investment in large-scale processing. The period after the 1980s was characterised by liberalization and globalization of food (Reardon et.al, 2009). With globalization the scale remained large-scale, but smaller players began to enter the milling sector as economic structural adjustment programmes led to economic difficulties.

Grinding mills which are the focus of processing in this study have been studied before (Mbiba, 1995; Jayne and Ruby, 1993). The focus of the aforementioned scholars was on how the economic structural adjustment programme was impacting on grinding mills. If any studies have been done on food processing looking at scale and typology, nothing in Zimbabwe was found that sought to look at processing and how it is affected by planning and its legislation and policy frameworks.

### **2.6.3 Food Retailing**

Food retailing involves all the activities undertaken to make food products reach the consumers of food. These activities can be either formal or informal. Formal outlets are licensed shops operated by established formal retailers whilst informal outlets are mainly small-scale outlets in the streets and at homes operated by unlicensed or 'illegal' traders.

Historically food retailing was closely regulated by governments as part of the public-sector controls on food which characterized the 'pre-liberalization' phase in the 1950s up to the 1980s in sub-Saharan Africa (Reardon et al, 2009). This was done to prevent diseases as part of central government's control of the food system to ensure continuous availability as well as manage resources in the event of tough times such as famines (Duminy, 2018). This included many actors in the governance chain such

as political leaders, government technocrats, as well as trade associations (Smit, 2016). The planning legislative framework still reflects central control in many parts of Africa.

In Zimbabwe, the operation of different types of retail units is governed by a number of laws (GoZ, 1976; GoZ, 1996a and 1996b; GoZ, 2003). Literature showed that most of these informal food outlets sometimes have problems with authorities due to failure to adhere to regulatory requirements (Mitullah, 2004; Kamete, 2012; Tawodzera et al, 2012). Governments however cannot easily take radical actions on these food outlets even as they fail to comply with the regulatory requirements. Such actions against operators of these small-scale unregistered food stores may leave some areas of cities without adequate food provisioning. These spaces of food underprovisioning have also been referred to as food deserts (Cummins and McIntyre, 2002; Battersby, 2012). Context however matters. Battersby and Crush found out that ‘a simple focus on modern retail does not adequately capture the complex nexus of the African food desert.’ (Battersby and Crush, 2014:141).

There is also a well-documented growing importance of the supermarket as a supplier of urban food (Reardon, 2003; Weatherspoon and Reardon, 2003; Battersby and Peyton, 2014). Closely linked to the ‘supermarket revolution’ is the growing importance of shopping malls in Africa. These new malls are not just seen as convenient sources of food, but their rise is also attributable to the modernist project as they are seen as images of ‘urban development and cosmopolitanism’ (Battersby, 2018:209). Whilst the supermarket and shopping mall wave has also affected Zimbabwe (Crush and Frayne, 2010; Crush et al, 2015), the situation in Epworth remains grey with no literature found to be focusing on the food retail sector in a comprehensive manner.

There is widespread acknowledgement of the role of the informal sector in urban food retailing (Njaya, 2014; Drakakis-Smith, 1994; Tawodzera, 2013). Furthermore, it is acknowledged that informality is accentuated by poverty, and is recognized as innovation in the poor’s response to their difficult situation (Kamete, 2004; Mitullah, 2004; Chen, 2012). Battersby (2013) has argued that the informal sector is a response of the poor to capture the level of their ‘economic realities’ by

packaging in sizes that local people can afford as well as being accessible and opening flexible hours. Acknowledgement of informality in poor communities is therefore critical in urban planning and management. However, there appears to be a gap in literature of the specific link between the informal sector food security initiatives and the planning regulations. Some scholars consider the sector marginal and temporary and therefore incapable of playing a significant role in economic development (Sethuraman, 1981).

The consideration of the informal food retail provisioning as temporary and passing does not have empirical evidence. In fact, recent studies show an increasing importance of the informal sector in the food system (Da Silva et al, 2009; Crush and Frayne, 2010; Madevu, 2006). According to FAO (2007) as many as 2.5 billion people consume food supplied by people selling from streets on a daily basis. However, there are food safety concerns especially regarding the health and hygiene issues (Mukhola, 2007 and WHO, 2006) and these have been used by the authorities to remove traders from their work places (Battersby, 2018).

The safety and health issues have been widely documented in West African cities (Barro et al, 2006; Chukuezi, 2010; Okojie and Isah, 2014). Several scholars have identified training as the missing link (Omemu and Aderoju, 2008; Nurudeen et al, 2014). One common and recurring issue in informal food literature in West Africa is health and hygiene issues in street food. It is generally framed as lacking personal hygiene and therefore posing dangers to human health. The literature serves to justify authorities' reluctance to support informal food traders. It also justifies the action governments take against these traders. However, in spite of this negative picture, West African literature does not document as much negative and heavy-handed action taken by authorities. Zimbabwe also has several documented cases of authorities negativity towards informal food vendors (Njaya, 2014; Toriro, 2014; Tawodzera et al, 2019). Health considerations also in many instances disadvantage the poor as they are used in arguments against informality in food. The cholera outbreak in Zimbabwe brought that to the fore. The outbreak was partially blamed on 'informal markets' (Mason, 2009; Fernandez et al, 2014). The association of disease outbreaks with 'breakdown of services' leads to an unfair clampdown on the informal food sector as opposed to service providers (Chirisa et al, 2015). Whereas the major cause of cholera in Zimbabwe has been the breakdown of the water and sanitation services, authorities

have been quick to take action on the poor informal traders. Planners find it easy to use sanitation reasons to purge the poor from city spaces. They consider removing the vendors as a precautionary measure against diseases.

Whilst it is important to address safety issues in street or informal food, its importance must also be acknowledged in urban management (Simopoulos and Bhat, 2000). In a recent study of Harare, Njaya (2014) concluded that informal food vending is an 'alternative street economy' contributing to reducing unemployment and complementing existing livelihoods (Toriro, 2014). Street food is therefore a reality of most parts of Africa. Whilst approaches have differed slightly, more needs to be done in all cases to understand the operations so that relevant evidence-based regulations and policies can be crafted.

While the links between poverty, food insecurity, and urbanisation have been well-articulated in literature, there appears to be limited scholarly work on the role and impact of land use planning in the retailing debates. It has been stated at the beginning of this chapter that poverty is rampant in many cities of the developing world (Potts, 2010). Studies in Harare and Epworth demonstrate this phenomenon quite succinctly (Tawodzera et al, 2012; Crush et al, 2010; Stevens and Mugova, 2006; Chirisa, 2011). The situation of urban poverty also takes the dimension of high unemployment or under-employment. ILO studies in Zimbabwe have found falling levels of people in formal employment. For example, in 2004, there were 1,200,549 Zimbabweans in formal private sector employment but in 2008 only 480 000 had remained, with some having migrated whilst others moved to the informal sector (Luebker, 2008).

There has been a major shift from formal into informal sector employment (Njaya, 2014). Some sources place informal sector employment in Zimbabwe at between 80-90 percent of the working age population (Fewsnet, 2014). Although there are no specific figures for Epworth, its status and profile as a low-income largely informal settlement means that its situation is not better than the country averages. This thesis examines the interplay of the planning regulatory framework and its implementation in Epworth within a typical fast-urbanizing global South city under several urbanization challenges. All these make an examination of how planning regulations affect food retailing worthwhile.

Having discussed the three food system components that form the subject of this study, the thesis now proceeds to look at how a rigid planning framework hinders the functioning of sound food systems.

## **2.7 The Rigid Planning Paradigm as Barrier to a Sound Urban Food System**

Urban planning involves ensuring the orderly and functional arrangement of space in pursuance of public interest. It must also be community-driven and enhance the quality of life of all groups of citizens (Tibaijuka, 2006). For planners and the planning profession, public interest has always been a key consideration in ensuring planning benefits the majority (Kamete, 2012).

Public interest is however ever-changing and hence planning legislation must be evolutionary. This has however not happened in many countries in Africa (Berrisford, 2011). This is significant considering the political context within which planning is thriving in. The situation in most of Africa, including Zimbabwe, the spatial planning institutions adhere to a traditional rigid blueprint planning model which does not seem to adapt to different interests and ideas as well as changing times and circumstances (Watson, 2002; 2006; UNHabitat, 2015). Urban planning and policy responses to the obtaining challenges such as food insecurity, rapid urbanisation, housing shortage, transport problems, infrastructure decay, increasing urban poverty and water shortages among other urban challenges, have visibly not been very effective (Tibaijuka, 2006; Parnell, Pieterse and Watson, 2009).

Whilst there is consensus on the need for reform, it remains difficult to implement in practice (Berrisford, 2011). Changing circumstances have prompted not only new institutions but also a 'new notion of planning' that strives to regain its legitimacy, become more flexible, and adapt to the new social, economic, political and ecological circumstances (Roy, 2005; UNFPA, 2007).

Taking the current scenario in many African states where urban poverty is increasing with rapid urbanization and deteriorating economic growth, food security

increasingly becomes important (Crush and Frayne, 2010; Tawodzera, 2013). The need to understand food systems warrants attention. Due to the rigidity of planning legislation and other governance tools, the social innovations in the food system as lived by many African urban citizens are often informal and hence rarely treated as of significance (Kamete, 2010,2013; Skinner and Watson, 2018). The norm with informal approaches to urban livelihoods is to discourage such ventures yet they determine the survival of the urban poor which now contribute the bulk of urban citizenry with urban poverty so rife in Africa (Mitullah, 2004; Chen, 2012). This works against the principles of social inclusion and sustainability as some people are inherently being exposed to the ravages of poverty; planning failing to support eradication of poverty and extreme hunger.

It can be generally observed that the classical formal procedures of spatial development are often complimented by informal approaches that are more flexible (Freidman, 2011). The standards set for food production, food processing and even food retailing are seemingly not in line with the current state of the African Cities let alone Zimbabwean (UN-Habitat, 2014; Kamete, 2012; Njaya, 2014). It has been argued that what is required is a relook at the planning institutional and regulatory frameworks to embrace the contemporary public interest (Freidman, 2011; de Zeew and Drechsel, 2015).

The occurrence of many livelihood activities constantly named informal is a testimony of a changed public interest and reality; hence there may be a need for public planning to effectively develop a supportive regulatory framework in order to advance innovation in the urban food system (Mbiba, 1994; Chirisa et al, 2016). Perhaps there is need to look at planning theory for solutions. The communicative theory with its emphasis on engagement and debate as a basis for finding solutions could be useful in broadening the democratic space whilst bringing in inclusivity (Watson, 2002). Fainstein's 'just city' approach could also help by encouraging 'bottom-up' approaches in Epworth's contested spaces where the poor are voiceless (Fainsten, 2005). Albrechts's newer version of co-production which seeks to combine it with strategic planning is also useful as it allows for empowerment and a more pragmatic approach to service provision. Urban planning systems must serve as structural filters by processing social, economic and environmental challenges

(Albrechts, 2013). The changes in basic framework conditions whether social, economic, ecological, technological or cultural in nature, demand great flexibility from planning systems although a distinction should be made between comprehensive breaks and gradual adaptation strategies.

Having discussed the urban food system and how planning's rigidity can act as a barrier to the operation of sound and sustainable urban food systems, the thesis now proceeds to demonstrate that urban planning and its regulations must consider food systems for settlements to be sustainable.

## **2.8 The Nexus between Land-use Planning and Food**

Food systems are multi-faceted; have territorial, management, planning, social and political dimensions and nuances. The territorial dimension makes it a land-use planning issue which urban planners must consciously deal with; the food supply chain is spatial and hence is linked with spatial planning (Ladner, 2011; Morgan and Sonnino, 2010). Food production processing and retailing all occur in space and thus need land which is managed through urban planning and its various tools such as laws, master plans and layout plans (Mkwambisi et al, 2011). The spatially bound food supply chains comprise of farms (plots), transportation corridors, farm produce processing plants or industries and markets (Koc et al, 1999). Although urban food strategies differ from city to city, the common denominator is the intention to connect and create synergies between the public domains that include the environment, spatial planning, public health, economic planning and social planning which in one way or the other affect food supply and access (Wiskerke, 2009). Whilst this sounds the logical thing to do, literature does not have useful examples of this happening in many cities.

Although it is well-documented that man and urban food are bound together in cities, planning practice and its regulatory framework does not seem to embrace the same. 'The bond between man and grain dominated life in the ancient city' (Steel, 2009:15). They need each other because it is a fact that there is need for grain produce from sources that are stable enough to support the permanent settlements that cities are. The ancient settlements were surrounded by productive farm land and dominated



by large complexes that were effectively used as central food provisioning centres (ibid). Historically, the development of cities was intimately intertwined with the development of food and agriculture in the city region (Allen, 2003). Even the City of Harare's location was influenced by the capacity of the surroundings to provide food to the city (Zinyama et al, 1993). Much later on, the City of Harare's land use policy document, the Harare Master Plan (1993) set aside land for urban agriculture on the out skirts of city in areas such as Borrowdale (Chirisa et al, 2016).

Over the years however, this connection had been increasingly lost due to industrialization and rapid urbanization which has increased the demand for urban land for housing and other urban uses. Urban agriculture is considered a 'rural' use and hence is a weak competitor for urban land (Rakodi, 1988; Mbiba, 1994; Battersby, 2013). The need for housing and other urban developments consumed all the agricultural land. In Zimbabwe, this displacement of agriculture for housing was rife during the fast track land reform programme when the urban landless with the support of political leaders invaded the peri-urban farms (Muchadenyika, 2015). According to Marongwe (2003), there was a steady movement into and occupation of various forms of urban and peri-urban areas as the "landless" urban people took the opportunity and exploited the chaotic situation created by farm occupations countrywide. This affected urban food production as agriculture land was taken up by housing development (Toriro, 2007).

Urban policy development and planning increasingly got separated from policy development regarding food and agriculture and the planning and management of the ecosystem and natural resources in the hinterland of the cities (Marsden and Marley, 2014). Both land use planning officials and municipal authorities usually do not prioritize food and consider they do not have mandate for attending to food (Pothukuchi and Kaufmann, 2000; Freidman, 2011; Crush and Frayne, 2011). Although it is estimated that by 2050, twice the number of people on earth are going to be living in cities and that the world will find it difficult to meet its food requirements if it continues to plan urban human settlements giving a blind eye to food provisioning as is the case today, authorities and planners remain detached from food security debates. To them food security is a rural issue. Even in the new context characterized

by rapid urbanisation, food price hikes, dwindling natural resources and looming climate change (Steel, 2009; Tawodzera, 2010), authorities remain unmoved.

Perhaps they need to pay more attention to their role in facilitating the provisioning and access to food in their cities. There is more that urban agriculture could do to compliment rural food production (Redwood, 2012) even whilst acknowledging its limitations (Crush et al, 2011). The management of urban settlements must acknowledge that it plays an important role in meeting at least some of the basic food needs of urban residents. Planning must also address the whole food system value chain by addressing transport corridors, distribution and processing nodes, as well as different types of retail outlets (Crush and Frayne, 2010; Skinner and Watson, 2018). Planning must use all its tools to address the whole food system value chain. The laws, plans, policies, and practice must direct its energies on developing instruments and strategies that enhance rather than hinder the operation of the different food system components.

Evidence in cities demonstrates insufficient or token effort by urban planning to address urban food provisioning through land-use planning (Aamre, 2010). The current urban food deserts where people especially low-income people have little access to fresh, nutritious and healthy food are problematic and must be addressed (Rose et al, 2009; Tawodzera 2010; Battersby and Crush, 2014). Planning that is driven by a conscious vision to create affordable, convenient, and people-centred food systems can solve the identified problems of planners and a planning framework that is blind to food systems. It has been proved that this blindness of planners to food creates unsustainable settlements (Pothukuchi and Kaufmann, 2000). Rather there is need for an urgent integrated urban food policy that creates new linkages and new relationships between different stages and actors of the food chain to improve urban food provisioning and to create connections between environment, health, the economy and culture (Battersby, 2012).

Urban planning is mandated by global conventions, and local legislation and policies of various countries to consider sustainability in discharging its mandate (Marcia, 2004). Food security is a vital component of sustainability that warrants a conscious consideration of urban food systems in settlement planning and

development. Food is embedded in human lives socially, physically and symbolically (Steel, 2008). For urban designers such as architects and planners, the question of how to design and build must now be weighed against conditions in which finite global resources will play an ever-greater role (Kaufman, 2005).

## **2.9 The connection or lack of connection between food and planning in Africa**

This section discusses what literature says about planning and food and whether the two have been connected. A literature search revealed that very limited attempts have been made to link planning and food.

Significant literature was found on urban food in Africa. Whilst some of it was comprehensive covering urban food as a system, most of it only covered aspects of the urban food system. Much of the literature covered food production or urban agriculture and mainly cover its benefits and negative impacts as well as conflicts (Mbiba, 1995; Mudimu, 1996; Binns and Lynch, 1998; Tevera, 1999; Kutiwa et al, 2010; Moyo, 2013). Other scholars focus on informal food supplies and their importance in feeding cities (Crush and Frayne, 2010; Njaya, 2014). Some scholars question the rhetoric of the capacity of urban agriculture to feed cities (Frayne et al, 2014; Haysom and Battersby, 2016). Other food studies have revealed the ‘increasing urbanization’ of poverty and why understanding urban food security is now an important component of urban management (Tawodzera, 2010; Crush and Frayne, 2011; De Zeeuw and Drechsel, 2015).

Meanwhile most planning scholars have focussed on issues such as urban informality (Davis, 2004; Kamete, 2004, 2008, 2009 and 2012; Roy, 2005; Potts, 2008). Most of these scholars have dwelt on how planning is failing to accommodate and accept growing informality in the global South thereby threatening people’s housing and other livelihoods. Vanessa Watson has extensively written about the appropriateness of traditional rational planning as adopted from the north. She noted how formal planning tends to ignore and negatively affect poor residents of cities (Watson, 2003, 2009a, 2009b). She also criticizes African planners for their obsession with modernity and ‘world class’ cities referring to such dreams as ‘fantasies’ (Watson,

2014b). Other scholars have also criticized African planners for planning against the informal economy (Chen, 2012). The trend has mainly been to highlight the failure of planning to accommodate some social groups with one author remarking that there is no room for the poor in cities (Moyo, 2010).

There is little literature that connects planning and food. Whilst Mbiba's early work also identifies planning regulations as a hurdle to the success of urban agriculture, it does not go into the detail of how (Mbiba, 1994 and 1995). Perhaps Battersby's observation that planners do not accommodate urban food production because it has been framed as a rural use comes closest to creating a link between food and planning (Battersby, 2013 and 2018). There is very little that has been done to examine the 'processes through which urban food systems are governed' (Smit, 2016:80).

The literature examined presents a compelling case for scrutinizing the current food production, processing and retailing through the lens of planning. The impact of the planning regulatory framework on urban food systems has not been critically looked at; the effects of city authorities on urban food systems are yet to be explored. Examining the impact of planning and its attendant laws on food production processing and retailing in an area such as Epworth will go a long way in understanding how to improve urban food security in Zimbabwe.

## **2.10 Chapter Conclusion**

This chapter has examined the literature surrounding urban planning and its regulatory framework and food systems in Africa. It argued that the urban food issues have not been discussed comprehensively in ways to understand how urban planning has accommodated food systems and can incorporate food systems in their plans (statutory and non-statutory). The chapter has also discussed the roles and scope of planning and regulatory framework to food production, food processing and food retailing. There is need to clearly understand the manner in which the food system is impacted by the planning regulatory framework. The existing planning regulations and tools also seem not reflective of the current context in Africa of rapid urbanization, increasing urban poverty, informality and food insecurity.

The literature shows that there has not been comprehensive work that shows the impact of planning regulatory frameworks and food systems in a comprehensive manner. Yet it is clear that without understanding that link, planners and planning regulations will still impact on food systems sometimes causing unintended consequences. There is a clear gap in the manner the planning regulatory framework affects urban food systems. Whilst there is realization that planning has generally failed to respond to emerging challenges in the global South, there is no evidence that exists to show exactly how the regulatory framework affects urban food production, processing and retailing. This thesis fills that gap by contributing evidence on how the existing planning regulatory framework in Zimbabwe affects urban food systems.

The thesis is built upon the works of several scholars as discussed above. In a context of rapid urbanization, high levels of poverty, high unemployment, and high levels of food insecurity it challenges the extensive use of rational planning and modernist approaches to planning in the global South. The approach is influenced by Mbiba's acknowledgement of food production as significant to some urban citizens. It also adopts a food systems approach that realizes that it takes more than production but also processing and retailing efficiencies in order to positively impact on food security. The rational planning approach is used as the analytical framework to define legitimate and illegitimate land uses. Whilst influenced by advocates of consideration of contextual realities in urban management (Kamete, 2009; Yiftachel, 2006; Watson, 2009b and 2012; Roy, 2005) the thesis however acknowledges the important role of planning and laws in regulating urban areas.

Having engaged literature and theoretical issues that bring urban food security into an urban planning perspective as well as articulating the theoretical underpinnings of the thesis, the next chapter discusses the research methodologies used for this study.

## **Chapter 3: Research Methodology**

### **3.0 Introduction**

This chapter discusses the research methods used to collect the data that informs the thesis. It starts by briefly describing Epworth as the research site and its links to the adjacent city of Harare. It then proceeds to provide a philosophical guide to the research methodology before going into the specific detail of how the methods used for the study were used.

### **3.1 Research Setting: Epworth, Zimbabwe**

The study is in Epworth, a secondary urban settlement within the Harare Metropolitan province of Zimbabwe. It falls within the Harare municipal boundaries and is situated only 15 kilometres from the City of Harare central business district (CBD). Epworth was chosen for the thesis for two reasons: Firstly, the urban settlement has typical global South characteristics of significant informality, high unemployment, high levels of poverty, inadequate infrastructure, and is experiencing rapid growth. The findings could therefore be generalized as representative of most urban settlements in the global South. Secondly the PhD thesis was associated with the CUP Study that also focused on Epworth as an urban settlement. Epworth relies on Harare for economic sustenance, governance, and services such as water supply (Potts, 2010). Epworth was established in the 1890s as a mission farm by the Methodist Church (Butcher, 1986; Rakodi, 1995). The settlement grew organically as the missionaries allowed people that sought land to settle. This explains Epworth's irregular and largely informal urban form. Although it was handed over to the Government of Zimbabwe in 1986, the informality remained as government adopted an approach to upgrade the settlement (Chirisa, 2012). Government of Zimbabwe had wanted the City of Harare to administer Epworth since the settlement falls within Harare boundaries, but the city authorities refused asking instead that the settlement be upgraded before they could it take over (Chatiza and Mlalazi, 2009). An autonomous local board was then appointed to run the settlement. Epworth then became one of the recognized 31 urban settlements in Zimbabwe in terms of the law (GoZ, 1996a). Since the year 2000, the administration was constituted as a democratically-elected local authority with 7

wards. To date Epworth is now run by a governance structure known as the Epworth Local Board (ELB) (Dialogue on Shelter, 2012).

The setting of Epworth renders it a suitable case study site. Its characteristics are typical of urbanization trends in Sub-Saharan Africa: The population is rapidly growing. From approximately 20 000 in 1980 it grew to 114 067 in 2002, and then to 167 462 by 2012 (GoZ, 2002; 2012). There are many urbanization challenges including high levels of poverty, unemployment and informality in Epworth (Tawodzera, 2013; Chirisa, 2012). These characteristics make Epworth a suitable site for making an inquiry into the appropriateness of planning regulations on food production processing and retailing as the findings can be generalized to much of the global South.

### **3.1.1 The link between Epworth and Harare**

As explained in the genesis of Epworth above, it maintains strong links with Harare although it now enjoys some administrative autonomy as a settlement. Epworth gets its water supply from Harare. Many of the people in Epworth commute to work in Harare's industrial and commercial areas (Potts, 2010). More importantly, Epworth relies on planning and governance tools from the City of Harare due to geographical proximity and its own technical capacity limitations. The main statutory plan for land management, the Harare Master Plan, also covers Epworth. The settlement also uses and adopts most of the by-laws enacted by the City of Harare (ELB2, 2017). In terms of the hierarchy of urban settlements, Epworth belongs to the lowest tier of local governments known as local boards (GoZ, 1996a). This means it has limited capacity to plan and manage itself. Whilst existing as an independent local government, Epworth therefore maintains strong links with the neighboring Harare City Council.

## **3.2 Philosophical Perspective: Epistemology and Ontology**

In undertaking scientific or academic inquiry, research is guided by 'common beliefs' regarding what is reality and how you know it (Guba, 1990). This is also known as ontology (what is reality) and epistemology-how do you know something (Patel, 2015).

This study has elements that are of a positivist nature where measurements of phenomena is done and so some quantitative techniques are used. It also has aspects that must be interpreted and for those qualitative techniques are used. The study therefore takes a pragmatist approach by integrating quantitative and qualitative techniques. Table 3.1 below summarizes the link between research paradigm, ontology, epistemology, theoretical perspective and methods.

**Table 3.1 Philosophical Guide to Methodology**

<b>Paradigm</b>	<b>Ontology</b>	<b>Epistemology</b>	<b>Theoretical Perspective</b>	<b>Methodology</b>	<b>Method</b>
Positivism	There is a single reality	Reality can be measured	Positivism/ Post-positivism	Experiment or Survey	Quantitative
Constructivist / Interpretive	Reality is created by people	Reality needs to be interpreted	Interpretivism	Ethnography Grounded theory Focus groups	Qualitative
Pragmatism	Reality is debated interpreted	Best method is one that solves	Deweyan Pragmatism	Mixed Methods	Combine

(Source: Adapted from Crotty, 1998)

The thesis examines how the planning and regulatory framework for Zimbabwe's Epworth is appropriate to the lived experience considering the three food system components food production, processing, and retailing. The main method of inquiry was document and archival material analysis. Other methods also used were key informant interviews, household surveys, as well as identification, counting and mapping of grinding mills as food processing units. For the retailing component, the study made use of secondary data from the Consuming Urban Poverty (CUP) project in which the researcher was a team member.

Various documents used in the governance of food production, processing and retailing were used to compare what regulations say against the Epworth lived



experience. The key informant interviews targeted urban planners, Epworth administrators and other key stakeholders in settlement planning and management to assess their interpretation and implementation of the regulations and plans. Further primary data collection was done to see the actual positioning of sites being used for production and processing of food in the study area. Table 3.2 below shows the logic that informed the choice of methodology.

**Table 3.2 The Logic informing the objectives-methodology link**

Objective(s)	Research Question(s)	Methods	Data Sources	Research Instr
To assess the planning legislative and regulatory frameworks and the extent to which they engage with food as an issue	What does planning law, plans and policies say about food production processing and retailing?	Mainly <b>document review</b> of laws, by-laws, policies, plans.  <b>Key informant interviews</b>	Acts of Parliament, policies, plans  ELB, DPP, ZIRUP, COH, DRUP, EMA, ZINWA, NGOs, UN,	Interview Guide
To investigate the role of the regulatory framework and the planning of key infrastructure and plants for food processing in Epworth	How many grinding mills are in Epworth? Where are they located? How are they distributed? What is their planning status?	Survey of Processing Plants (Grinding Mills) Sample: All areas, use snowball method Document Review  Key informant interviews	Fieldwork (CUP Data)  RTCP,ELP, Reg Plans, Budget ELB, DPP, ZIRUP, NGOs, DRUP, EMA	Interview Guide
To evaluate the role of the planning regulatory framework in the retailing of food in Epworth	What types of retail facilities are available in Epworth? Where are they? Distribution? What is their planning status?	Survey of food Retail Units Document Review Key informants	(CUP Data) RTCP, PHA, Budget ELB, DPP, ZIRUP, DRUP, NGOs, UN	Checklist Interview guide
To analyze the role and impact of planning and regulatory framework for food production in Epworth	What food production systems exist in Epworth? How many owners produce fruits, vegetables, small animals, and maize? What does planning say about each of the above?	Survey of Stands to find production of fruits, vegetables, small animals, and open field crops  Planning Regulations Review Key Informants	Field work  Planning Documents ELB, DPP, ZIRUP, DRUP, NGOs, UN, Locals	Questionnaire  Interview Guide

### 3.3 Research Design: Case Study

This study is designed as a case study so as to undertake an in-depth investigation of Epworth. This was chosen because of its strengths in facilitating an in-depth exploration of a phenomenon (components of a food system through the lens of urban planning) within its context using a variety of data sources. Case studies provide ‘rich insights’ into a subject of inquiry (John and Rule, 2006). The use of multiple

sources of data comprising mainly document review but also including interviews, observation, and even physical artefacts allowed for triangulation of findings (Baran, 2010). This gave the researcher an opportunity to conduct a detailed analysis of planning legislation in relation to the chosen components of the food system in the context of Epworth. This study helped in understanding how planning laws, policies, regulations, plans and their interpretation are appropriate to the lived experience of the poor residents in those communities.

### **3.4 Research Paradigm: Mixed Methods**

The thesis adopts the mixed methods paradigm. This section briefly introduces all the methods that were used before going into a detailed discussion and justification in the sections below. The use of the mixed methods is justified by Creswell (2010) who argues that the blending of qualitative and quantitative research methods yields better results. This is because qualitative research complements the quantitative research; quantitative gives the statistical explanation to the findings being validated by the explanations got from the qualitative research. Mixed methods research is superior to monomethod approach due their capability to provide 'stronger inferences' (Molina-Azorin, 2012). Their use also leads to increased confidence in results generated (Clark and Creswell, 2008). Potentially they also lead to more 'comprehensive results' and 'increased conclusion validity' (Johnson and Christensen, 2004). Another advantage of mixed methods is their facilitation of triangulation of results where comparisons can be drawn from the outcomes of different methods used (Creswell, 2010). Denzin refers to this as the 'complementary strengths thesis' (Denzin, 2008).

The main purpose of the study was to analyse the planning regulatory framework. This is largely a qualitative process. There was however need to demonstrate some quantitative elements that help answer the research questions and the stated benefits of mixed methods helped solidify results.

The study was more inclined towards the qualitative approach because of its nature wherein the appropriateness of the planning legislative framework required more examination and explanation than quantification. The study mostly utilized document review, being a secondary data collection method, which produced

qualitative data. The analysis of the public documents was achieved through content analysis which is a qualitative research method. Content analysis is acknowledged as a method that is useful in evaluation of material in texts (Carley, 1997). It is systematic in that it uses inferences by 'interpreting and coding' textual material. It 'bridges' qualitative and quantitative methodologies and is especially relevant in inquiries in areas including law, policy, practice and stakeholder perceptions (Durlauf et al, 2007). This was especially useful in this thesis. Variables such as word frequency in a document or interview was useful in assessing the importance attached to it. Where there were changes in usage of words it also served as an indicator in change of emphasis or thinking. This was applied in evaluating texts as well as analyzing interviews. To get the views of the people that interpreted and implemented the laws, policies, and plans, key informant interviews were conducted with relevant officials and professionals and this process generated qualitative data that was analyzed using content analysis.

There are however quantitative aspects of the study. These were to do with the numbers and distribution of production, processing, and retailing outlets. The locations of these different food system aspects were identified and quantified and are largely demonstrated by way of mapping since specific locations were picked and the distribution patterns were discussed in the context of their planning status.

### **3.5 Data Collection**

Whilst the study makes use of both primary and secondary data sources, several data collection methods were used as will be shown below. The thesis also collected primary data on food production and processing. Secondary data was also used from a recent study. Some of the field data had already been collected in 2016 as part of the Consuming Urban Poverty (CUP) project in which the researcher is also a member of the Epworth research team. The CUP project collected data on the typologies, location, and quantities of food retail outlets in Epworth.

Whilst the CUP survey also collected data on the numbers and location of grinding mills, it had not been exhaustive. This study conducted a comprehensive and exhaustive survey of all grinding mills in Epworth using three methods: Firstly, it used

a snowball method which was used in the last grinding mills survey conducted in all major cities of Zimbabwe (Mbiba, 1995). Secondly the survey used a key informant in the Epworth Local Board who is responsible for development control. He assisted by verifying that the survey had captured all grinding mills in all parts of Epworth. Lastly the survey compared its results with the CUP survey and where there were differences, ground truthing was conducted to ensure data accuracy.

The food production data was also independently collected. This comprised mainly field observation to determine the types of food production going on in Epworth and assess whether it is supported or prohibited by urban planning regulations. It also included a household survey where respondent food producers were asked how the planning regulations affected their activities.

### **3.5.1 Secondary data Collection**

The thesis made extensive use of secondary data. This was collected from various public documents in the form of reports of council proceedings, pieces of legislation, by-laws and budget statements for the Epworth Local Board. Other records included community records, NGO reports and government reports. City of Harare documents were also extensively referred to since Epworth falls within the Harare Metropolitan region with Harare being the lead local authority in that region. Due to capacity constraints Epworth has very few governance tools of its own and periodically consults Harare for direction in urban management. The extensive use of secondary data in this study was due to the fact that planning regulatory and legislative frameworks (documents) and how they impact on food production processing and retailing is essentially an evaluation exercise. The documents were reviewed as they contained some of the answers the research sought to establish. Secondary data was analyzed using the text and content analysis to bring out themes and major arguments pertaining to food production, processing, and retailing and the legal framework governing the same in Epworth.

### **3.5.2 Document Review**

Key laws, plans, by-laws, and policies regulating food production, processing and retailing were examined to analyse the role and scope of planning and regulatory

framework in the Epworth food production, processing and retailing system. Document review is a way of collecting data by reviewing existing documents. For the food system analysis, the planning documents reviewed were those that govern the practice of planning and affect food. These include the Constitution of Zimbabwe which is the principal law of the country. The other laws are the Regional, Town and Country Planning Act, the Urban Councils Act, the Environmental Management Act, The Zimbabwe National Water Authority Act, The Shop Licenses Act, among other laws governing urban food production, processing, and retailing system. The Harare Strategic Plan 2012-2025, The Epworth Strategic Plan, and Harare Combination Master Plan are the other documents that were also examined for this study.

According to Payne and Payne (2004) documentary method is described as techniques that are used to 'categorize, investigate, interpret' and identify the limitations of physical sources. This was chosen given that through document review, the researcher will be able to systematically examine documents. For this study, public documents were extensively used as they are often acceptable as reliable and authentic thus they were useful to the study. Public documents are those documents prepared by the government, its ministries, departments and related entities and they come in the form of Acts of parliament, policies, plans, by-laws and other public records. The use of document review was adopted to inherit the advantages that include cost effectiveness and non-obtrusiveness. Its use as a basis for comparison or contrast of different sets of data is effective. Therefore, document review was used in relation to the objective that seeks to explain the planning legislative and regulatory frameworks and the extent to which they engage with food.

Five distinct types of documents were used. These were laws, policies, plans, organizational strategies, and different reports. The laws were useful in informing on the areas that constituted bottlenecks to food production processing and retailing. They also helped expose clauses that were unrealistic or could not be complied with by the mainly poor citizens of Epworth. The other intention was to assess whether the laws were enacted with the existing socio-economic and urbanization environment or they were prepared for a different context. The other documents served a similar purpose at different governance levels and showed consistencies and inconsistencies where they existed. This analysis helped expose the disconnection between the spirit

of the planning regulatory framework to the lived experience of residents in contemporary Epworth.

### **3.5.3 Primary Data Collection**

Whilst document review was the principal method of collecting data, primary data were also collected on grinding mills and food production. This was done to show the numbers and the distribution of grinding mills as well as provide insights into food production patterns. Primary data was also collected to investigate how key stakeholders viewed, understood and implemented planning regulations. The interviews helped to interrogate how key stakeholders interpreted and acted upon the official legislation.

The primary data complimented the secondary data from document review. The primary data was collected through key informant interviews, questionnaire surveys, as well as surveys of grinding mills and production spaces. Extensive field observations were also undertaken to give the researcher a feel of the study setting. During the field observations land use aspects, such as location of study subjects, scale, building conditions and aesthetic appearance were observed for comparison with key informants' responses. The investigation of conditions on the ground helped in understanding how the food system reflected the idealized food system articulated in the documents and by the stakeholders. In all instances, useful accounts that gave insights into the Epworth food system were captured to give life to the given opinions.

#### **3.5.3.1 Key Informant Interviews**

The key informant interviews were used to get data from planning officials from Harare City Council, Epworth Local Board, Department of Physical Planning, the Environmental Management Agency (EMA), the Zimbabwe National Water Authority (ZINWA), the Urban Development Corporation (UDCORP), non-governmental organizations (NGOs), the Zimbabwe Institute of Regional and Urban Planners (ZIRUP), the Department of Rural and Urban Planning at the University of Zimbabwe, researchers that are working on the CUP study, and knowledgeable locals. These were interviewed for their informed views and professional experience so that they helped in answering research questions. All targets were professionals with a

background in planning and urban management who have knowledge of the planning legislative framework who can clearly articulate how it influences food systems. The interviews also sought to understand how these key officials understood the official documents and implemented them.

These key informants, using their experience, knowledge and understanding provided an insight on the adequacies or relevance of the planning legislative framework with regard to food systems in Epworth and exposed inconsistencies. All key informant interviews were conducted face to face with the researcher or his assistants recording the responses. This approach was adopted as opposed to leaving respondents to fill in questionnaires on their own to ensure high return of responses. To allow for the convenience to both parties, appointments were set up with the participants prior to the interviews. During the interviews permission to record the discussions was first sought from respondents. Not all participants agreed to be recorded. Out of the 22 key informants, 15 declined to be recorded as they feared that recording went against the confidentiality of the study. This was accepted, and the interview responses were recorded in notebooks.

The key informant interviews were also useful as they provided a chance for instant feedback and interaction for explanation on some seemingly misunderstood concepts on the role of the regulatory framework and the planning of key infrastructure and plants for food processing system in Epworth. The interviews also enabled the researcher to probe for information from these officials considering their diverse knowledge with regards the planning issues for the Harare Metropolitan area in general and Epworth in particular. The information provided by key informants was being evaluated during the interviews and the researcher took advantage of their presence to ask questions from different angles. The interaction also helped as the facial expressions and body language provided advantages in key informant interviews which helped the interviewer to observe certain cues from the interviewees. Where the facial expressions and the body language conveyed contradicting messages, further probing would be done to get clarity of the message being communicated.

### **3.5.3.2 The Food Production Questionnaire Survey**

To understand the Epworth food production patterns and typologies and how the regulatory framework affected these, a food production survey was undertaken. Data was collected using a questionnaire prepared before the survey (see annexure 8). The questionnaire had both closed and open-ended questions in order to collect data from residents who were producing food. The production survey was limited to tracking only four specific foods (maize, small animals, fruits, and vegetables). These were chosen because of their importance to the diet of the local people. Maize was included since it is the staple food crop consumed by the majority of people in Zimbabwe.

The questionnaire also contained questions on how food production is being governed by planning legislation. These questionnaires were also administered face to face by the researcher assisted by three research assistants. The face to face administration of the questionnaire ensured high response rates and provided an opportunity for clarification of questions and responses. Closed questions helped the researcher reduce complications in data analysis. In administering the questionnaires, a rapport was first established with respondents in order to gain trust to allow as much information as possible to be freely and openly shared. The purpose of the study was clearly explained to respondents at the start of the interview as their consent was sought in line with ethical considerations in all cases.

### **3.5.4 Field Observations**

The study also extensively used field observation to see the level of activities with regard to food production, food processing and retailing as a complement to information obtained from the various documents, interviews, mapping and surveys. According to DeWalt and DeWalt (2002) observation is a research process where the researcher learns about the activities of the people under study in the natural setting through observing those activities. The researcher had an opportunity to observe events as they occurred, rather than rely on what the different respondents and key informants say or what is written in texts. Several days were spent observing various aspects of food production, processing and retailing in Epworth. As a result, observations allowed the researchers to verify and observe events that informants may have been unable or unwilling to share as well as observe situations that would



have been described by key informants in interviews (Marshall and Rossman, 1995). The observations thus helped in exposing distortions as well as inaccuracies in the descriptions provided by the informants and documents reviewed.

During the field observations, photographs were also taken so as to capture events in the natural environment and have lasting references. The analysis of the role of the planning and regulatory framework on key infrastructure and plants for food processing system in Epworth would be incomplete without pictures which show the state of the grinding mills and other land uses. Where the photographs included people, their permission to take photographs was sought. Where the people objected to being photographed, their right to their privacy was respected.

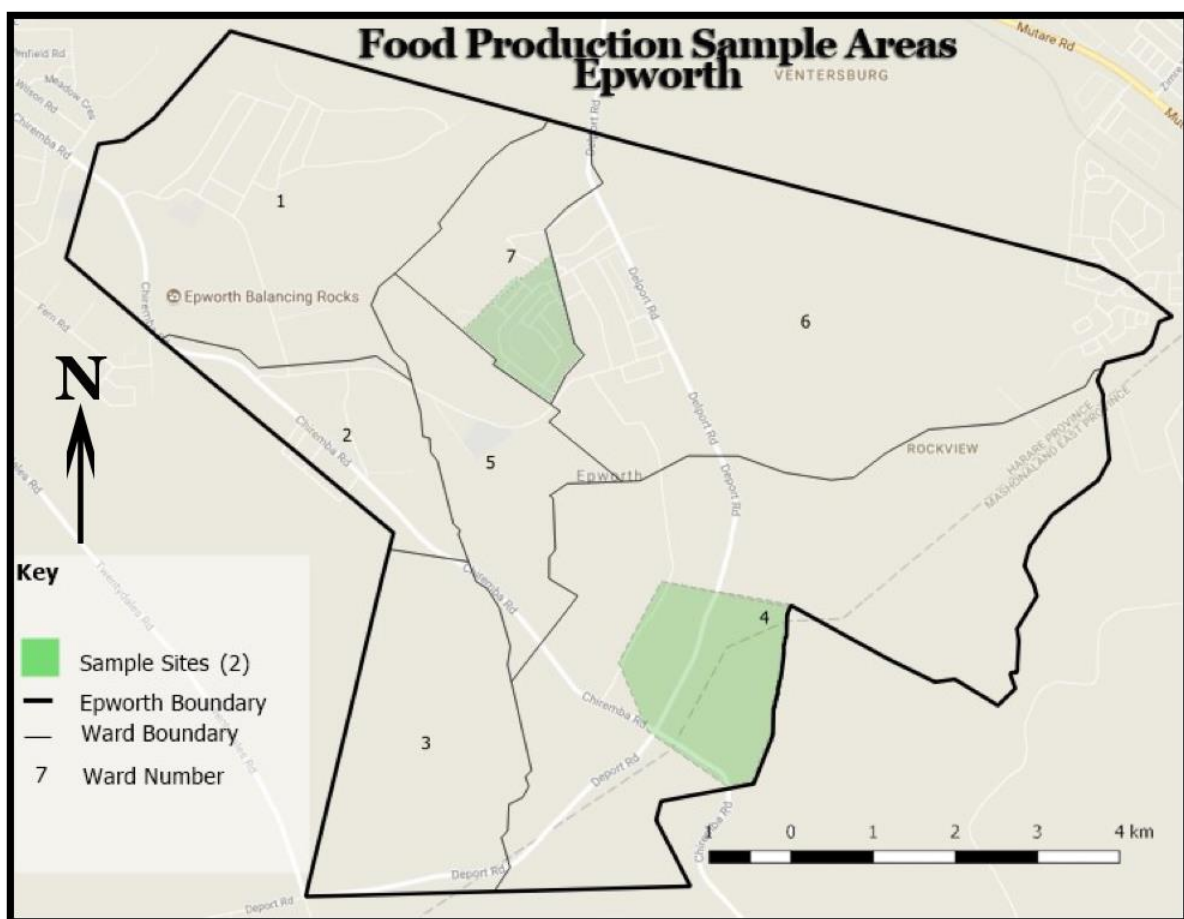
### **3.6 Sampling and Sampling Methods**

This section explains the sample sizes and the sampling framework. Whilst the grinding mills survey covered all areas of Epworth, for the other variables only a sample of the population was covered. The sampling methods were applied as outlined below.

#### **3.6.1 Epworth Food Production Survey Sampling**

Epworth has two distinct residential typologies: the planned and unplanned areas. In order to understand how planning and regulations affect food production in Epworth it was essential to look at both typologies. Therefore, two areas were sampled with the two distinct characteristics. Officials of ELB who have knowledge of the area assisted in choosing the sample sites. They indicated which areas were typical of a planned area and which areas were unplanned. Plots rather than households were targeted. The identified planned area had approximately 1000 plots. Initially the survey targeted 100 plots which would have been 10 percent of the identified planned area. However, since the findings were being analyzed as the survey progressed, the findings showed 'saturation' (Morris, 2015) after 30 interviews and at 50 the interviews had to be stopped as nothing different was coming out. Determining how many interviewees to target has 'no definitive answer' however Morris recommends that 'data saturation' can provide a useful guide (Morris, 2015:64). For comparison a similar sample size of 50 was interviewed in the unplanned area. In the identified study sites

participants were chosen using systematic random sampling to select the participants from whom to elicit residents' views on the appropriateness of the current planning and regulatory framework to their food systems and assess their situation regarding food production. Participation in the survey depended on selected producers' accessibility to the researcher by being willing to participate. At each first plot in the survey targeted area a willing adult member of the household in charge was the target. A pretest had shown that on each plot there was always a 'main tenant' with rights to cultivation or the plot owner. Where it was not possible to proceed with the survey, the next property was targeted. After a successful interview, the survey proceeded to the next other house in order to spread the geographical reach of the survey within the sample area. Whilst identifying the next target plot was more difficult in the unplanned area, care was taken to skip the next homestead buildings for uniformity in approach. The sample areas are indicated in the map in Figure 3.1 below:



**Figure 3.1 Food Production Sample sites**

### **3.6.2 Purposive Sampling of Key Informants**

Purposive sampling approach was used in the selection of individuals for interviews to seek the views of planning and other relevant professionals with regard to their place in the urban food system of Epworth. This survey employed a systematic way through which a sample is purposively selected to obtain adequate information representing the Epworth population (Kothari, 2008). This involved establishing a sample frame of persons known for expertise in the field of spatial planning and working for organisations and departments with a stake in the Epworth spatial development. These included the Epworth Local Board, City of Harare, Department of Physical Planning, the Urban Development Corporation (UDCORP), professionals from NGOs and other organizations working in Epworth. Urban Planners from organizations such as the Zimbabwe Institute of Regional and Urban Planners (ZIRUP) and the Department of Rural and Urban Planning at University of Zimbabwe were also targeted for their independent professional views.

Only key informants who are known for their expertise, experience and knowledge on urban planning who were considered that they would provide insightful information that would help understand the dynamics in urban planning and food systems in Epworth were purposively selected. These individuals had characteristics which the researcher considered critical to answer the research questions. The researcher used his judgement to select the part of the population that had capacity and opportunity to bring out relevant and useful data.

### **3.7 Mapping: Bringing out the spatial dimension**

An analysis of the different food retailing and processing outlets also required a spatial dimension in order to show the distribution in space. Extensive mapping was conducted for retailing and processing. Spatial data for retailing was obtained from the CUP data. The CUP survey had captured the location of identified retail outlets using the global positioning system (GPS). The coordinates were used to create maps showing the distribution of the retail outlets.

The processing survey captured the location of all grinding mills using the GPS and then created maps using a computer based geographical information system

(GIS). The maps were then used to analyse the spatial distribution of the outlets as well as examine and determine their planning status.

### **3.8 Data Organization and Analysis**

Data organization involves sorting data and putting it in order so that it is easier for the researcher to analyze it. Data analysis involves the arrangement, reduction and synthesis of raw data so that it can tell a meaningful story (Grbich, 2007). Since this study adopted a mixed research paradigm different approaches were used for different types of data. Data gathered was inspected and cleaned with the goal of highlighting and bringing out useful information, suggesting conclusions, and supporting decision making regarding food systems in Epworth. Data on the food production survey was captured and analyzed using Excel and SPSS for descriptive statistics computations. This was mainly applied on food production data which was collected through a questionnaire administered on household representatives. These provided a statistical explanation on the findings.

On mapping the analysis involved first creating a land use map for Epworth. This map demarcated all areas of Epworth into three major land use zones as observed on the ground. These are commercial areas or shopping centres where the shops are located, service industrial areas where uses of an industrial nature are conducted, and residential zones where the houses are located. The Harare Master Plan (1993) guidelines on use-groups and their location was then applied to determine what planning says about different uses since Epworth is governed by the master plan. The master plan then sets out clearly where grocery shops or grinding mills are supposed to be located.

Qualitative data comprised of textual data characterized by transcripts from interviews as well as field notes that the researcher and his assistants jotted down during the field observations. All this data was analyzed using thematic analysis. The findings are sorted and presented in themes to portray the main ideas uncovering the patterns and categories that are of importance to the thesis. Content or textual analysis was used to provide a rich description of the social reality created by those themes/categories as they are lived out in Epworth. So, three key analytical tools:

- 1) Content and textual analysis for key informants and legislative review
- 2) Mapping to show patterns and trends for retail and processing (grinding mills)
- 3) SPSS analysis for the food production survey

### **3.9 Data Validity and Reliability**

A successful research is measured by the reliability and validity of the data collected (Golafshani, 2003). Validity can be defined as the extent to which 'how truthful' results are (Joppe, 2000). On the other hand, reliability is about whether measurements used can repeatedly remain the same (Kirk and Miller, 1986). These concepts were applied to this thesis by using well-thought out methodologies that have been used by prominent scholars that undertook similar studies in the past. This process also included 'self-correction' in the research process whenever an evaluation revealed that need (Morse et al, 2002). For example, in the food production survey an initial decision to survey one sample area was changed during the fieldwork when it was established on the ground that there were two distinct typologies within Epworth. These two concepts are important for any research. The researcher observed validity and reliability through:

- Making sure that questions and methodology is clear;
- Use of explicit terms;
- Use of tested and authentic data collection methods;
- Triangulation of data collection methods.

On the other hand, validity refers to the essential truthfulness of a piece of data (Creswell, 2010). The description of the data must accurately reflect what participants said. In this thesis responses were either electronically or manually recorded before analysis. By asserting validity, the researcher is asserting that the data measure or reflect the specific phenomenon investigated. For this study, the researcher paid careful attention to all detail during data collection and analysis of the data to ensure trustworthiness of the research process.

### **3.10 Ethical, legal and administrative considerations**

Although much of the study did not involve collecting sensitive data that could violate people's rights, care was taken when dealing with informal livelihoods to ensure that the study did not expose them to risk as explained below. Its focus being mainly on the regulatory framework, the data collected was mainly for purposes of verifying whether planning and law recognize, support or constrain urban food production processing and retailing. There were however areas where data on the operations of the informal sector was collected. This can be a sensitive matter as it impacts on people's livelihoods in some areas where authorities take a negative attitude to the operations of the sector. Care was taken to ensure that there were no exposures that could put the livelihoods of operators at risk. It was established in the initial interactions that the authorities in Epworth were not likely to target identified operators since they already indicated they were aware of the operations.

The researcher was sensitive to ethical considerations in all areas. Ethical considerations are provisions that allow the researcher to collect data without contravening the rights of the participants (Orb et al, 2001). Israel and Hay (2006) affirms that ethics are all about what is right, good and virtuous and seek to protect others and minimize harm. Thus, ethical considerations are the moral choices that affect the behaviour of the researcher whilst conducting research. Since the study involved interaction with various key informants in a politically volatile environment (Epworth) effort was made not to compromise respondents' choices and rights. The researcher diligently observed the following ethical responsibilities as provided by Welfel (1998: 294):

- To develop scientifically acceptable research protocols;
- To protect the rights of the participants in the research process;
- To report results fairly and accurately;
- To cooperate with colleagues and share research data.

This study was also guided by the University of Cape Town's Faculty of Science Research Ethics Committee (UCT-FSREC) whose guidance and clearance were sought prior to data collection. The ethical clearance is included in the thesis as Annexure 1. General ethical principles which include informed consent, avoiding harm,

confidentiality and the use of data purely for academic purposes were also observed. To achieve the above, the purpose of the study was explained to all respondents and their consent sought before participating. The researcher avoided deception by giving all relevant information that participants needed to know about the study. The research was explained as solely meant for academic purposes and not for commercial or any other purposes; this remains so. The protection of the participants' identity and confidentiality was observed by not using their names and or contact details to ensure privacy. Key informants are identified by pseudonyms in the thesis (See Annexure 5). Where this could not be fully guaranteed, this was explained to respondents so that they could choose whether to participate or not. The area is politically volatile and due care was taken to delicately manage the political dynamics.

The principle of originality was also strictly observed in this study. The researcher's findings in this study are based on the data collected from the field or from referred sources ensuring the knowledge is original and has not been influenced by previous researches or obtained through dubious means and is not plagiarism. As indicated above, where photographs were taken, permission was sought before taking them.

### **3.11 Limitations of the Study**

Epworth is a highly politicized urban space, and a few challenges were encountered. The challenges included delays in getting permission to collect the data from the targeted respondents. The issue of fear and suspicion by residents may also have affected the response rate and the validity of the responses. To overcome the challenges, the researcher started the engagement processes early and took a lot of time in the field building trust with respondents so that rapport was established, and the results would be a true reflection of the Epworth stakeholders' opinions on the manner in which food production processing and retailing are affected by the planning regulatory framework.

### **3.12 The Researcher's standing**

It is important that a researcher recognizes any weaknesses that could happen to the data collection process as a result of who they are (Lowes and Prowse, 2001). Disclosure of who the researcher is helps in managing potential biases (Pitard, 2017). It is also important that care is taken to manage the 'interviewer–interviewee relationship' in a manner that does not compromise the integrity of the data collected (Morris, 2015:12). The issue of researcher's standing or positionality has been debated in academic circles for long (Kikumura, 1998; Rabe, 2003). The arguments also include debates such as who is best placed to conduct interviews in a certain study area. Whilst there is disagreement over the details, there appears to be general agreement that a researcher's standing must be considered prior to research in order to remove potential biases. The researcher was known to some of the study stakeholders and respondents as a former Head of Urban Planning for Harare City as well as a former president of the Zimbabwe Institute of Regional and Urban Planners (ZIRUP). This presented advantages and disadvantages. One key advantage was that the researcher had relative ease in accessing most study sites and obtaining permission from local leaders to enter Epworth. There was however a danger that some respondents could respond in a manner that they thought was convenient or acceptable knowing the researcher's previous roles. This was mitigated by ensuring that some interviews were conducted by research assistants so that glaring inconsistencies in the responses could be picked and addressed.

### **3.13 Chapter Conclusion**

This chapter has outlined the methodology that was used to collect data for the thesis. The thesis adopts a case study approach in order to undertake an in-depth examination of Epworth as its conditions render it representative of the global South context. The mixed methods approach was used since an examination of the appropriateness of the planning regulatory framework entailed a qualitative analysis of the regulations and interpreting the same. The other component of the study however involved a quantitative examination such as measuring on the ground numbers of grinding mill and retail outlets and identifying their location before interrogating their zoning status.



Having explained and justified the methodology used, the thesis now proceeds to share findings of the study. The next chapter gives an overview of the planning regulatory framework governing all the three food system components that are the focus of the thesis before Chapters 5, 6, and 7 focus on individual food system components of production processing and retailing.

# Chapter 4: Zimbabwe, Harare and Epworth's Policy, Planning Legislative and Regulatory Framework

## 4.0 Introduction

This chapter analyses the country's policy, regulatory and legislative framework with a view to finding out whether and how they engage with food as an issue. The planning profession in Zimbabwe extensively uses the law as the major control mechanism. The profession does not just use planning law, but also any other statute that regulates the use of land including natural resources. The chapter comprises the findings of a legislative review and a discussion of the findings which were obtained using documentary review of various pieces of legislation, subsidiary laws, policies and statutory plans. The chapter helps in understanding how Zimbabwe's legislative and regulatory framework engages with the urban food system (whether enhanced, restricted, supported or silent about it).

The documents reviewed included the Constitution of Zimbabwe (GoZ, 2013), the Regional Town and Country Planning Act (GoZ, 1996b) the Urban Councils Act (GoZ, 1996a) the Environmental Management Act (GoZ, 2003), the Public Health Act (GoZ, 1996c), the Shop Licenses Act (GoZ, 1976), the Zimbabwe National Water Authority Act (GoZ, 2000), Harare (Protection of Marginalized Land) By-laws (GoZ, 2014), the Harare Master Plan (CoH, 1993), the Nyanga Declaration (2002), the Harare Declaration (2003) and the Urban Agriculture (UA) Policy for City of Bulawayo (CoB, 2008). Several Harare documents are used because although Epworth now exists as an independent local authority, it does not have many regulatory tools of its own. The Epworth Local Board uses the Harare Master Plan and relies on the Harare regulatory framework for its land regulation<sup>4</sup>.

## 4.1 Statutes/Laws

A statute/law is an act of a legislature that declares, proscribes, or commands something expressed in writing (Meryl, 2014). Statutes are written law passed by a legislature on the state level. Statutes set forth general propositions of law that courts

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<sup>4</sup> Interview with a Zimbabwe Government Planning Officer.

apply to specific situations (ibid). In terms of food, these have a legal backing to allow or prohibit the acts of food production, food processing or retailing. The production, processing, distribution, retail, packaging and labeling of food stuffs are governed by several laws, regulations, codes of practice and guidance (Godfray et al, 2010). The statutory objectives are to protect public health and consumers' other interests in relation to food and beverages. However, excessive or unclear regulations can negatively affect the operation of an efficient urban food system. The main object of this chapter was to investigate Zimbabwe and Epworth's planning legislative and regulatory framework in relation to the urban food systems and establish if they are enhancing or stifling the operation of the sector.

In terms of food production, legislation designates areas where food production activities can be undertaken and who can access the land and the types of land tenure (Godfray et al, 2010). The access and acquisition of land is defined and determined by legislation hence important in urban food system since production, processing and retailing are all done on land. Legislation also regulates food safety aspects to protect consumer health. This provides authorities with tools to address food safety risks and provides safety measures into the food system (University of Minnesota-extension, 2016). Related penalties and fines also help to deter willful or reckless threats to health and safety. Legislation also strengthens food traceability by developing regulations related to tracing and recalling food, and the appropriate tools to act on potentially unsafe food commodities. This includes a prohibition against selling food commodities that have been recalled (ibid). It also calls for improved food import controls. Imports are difficult to control because there is less information on foreign manufacturing processes and products. The legislation strengthens import controls by including powers to register or license importers and prohibits the importation of unsafe food commodities (Godfray et al, 2010).

#### **4.1.1 The Constitution of Zimbabwe Amendment (No.20) Act (2013)**

The constitution which was adopted in 2013 is the principal law of Zimbabwe and any law, practice, custom or conduct must be consistent with the constitution (GoZ, 2013). It is important to note that the new constitution was prepared at a historical time in Zimbabwe. The two major political parties had formed a government

of national unity (GNU) after the contested 2008 elections. The process of making the constitution was therefore considered very inclusive as it combined both ruling party and opposition party positions. Unlike the old constitution which aimed more at creating a transitional framework from the war of liberation, this constitution aimed more at strengthening governance structures and enhancing the country's democracy. There is however some disconnection between the constitution and the other laws due to the different times in which they were enacted. There was more emphasis on people's rights as an emerging concern. One of the rights that is stated in the new constitution is the right to food. This right is borrowed from the FAO right to food that is expected to be adapted by all countries ([www.fao.org](http://www.fao.org)).

The constitution explicitly gives the 'right to food' to the citizens of Zimbabwe. Chapter 4, Section 77 (a and b) states that 'every person has the right to (a) safe clean and portable water, and (b) sufficient food'. It specifically states that the State must take 'reasonable legislative and other measures' to achieve this right. The right is however qualified. It adds that the state can grant the right to food, 'within the limits of the resources available to it'. This shows that food security is an issue which State considers important. The spirit of the constitution of Zimbabwe is that food production, processing and retailing must be facilitated in advancement of the right to food.

Despite the express right to food, the constitution appears to also emphasize other qualifications to the right. Section 86 speaks to the limitation of rights and freedoms. It states that the fundamental rights and freedoms set out in Chapter 4 must be exercised 'reasonably and with due regard for the rights and freedoms of other persons'. The fundamental rights and freedoms set out in the Chapter may be limited only to the extent that the limitation is 'fair, reasonable, necessary and justifiable' in a democratic society based on 'openness, justice, human dignity, equality and freedom'. Factors that may justify the failure to grant the rights include such public interests such as 'public safety, public order, public morality, public health, regional or town planning or the general public interest'. This would justify the prohibition of food production, processing and retailing if, in the eyes of the authorities, these activities seem to be prejudicing the principles of sound town planning such as sanitation, public health, order among others. Unfortunately, the laws that still regulate town planning, the environment, and the governance of cities are all older than the constitution and

contain clauses that do not advance the progressive spirit that guided the preparation of the constitution. Therefore, whilst the constitutional right to food is a useful and progressive inclusion in the constitution, its implementation is not readily guaranteed.

#### **4.1.2 The Regional Town and Country Planning Act [Chapter 29:12]**

The Regional Town and Country Planning Act is an act that provides for the planning of regions, districts and local areas with the overarching objective of 'conserving and improving the physical environment and in particular promoting health, safety, order, amenity, convenience and general welfare, as well as efficiency and economy in the process of development and the improvement of communications' (GoZ, 1996b: Preamble). It authorizes the making of regional plans, master plans and local plans. These plans can be urban or rural. The act also seeks 'to provide for the protection of urban and rural amenities' and generally 'to regulate the appearance of the townscape and landscape'. Another important aspect of the act is to control development. Development in the act includes use of land and buildings. This is important in the governance of food as it controls where food is produced, processed and sold. Effectively this Act affects the whole food system value chain.

It is important to note that whilst this law engages food in urban areas as will be shown below, key planning professionals interviewed do not think the law affects food in any way. This may be because it does not refer to food production, processing and retailing as specific issues. A critical analysis of the Act's provisions however clearly reveals that the law impacts food production, processing and retailing. Part IV of the Act confers powers to local planning authorities to prepare and implement local plans, master plans or schemes. In preparing these plans, the law sets out the requirements for doing so. Section 13 prescribes studying of the planning area before coming up with a master or local plan; this gives room for the planners to consider the contemporary needs of the populace. The real issue is whether planners consider food as important to planning such that they include it in the plans.

An assessment of the current economic and social circumstances prevailing in the area and the surrounding areas would give room for inclusion of urban food production processing and retailing in the master or local plans. A master plan

prepared in terms of Section 14 (1) formulates the policies of that authority and its general proposals for the planning area in a 'coordinated and harmonious manner'. Through the preparation of master and local plans, this Act provides the local authority with power to determine the uses to which land is put in all areas under its jurisdiction. Those uses should include areas for food production, processing and retailing depending on the willingness of the planning professionals or the local government to consider food as a planning matter. Chapters 5, 6, and 7 will however show that plans have few positive clauses that affect food system governance and even these positive clauses are rarely implemented in a manner that facilitates the operation of most small-scale food system operators.

Another important aspect of the Act is that through its plans it defines legal and illegal activities and developments. The Act gives the local authorities power to deem as illegal any developments or activities contrary to the provisions of the operative master plan or local plan or planning scheme. This is known as development control. Section 24 of the Act focuses on control of development; it states that 'unless permitted in terms of a development order and subject to this Act and any such development order, no person shall carry out any development without a permit'.

Ultimately it is what planners put in the master or local plan that captures the aspirations and needs of the people according to their lived experience. What goes in the plan is important because it becomes the law that determines legitimacy and illegitimacy of uses. On paper the plan preparation process is supposed to provide room for all stakeholder interests to be taken care of since a study precedes the preparation of a plan. This study is supposed to identify societal needs and address them. History however has shown planning to be unsympathetic to the needs of the poor especially if they are of an informal nature (Kamete, 2012; Skinner and Watson, 2018).

#### **4.1.3 The Urban Councils Act [Chapter 29:15]**

This Act provides for the establishment of municipalities and towns and the administration of municipal and town councils. It provides for the conferment of various categories of urban status on settlements. It also gives certain powers to, and imposes

duties or obligations of municipalities, town councils and local boards. Some of those duties and powers have a direct impact on food production, processing and retailing. The Act is administered by Local Governments with the guidance from the Ministry of Local Government. The Urban Councils Act has often been used by planners in controlling urban food production, processing, and retailing as will be shown in Chapters Five, Six and Seven. The sections below will highlight how some of those powers and duties affect food in urban areas.

The Act has several sections that explicitly engage food along the whole value chain. Section 198(3) confers power to urban councils to 'plant and farm land owned by the municipality or town which is not required for other purposes'. Whilst this provision appears to facilitate food production, the fact that this is land 'which is not required for other purposes' implies that the use of land for food is secondary. It can only happen after all other land needs have been met. The section goes on to give authorities powers to permit grazing of livestock on land under the control of the council as well as to provide support facilities. They can also operate or authorize public slaughter houses and similar infrastructure such as for the 'inspection, grading, storage and treatment of agricultural produce'. They are also expected to 'provide markets for the sale of agricultural produce and carry on the business of dealing with agricultural produce' (GoZ, 1996a:134). The law clearly considered food in Zimbabwe's urban areas. However, the law appears to focus more on control than on facilitating easier access to food. Rather than being enacted to enhance food production processing and retailing, it appears the legislation exists to control rather than to facilitate and promote improved urban food systems.

Local governments are also given powers to make by-laws. The Third Schedule of the Act (Sections 102, 145(1), 227 and 232) lists the matters for which council may make by-laws. Some of these have a direct impact on food in urban areas. The Third Schedule Part III section 18 provides for councils to issue permits for certain activities which include fishing, hunting of game, picking of wild flowers and taking of bees or honey. This regulates food harvesting in urban areas. Whilst the issuance of permits is supposed to ensure sustainability, the actual implementation tends to be so constraining that the law is neither relevant nor responsive. In fact, the laws are ignored by the majority and enforcing them becomes unpopular.

Similarly, Part IX section 81 (1) provides for the prohibition and regulation of the cultivation, 'which may give rise to circumstances which endanger public safety or security or unsightly in the area or locality'. This section impacts on food production. Some areas that food may be grown can be considered illegal because growing food in them is considered to be a danger to the public or makes it 'unsightly'. This section has been used to destroy food crops that have been interpreted to 'endanger public safety'. There are documented cases of municipal officials slashing maize crop in Harare (Mbiba, 1995). The maize has been destroyed for endangering public safety even where there is taller grass that the municipality has failed to cut adjacent to the staple food crop.

The law also has strong provisions for regulating the keeping of animals that constitute food to urban residents. Part X of the Third Schedule regulates the keeping of animals, reptiles and birds, Section 82 provides for the licensing of buildings used for the keeping of animals, bees, reptiles or birds. The section also makes it an offence to undertake any of these without a license. The intention probably is to avoid infringing the rights of the said animals or other people. It however imposes a barrier to other groups of people who may fail to meet the requirements as set in the law. Complying with the law also exerts costs on potential producers that they may not afford.

There are also sections that impact on food processing and retailing. Part XI of the Third Schedule mandates the Local authorities to regulate and monitor food premises or vehicles that transport food as well as food markets. It goes on to regulate the 'preparation, manufacture, keeping, storing, depositing, conveying, handling and sale of food including pet food' (GoZ, 1996a: Part XI Section 90(1)). It prevents the sale, preparation, manufacture, keeping, and even storing of food that is, in the opinion of the medical officer of health or a health inspector, 'adulterated, unwholesome or diseased'.

The law is particularly strict on fresh and perishable food trading. Section 90(3) prohibits the sale or supply of fresh meat obtained from cattle or other domestic livestock unless slaughtered at a slaughterhouse that was established or approved by the local government. The effect is to criminalize any processing and handling or



storing of food anywhere else. These requirements can only be met by formal large-scale food businesses. Their effect is to criminalize the thousands of small-scale players in the urban food sector in Zimbabwe. AFSUN studies have indicated that as much as 70 percent of poor people buy their food (staple cereals, oils, meats and vegetables) from the informal sector (Tawodzera et al, 2012). These are the people that are largely responsible for providing food to most city residents. It is ironic that these are the people from whom the law does not allow them to buy. There is a disconnect between the reality of food in Harare's urban areas and the intention of legislation.

Section 91 provides for the inspection and licensing of premises in which food is 'sold, prepared, manufactured, stored, deposited or exposed for sale'. It prescribes that a local authority specifies the standards for the construction of premises used for food storing, processing and selling. This law governs the quality of food, the food processing and retailing environment and the personnel handling the food in order to promote public health. The requirements set above show that the food sector is governed very strictly in Zimbabwe. The strict legislative framework clearly envisaged a formal food system. The implementation of this law is very difficult in a largely informal setup, where people are handling, processing and retailing food informally. Whilst authorities could be genuinely trying to act in public interest, the question becomes whose public interest? If most of the population can no longer meet or appreciate the set standards, maybe it is the standards that are not responsive to the reality on the ground.

The law also regulates the markets where food is sold. Section 94 (1) stipulates the regulation of markets (public food markets) and the licensing of persons authorized by the council to trade as market agents. It also seeks to regulate the cleanliness, sanitation and good order of markets and places used for public sale of food. The law also provides for the regulation and licensing of food traders and people who employ street vendors. It provides for the need to inspect the goods which may be sold by street vendors to promote safety. All this reinforces the fact that the food sector is regulated. This all contributes to making food production processing and retailing in compliance with the law extremely difficult. The intention of the laws may be noble in trying to prevent unsafe food systems in urban areas.

With all the above strict provisions one would expect Zimbabwe's urban areas to reflect the spirit of the law. Implementation does not appear to have been successful. It would appear that even with these strict laws on the streets one sees more happening outside of the law than compliance. This is despite the fact that there are many governance actors who 'impact on urban food systems, and thus urban food security' (Smit, 2016:80). Unfortunately, whilst local governments have the most impact on urban food systems since they interface more directly with residents, the regulation of urban food has historically been the preserve of central governments who have focused more on securing national production (Duminy, 2018). The regulations have therefore generally reflected the twin approaches of urban local governments focus on market control and health regulation whilst central government drove rural production and control of product distribution.

#### **4.1.4 The Environmental Management Act [Chapter 20:27]**

The Environmental Management Act was formulated to provide for the 'sustainable management of natural resources and protection of the environment'. Amongst its key objectives is the prevention of pollution and environmental degradation including soil erosion, vegetation loss, and river siltation among other impacts of human activities. The Minister of Environment may assign to any local authority any functions assigned in this Act for the purpose of managing the environment within its area of jurisdiction (GoZ, 2003).

This Act implicitly affects most of the small-scale informal urban food producers. Section 57 limits the use of chemicals such as fertilizers which can pollute water sources. This affects urban food production by limiting the use of the input that most farmers use to encourage plant growth. Many farmers use chemical fertilizers. Small-scale food producers and processors undertake processes that may lead to pollution of soils or water. Most informal and other formal fresh food markets have little or inadequate investment in waste management leading to pollution of water sources. Since most of the activities in the food value chain can be considered 'unsustainable', they can be said to be in contravention of the Act and can be arrested or can be stopped from undertaking such activities.

The quality and other reporting requirements in the Act are beyond most small-scale stakeholders' capacity in food production processing and retailing. Section 58 and 59 impose a responsibility on owners or operators of irrigation project schemes to supply plant information to the Board<sup>5</sup>. It compels, 'all owners or operators of irrigation project schemes, sewerage systems, industrial production workshops or any other undertakings which may discharge effluents or other pollutants or have been discharging effluents or other pollutants shall submit on demand to the Board accurate information about the quantity and quality of such effluent or other pollutants' (GoZ, 2003:58). Recording such information about the effluent or other pollutants being discharged during their processes poses a challenge. The technical capacity required to fulfil this requirement is beyond the reach of the informal food system actors in Epworth. The other similar requirement is for them to build treatment plants complete with capacity to test for numerous chemical parameters. This imposes an additional cost to the food system which small scale operators may find difficult if not impossible to comply with. This provision places a barrier to the ease of producing, processing and selling food to smaller players in Zimbabwe.

Another difficult hurdle for small food system stakeholders is the need for environmental impact assessments (EIA) especially for agriculture projects. Part XI section 97 lists in the First Schedule projects for which environmental impact assessment are required. Developments in 'sensitive areas such as wetlands and/or near water bodies' (rivers) are required by law to be carried out only after an EIA has been undertaken and a certificate issued. The projects listed in the first schedule that have a bearing of food systems include irrigation systems and agro-industries. The effect of the EIA requirement is negative as it increases the cost of production in any sector. This therefore means that food production processing and retailing are likely to suffer from increased cost. The high costs can also lead to non-compliance and increased informality in the processes.

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<sup>5</sup> The Environmental Management Act establishes a board which deals with matters within the control of the Act

#### **4.1.5 The Public Health Act [Chapter 15:09]**

The Public Health Act seeks to prevent and guard against the introduction of diseases from outside Zimbabwe as well as to promote general public health. It includes measures for the prevention and suppression of infectious and contagious diseases. This Act mandates every local authority to take all 'lawful and necessary precautions' for the prevention of the occurrence, or for dealing with the outbreak of any infectious or communicable or contagious diseases (GoZ, 1996c).

This Act impacts on food directly and indirectly. Section 68 spells out the regulations pertaining to water which have impacts on other aspects of the food system. In terms of section 68 (1), the minister may give local authorities and administrators the duty of enforcing regulations controlling the activities with potential to contaminate water. Specifically, the act lists infrastructure and activities that affect food such as the construction of agriculture infrastructure likely to entail risk of pollution of water supplies. The Act also provides for the prohibiting or regulating the depositing of agriculture waste near water supplies. These regulations under subsection (1) are to be made with due regard to the interests of agricultural or any other industries. This affects the location and scale of food production in urban areas. It may also affect some processing activities which are done on streams or other water courses.

The Act also has very strong provisions governing food sales and handling. Sections 69 and 70 prohibit the sale of unhealthy food. In terms of section 69 (1), 'no person shall sell, prepare, keep or expose for sale, any milk, dairy produce, meat or other article of food which is not clean, wholesome, sound and free from any disease infection or contamination'. The Act goes on to add measures to guard against or prevent any infection or contamination of the food. The regulations include the inspection of animals intended for human consumption, of slaughter-houses, factories, stores and other places where any food is manufactured prepared or kept. The pattern with the regulatory framework is that it envisaged a formal food processing and retail system. It is not practical to expect compliance with these requirements by the informal sector. The number of government staff that would have to be employed to undertake the envisaged inspections is too high. In particular, the requirement for samples of meat or other foods is an expectation beyond the capacity and affordability of the

small-scale food traders. Unfortunately, these clauses can be periodically used by officials to seize food being processed or sold by the informal and small-scale groups.

The Act also imposes additional measures on the personal health of the person handling food. Section 71 confers powers to make orders requiring the medical examination of any person in any premises in which food intended for sale is kept or sold. This includes even a person who has been engaged in the preparation or distribution of any food. It explicitly prohibits the employment of any person who has proved to be a carrier of any infectious disease. This at face value safeguards food processing and retailing, with the intention of creating a healthy food processing environment. It also seeks to curb food poisoning and contamination. However, the negative impact of that is the increase in costs of food processing. It also presents a barrier to entry in the food sector. The law assumes the country has a functional health sector capable of supporting the undertaking of these examinations. Under the current tough economic conditions and a collapsing public health sector, the law imposes restrictions and conditions that the majority in the Zimbabwean economy are unable to comply with.

#### **4.1.6 The Food Standards and Safety Act [Chapter 15:04]**

The Food Standards and Safety Act regulates the sale, importation and manufacture of food that is meant to be sold in a safe environment (GoZ, 2002a). It also prohibits the sale, importation and manufacture of food which is not 'properly and accurately labelled'. This Act explicitly engages the food processing and food retailing components of the food system to promote food safety. The law however assumes a perfect food industry that has both the material and human resources to ensure compliance and sustainability. The legislation's hygienic and sanitary procedures and requirements are high and idealistic. Whilst the law aims to safeguard food quality control, safety, and deceit in labelling, these may not be the priority areas for the ordinary Zimbabwean in food governance at the time of this study.

The law compels food processors to accurately mix and label food and also makes it an offence to violate these provisions. Sections 6 and 7 deal with the control of mixed foods including the blending of such foods. The act criminalizes any

deception in labelling of ingredients. It sets punitive penalties for any person who contravenes the provisions. The fine is set at a high level seven fine 'or imprisonment for a period not exceeding two years'. It is important to note that this law applies to all food processors without exception. This may be too heavy and inappropriate for the informal sector. The bar is set so high that very few organizations can attain it and therefore comply. The majority are forced to operate outside the law. Their potential is never realized whilst the authorities get overwhelmed with trying to enforce regulations that many people are violating.

## **4.2 Subsidiary Legislation**

Subsidiary legislation includes regulations, rules, by-laws or codes; this refers to written law made by ministers or other administrative agencies such as government departments, local governments and statutory bodies under powers conferred by an Act. They are made under an Act and expand on the provisions of the Act. The Act dictates what must be done; and a subsidiary legislation outlines how it is done. Similar to statutes, subsidiary legislation impacts on food production, food processing and food retailing. In terms of food production, legislation designates areas where certain food production activities can be done and who can produce. On issues of land tenure, subsidiary legislation may stipulate where and how this production is done (Godfray et al, 2010). Subsidiary legislation in form of by-laws or policies defines how land is accessed and distributed. Examples of such include the prohibition of cultivation on wetlands, in stream banks, also prohibition and regulation of waste management among others in support of the Regional Town and Country Planning Act and the Environmental Management Act (GoZ, 1996b; GoZ, 2003). This provides authorities with a mechanism to address immediate food safety risks and builds additional safety into the system, from producer or to consumer (University of Minnesota-extension, 2016). The subsidiary legislation also exerts penalties and fines to deter willful or reckless threats to health and safety. Maybe the recurring question in the Zimbabwean context is how appropriate and realistic these are to today's urban areas. Below are some of the pieces of subsidiary legislation that affect food production, processing and retailing in Epworth, Harare, and Zimbabwe.

#### **4.2.1 Harare (Hawkers) By-laws 2013**

Although enacted by the City of Harare, it has been explained above that Epworth also oftentimes uses these regulatory instruments<sup>6</sup>. The Harare (Hawkers) by-laws specifically targets mobile small-scale traders. Harare city authorities clearly distinguish vending from hawking. The by-laws regulating hawking whilst very similar to the vending by-laws, they define a hawker as a mobile trader who is expected to move from place to place conducting their business (CoH, 2013). The hawkers are expected to 'keep moving'. A hawker must not be stationary for 'longer than fifteen minutes'. They are also prohibited from returning to an area they have been 'within an hour'. The by-law also specifies areas from where hawking is prohibited. The Harare central business district is one significant area wherein hawking is prohibited. It also prohibits hawking within a 100-metre radius of a shop.

The by-law is significant to food since it sets additional specific requirements for hawkers of food. They are expected to, in addition to the hawker's licence, also obtain a food licence and prepare the food from 'licensed premises'. The food hawkers are also required to have a 'health certificate' which shows that they are free from infectious diseases.

A critical analysis of the by-law exposes the weaknesses in it. The restrictions imposed on how the movement is conducted are a problem; one has to keep moving even when they are passing a spot where there are many customers. As an example, if the hawker passes by a public exhibition that is running for hours they can only stay there for no longer than fifteen minutes and proceed even when people still want to buy. This makes neither business sense nor common sense. When regulations are divorced from practical realities they will not be accepted by the stakeholders and are problematic to implement. Whilst the by-law states that equipment shall not obstruct traffic, a drive around Harare and Epworth shows many push carts parked in such a manner as to obstruct traffic. The food types permitted for hawking are listed in the 2<sup>nd</sup> schedule of the by-laws. These include ice cream, milk, lollies, and bakery products all of which must be prepared from licensed premises. There is a bias in the list of food products in favour of established formal food producers. The popular food stuffs with

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<sup>6</sup> This was confirmed by officials from Epworth Local Board in the key informant interviews

the majority include the maputi snack or the staple food sadza (thick porridge made from maize meal) which is consumed with relish mainly comprising meat stews and vegetables. The by-law is inconsiderate of the people's food needs.

#### **4.2.2 Harare (Protection of Marginalized Land) By-laws, 2014<sup>7</sup>**

The By-laws were crafted by the City of Harare in terms of section 229 of the Urban Councils Act [Chapter 29:15]. The by-law sought to curb environmental degradation in the city. These by laws apply within the council area of the City of Harare and have also been used by the Epworth administration<sup>8</sup>.

This by-law explicitly engages the food production system by regulating cultivation on 'marginalized land'. The by-laws prohibit certain activities on land deemed to be unsuitable by authorities. Whilst the by-law seeks to protect fragile ecological areas such as hills and water courses, it targets land that the majority of landless urban food producers' access for cultivation. Several studies have indicated that most urban cultivation occurs in these 'marginalized' spaces (Koc et al,1999; Mbiba,1995; Moyo,2013; Toriro, 2006). The net effect of this by-law is to restrict access to land for food production. Whilst this affects all urban food producers, it affects the poor more since they are the ones with smaller spaces around their homes and therefore are the ones that mainly seek public 'marginalized' land more than other economic groups (Mushamba and Mubvami, 2004). Any one guilty of this offence, is liable to a level (5) five fine. The offence of cultivating in these marginal areas even comes with imprisonment. The by-law also encourages corruption or improper exercise of discretion by public officers who can determine any land as unsuitable for food production.

#### **4.2.3 Harare (Vendors) By-laws, 2014<sup>9</sup>**

The Harare (Vendors) By-laws was recently enacted. Due to the general economic decline, vending has become a major livelihood activity for many people in urban areas of Zimbabwe. Harare is not only the capital city of Zimbabwe but also a

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<sup>7</sup> Epworth has always adopted and implemented urban governance tools enacted by Harare City

<sup>8</sup> Epworth officials indicated that whenever they do not have governance tools of their own, they adopt those from Harare

<sup>9</sup> Footnotes 5, 6 and 7 above apply



primate city. Almost half Zimbabwe's urban population resides in Harare. Whilst vending has increased in all urban areas of the country, in Harare the practice has overwhelmed authorities. This by-law seems to be the municipal response to vending as an attempt to regulate the practice.

The by-law provides for the setting up of municipal spaces for vending in the form of vending sites and stalls. It also sets out the procedure for applying for such spaces. The city council grants a successful applicant either a lease or a permit. The permit bears the month of validity, the stand or stall number and is not transferable between sites or individuals. It imposes additional conditions such as the expectation for the trader to keep the place in a 'clean and hygienic' state. Although the by-law states that no signage is allowed, it however may allow a 'temporary sign which is readily removable'. All vendors who have not been granted a permit by the authorities are considered to be operating illegally. Since the enactment of the by-law, very limited additional vending spaces have been created by authorities in Harare and Epworth<sup>10</sup>. The reality on the ground is that the majority of vendors operate illegally.

As is the case with the principal legislation, the by-law imposes additional conditions for food vending. The cleanliness indicated in general is further emphasized on food vendors requiring them to keep the spaces, the equipment, and the people themselves 'clean and dressed in clean clothing'. The person must be free from any 'contagious or infectious disease'. Proof of the fact that one is not suffering from such diseases is in the form of a periodic medical certificate. The by-law also empowers an Environmental Health Officer to seize goods whenever they are of the opinion that there has been a violation of permit or lease conditions. The seized goods can only be released upon the payment of a fine. Although the by-law specifically targets small-scale traders (vendors), the conditions of trade are very difficult for most vendors to meet. The costs of getting the medical certificate, keeping traders cleanly dressed, sites and equipment clean are beyond most traders who survive from hand to mouth. The Zimbabwean economy is largely becoming informal (Tawodzera et al, 2012; Njaya, 2014; Rogerson, 2016). Whilst there is need for regulating the sector the new regulations are out of sync with the sector. Many small sector players are resorting to

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<sup>10</sup> Interview with a senior government planner

illegal vending. This is costly to both the traders and the authorities. The authorities have to spend a lot of resources trying to control the vendors. The vendors are losing a lot of business and produce to the authorities' heavy-handed approach. Whilst Epworth has adopted the by-law, they do not implement it as strictly as Harare does due to capacity constraints. Inspections are infrequent and raids very rare (ELB3, 2017).

### **4.3 Policies and Declarations**

Public policies or a declarations include principled guide to action taken by the administrative or executive branches of the state with regard to certain issues in a manner consistent with the law and institutional customs (Ahearn et al, 2002). Food security is crucial to a country's socio-economic well-being hence policies and declarations are important in articulating the nation's position on urban food systems since food purchases impact on the urban poor (Moyo, 2013; De Zeeuw and Drechsel, 2015). The policies and declarations communicate official positions and recommendations on how urban agriculture (food production) can be transformed and integrated into wider urban planning and development. The most prominent policies and declarations in Zimbabwe over the past ten to twenty years have tended to focus on the food production side of the food system. These policy positions aimed to optimise the productive capacity of urban agriculture for the benefit of the urban residents and the urban food system. Policy affects food system by articulating the rules and conditions in which food production processing and retailing occurs. Two declarations and one city policy that were enacted in Zimbabwe will be discussed below.

#### **4.3.1 The Nyanga Declaration on Urban and Peri-Urban Agriculture**

Prior to the year 2002, the regulation of urban food production in Zimbabwe's urban areas was disjointed and lacked a common approach. Different towns and cities took different approaches from heavy-handedness to indifference. In realization that urban farming has for years served as a vital component in the livelihood strategies of urban households in Zimbabwe, urban local authorities decided to embrace this phenomenon. In general, urban dwellers rely on the market for food but with the tremendous surge in food prices beyond the reach of the majority of the population,

the poor urbanites in Zimbabwe have resorted to intensifying urban agriculture as a coping strategy to meet their immediate food requirements (Mushamba and Mubvami, 2004; Toriro, 2009).

The Nyanga Declaration on Urban and Peri-urban Agriculture in Zimbabwe (MDP, 2002) was formulated and agreed to amongst the 29 urban local authorities at their annual conference that was held in the resort town of Nyanga in eastern Zimbabwe. The declaration recognizes the contribution of Urban and Peri-urban Agriculture (UPA) to poverty alleviation, food security, creation of employment and local economic and social development (Moyo, 2013). It urges local authorities to promote UPA in their cities by embedding UPA into urban planning and land use planning. The declaration also urges municipalities to develop appropriate policies and incentives for UPA growth (ibid). The Nyanga Declaration also urges the national Government of Zimbabwe to include UPA in its programmes to alleviate poverty. It proceeds to engage NGOs, the private sector and international donors to provide financial and material support for UPA projects.

This declaration paved the way for the crafting of city policies such as the Bulawayo Urban Agriculture Policy. Although urban authorities have acknowledged the importance of urban food production (urban agriculture), the recognition of its current or potential importance has not yet been integrated in the legal and statutory provisions of Zimbabwe. There are only a few municipalities that have institutionalized urban food issues. Many continue to take an indifferent approach to food governance. Policies and laws specifically dedicated to enhancing and monitoring urban agricultural activities continue to be glaringly absent from many municipal policy frameworks. Perhaps the planners' ambivalence in embracing urban food production is best explained by the strong modernist approach held by most planners which will be further discussed in Chapters 5, 6 and 7 below.

#### **4.3.2 The Harare Declaration**

Building on the 2002 Nyanga Declaration, Ministers of Local Government and Agriculture of some SADC and East African countries met in Harare to discuss the increasing role of food production in urban areas. This was funded by international

organizations such as RUIAF, and UN agencies. The meeting culminated in the signing of a communiqué on urban food production that became known as the Harare Declaration by Ministers of Local Government and Agriculture in Eastern and Southern Africa, Zimbabwe (Harare Declaration, 2003). The declaration acknowledged that although UPA is practiced informally within the region, it is already significantly contributing to urban food security, poverty reduction, local economic development, sustainable urban development, improving food security, health and nutrition and income generation for urban dwellers (Moyo, 2013). Given this fact, the declaration reinforces the need to develop policies and other appropriate instruments to regulate UPA and create an enabling environment to integrate UPA into the urban economy.

The declaration recommended the promotion of a multi-stakeholder approach for the formulation and implementation of urban and peri-urban agriculture projects, programs and policies (ibid). This declaration seemed to be an indication that in Southern Africa, food production is now recognized as an important urban land use which all countries are encouraged to incorporate into their plans. Though this declaration received a lot of attention soon after signing, it seems some participating countries and local authorities have not done much to reflect the same in master or local plans or at least formulate policies to support urban food production (urban agriculture) as will be further exposed in Chapter 5.

#### **4.3.3 Urban Agriculture (UA) Policy for City of Bulawayo**

One city that appears to have gone some way in practically carrying forward the spirit of the Nyanga Declaration and the Harare Declaration is Bulawayo. This is the second largest city in Zimbabwe situated in the dry south-western part of the country. The city has developed a policy framework to regulate and support urban food production. The UA policy for the City of Bulawayo contains guidelines that the stakeholders agreed covering key issues that affect food production. These include accessing land, water, finance, marketing and organization of urban farmers. This policy is underpinned by a realization that agriculture in Zimbabwe is significant to the local economy and contributes towards the food security of the low-income sector (CoB, 2008). Bulawayo residents as well as residents of other cities have been practicing UA in an informal manner due to prohibitive urban policies and legislation.

The policy brings clarity regarding where people can legitimately produce food and how they can be supported. In order to institutionalize the policy, an interdepartmental urban agriculture unit was created. The implementation of urban agriculture (UA) in Bulawayo is envisaged to alleviate poverty and provide food security for the Bulawayo urban community. The policy is administered by the Bulawayo City Council.

As a result of the existence of a policy framework urban food issues are better organized and well-supported by NGOs. Organizations such as RUAF, World Vision, SNV, and Care International have all partnered Bulawayo City Council in undertaking projects on urban agriculture targeting mainly the low income. It is almost a perfect case of a city mainstreaming urban food particularly urban agriculture. The policy is in place and there is an institutional framework for operationalizing it. The stakeholders have created a multi-stakeholder forum on urban food production. The forum comprises a diverse team of stakeholders with an interest in food. Members are researchers from universities, farmer organizations, NGOs, financiers of food production, and the city officials<sup>11</sup>. This is the only documented success case of a Zimbabwean urban area that has not only translated national policy into local policy, but also fully implemented the policy.

The policy and set up lays the institutional foundations of how agriculture is integrated into urban development and planning while optimizing its food security, income generation and employment creation potential within the urban hinterland. Unfortunately, besides Bulawayo City Council there is no other documented case of a Zimbabwean city that has localized food issues in a similar manner. Unfortunately, the policy only focuses on urban agriculture and ignores other food system components. Whilst it is a positive step, it falls short in comprehensively addressing urban food security.

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<sup>11</sup> Interview with a planner from the Municipal Development Partnership, July 2017

## **4.4 Statutory Plans and Other Plans**

Statutory plans are developed by local authorities for the purposes of guiding development within municipal boundaries and the immediate surrounding area. These statutory plans facilitate local planning and economic growth, and act as a guide for future land use planning and management for both citizens and businesses (Red County, 2016). They are prepared as set out by the planning laws and when approved they take the force of law. The statutory plans are very important in the integration of food systems in urban development (Jones et al, 2005). The local plans determine permissible and prohibited urban land uses in Zimbabwe's towns and cities and these also affect urban food systems.

### **4.4.1 Harare Combination Master Plan**

The City of Harare as well as the surrounding urban and peri-urban areas are all governed by one statutory plan known as the Harare Combination Master Plan which is generally referred to as the Harare Master Plan (1993). Due to the common resources and shared challenges they face, they were constituted into a combination authority and jointly prepared their master plan hence it's also referred to as a combination master plan. Harare city and the neighbouring towns of Ruwa, Norton, Chitungwiza and Epworth all use the Harare Combination Master Plan as their overall land use planning policy document. According to the policies and strategies of this plan, there are a few areas that impact on food production, processing, and retailing. The following section examines the clauses that impact on urban food systems.

The policies and strategies of the master plan demonstrate the intention to provide for some components of the food system especially food production in the planning area. Most statutory plans have goals that they aim to achieve. These are broad intentions that seek to address some of the challenges that would have been observed in the studies that precede the formulation of these goals. Relevant policies and strategies are then developed that helped achieve the stated goals. The following are the policies and strategies in the Harare Combination Master Plan that have relevance to urban food:

Policy and strategy number (v) intends to:

'Insist on intensive productive use of agricultural land adjacent to/close to developed areas for perishables in order to provide for local consumption and/or export'. The intention is an attempt to produce food within the city's hinterland in order to minimize the distance travelled by perishable food products. This constitutes sound urban planning practice and is supported by urban geography studies such as Von Thunen's land use theory (Wilson, 1998). In this instance the question would be, to what extent has this intention been achieved?

Policy and strategy number (vii) intends to:

'Create employment opportunities in the peripheral centres by designating selected urban areas, growth points and by encouraging decentralization to such centres through a range of incentives.' In terms of this policy, it is expected that places such as Epworth, Ruwa, and Chitungwiza also have areas designated for the creation of employment. Some of the areas in which the employment could be created are for food production, processing, and retailing. A question to ask is, since the Harare Master Plan was approved in 1993, how far has this happened?

Policy and strategy number (viii) states:

'Create conducive conditions and provide accessible sites for use by small scale emerging business persons, and designate areas where income generating activities can be combined with residential use on individual stands in order to mop up the existing abundant marginal labour resource and as a means to encourage and tap self-initiative of individuals within the population'. This policy is similar to the one in policy (vii) above. Authorities are expected to create conducive environments for the employment of small-scale businesses. The policy on paper appears very inclusive and tolerant of the small-scale sector. In reality there has not been much practical implementation of this otherwise progressive policy. On the contrary, it would appear authorities have become more insensitive to the needs of low-income members of society.

Policies (ix) and (x) are similar:

These two policies in the master plan seek to facilitate the growth of small-scale informal businesses and avoid them being in a state of conflict with the larger formal businesses. Policy (ix) is an intention by authorities to, 'realize and encourage the role

played by the informal sector by providing built facilities supported by necessary public infrastructure needed by emerging small scale business people in this sector’.

The similar policy (x) aims to ‘remove conflict between the formal and informal sectors by designating sites (streets/roads) from where vendors can operate hygienically throughout the CBDs of urban centres of the planning area.’ With these two progressive and pro-informal sector policies in the master plan, one expects to see a favorable operating environment for the informal sector. An in-depth analysis of the operations of Epworth’s largely informal food processing and retail in Chapters 6 and 7 will reveal a different outcome on the ground.

Policy number (xii) is also relevant to food production:

‘Identify and zone land suitable for residential agriculture allotments’. As will be demonstrated in Chapter 5, little has happened on the ground.

It is important to note that although the Harare Master Plan became operative in 1993 and statutory instrument 216 in 1994, planners have not fully taken advantage of the positive clauses in these statutory documents. Of the dozen-plus local plans that were prepared after this period, only one incorporates the SI 216 provisions (CityPlanner3, 2017; DevPlanner2, 2017; DPPlanner1, 2017; UniPlanner1, 2017). This may reflect an unwillingness to implement these statutory provisions.

#### **4.4.2 The Epworth Plans**

The urban settlement of Epworth has three types of plans that it uses and is preparing for purposes of land use management. Firstly, the settlement uses the provisions of the Harare Master Plan (1993) as discussed in 4.5.1 above since it falls within the geographical catchment of the plan jurisdiction. Secondly Epworth has a Strategic Plan (2015). Thirdly Epworth has prepared a draft regularization plan (undated) to guide how they formalize all areas of the settlement. The provisions of the master plan and their engagement with urban food have been discussed above. An examination of the Epworth Strategic Plan (2015) however reveals that there is no reference at all to food. The plan seeks to provide for planning of the settlement, housing provision, water and sanitation provision as well as roads and other



infrastructure. There is no mention of food at all. This means that to the leadership of Epworth, food may not be a matter of strategic importance. This is contrary to food system studies which have brought to the fore the growing importance of feeding cities. Crush and Frayne (2010:50) conclude that ‘food (in all its complexity) must be fully integrated into the planning and management systems of the city’. Similarly, Battersby (2018) laments the negative impact of lack of a clear food mandate in many local governments in Africa.

#### 4.4.3 Years in which different laws first came into effect

To fully appreciate the challenge that the legislative framework now poses as a result of its age, among other issues Figure 4.1 below shows the years in which most laws that affect food were first enacted. Whilst some of these laws such as the Public Health Act and the Regional Town and Country Planning Act were amended over the years, these were very minor and cosmetic changes and the laws remain largely as originally enacted. The Constitution now remains the only current law with the rest of the laws requiring attention.

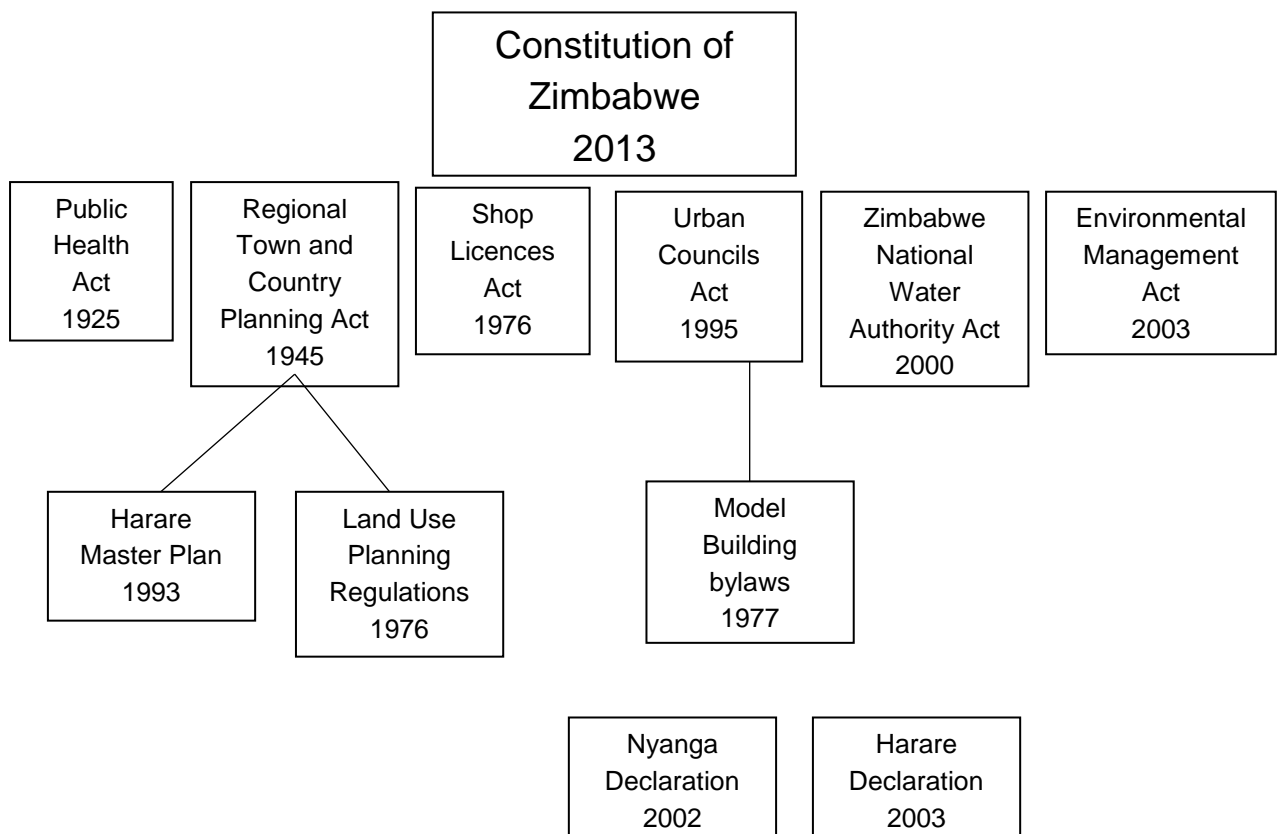


Figure 4.1 Years of initial enactment of legislation and policies

(Source: Author's extrapolation from different laws)

## **4.5 Chapter Conclusion**

Zimbabwe and Epworth's planning and regulatory framework has many provisions that impact the urban food system. The chapter has argued that the reality of Epworth today and its food system is vastly different from that envisaged in most of the laws and the plans. Whilst the environment has remarkably changed from that envisaged in the legislation and plans, the laws and plans remain firmly in place.

There are less conflicts with food production because the law assumes a small-scale subsistence on-plot production system in urban areas. The limitations tend to focus on scale. The law envisaged a rural and commercial farm-based production system that was centrally controlled to produce for the urban market. The more intensive the urban production becomes; the more barriers are encountered. As long as production remains small-scale and does not occupy prominent spaces where it begins to challenge the authorities' notion of urbanity and modernity, the conflicts are minimal or non-existent.

On retailing and processing, the law envisions a large-scale formal food retailing and processing system. This is also a well-regulated food system with checks and balances for public health and environmental protection. This vision is problematic for Epworth which has always been dominated by informality. The regulatory framework creates conflict through its failure to capture the reality of the Epworth food system. Although the Constitution of Zimbabwe is progressive and makes food a right, it is practically difficult to give effect to the right to food. This is because the constitution came much later than the other laws and its spirit of promoting rights to food and giving certain freedoms does not fit into the existing laws that were prepared earlier. The older laws were enacted for a different context. There are now inconsistencies between the intended food guarantees in the constitution and the restrictions imposed by the old laws.

This chapter also exposed the fact that there are several positive provisions in the laws that could be used to promote food production, processing and retailing which have not been fully-utilized. The examination of the different statutes has revealed that

these laws policies and plans provide for two main purposes. They provide measures for regulating food production processing and retailing in the interests of creating a safe public health environment, sound urban planning, and safe food processing and trading spaces. It also came out that the laws, policies and plans also provide measures for accommodating informal food traders and food production spaces. The planners and other officials' interpretation of the regulatory framework is also important as will be shown in Chapters 5, 6, and 7. The questions that arise from this examination are whether officials interpret and implement the laws, plans and policies as intended.

# Chapter 5: Food Production and the Regulatory Framework in Epworth

## 5.0 Introduction

Having explained the overarching regulatory framework affecting the food system in Epworth, the thesis now shifts to focusing more explicitly on production, processing and retailing. This chapter sought to answer the key question what the role and impact planning regulatory framework has on food production in Epworth. The chapter argues that contrary to literature in the region that documents conflicts in urban agriculture (Mbiba, 1994 and 1995; Simatele and Binns, 2008; Mutonhodzo, 2012), urban food production in Epworth is undertaken within an environment surprisingly devoid of significant conflict.

This however does not mean food production in Epworth happens without some discord: The first area of discord is the legislative environment; second is the profession of urban planning; third is the administrators, both appointed and political; fourth is the resources management authorities; and lastly the residents that do not support urban agriculture for various reasons.

It further argues that the continued decline of the economy caused by both droughts and policy positions of government have increased the public outcry towards intolerance to urban food production. Whilst this has forced authorities into a position of tolerance to urban food production, the governance of the sector remains unclear. Evidence obtained from key informants as well as from a food production survey will be used to demonstrate the outworking of this inconsistency. The chapter also observes that the role of urban food production remains limited to own food provisioning. This is caused by several factors that are regulatory and non-regulatory including food production's weaker competition for urban space as well as other resources, in Epworth.

The chapter starts by placing the practice of urban food production into a wider global context taking from debates on the place for urban food production and its contribution. It goes on to share the regional positions of the regulatory framework and

urban food production. It then shares the Zimbabwean urban food production scenario before discussing the study findings.

## **5.1 Background to Urban Food Production: Global and Regional**

Urban food production has existed as part of the urban food system for as old as cities have existed. In a study of Zambian cities, Carole Rakodi contended that ‘the cultivation of food crops within the boundaries of towns and cities is not new’ (Rakodi, 1988:495). Some scholars have described it as a ‘common phenomenon’ (Foeken and Owuor, 2008; Freeman, 1991). It has been growing across the whole sub-Saharan region. Freeman graphically depicts the ‘armies of farmers’ that occupy open spaces during the rain season every year (Freeman, 1991). In Addis, cultivated land increased from 194 hectares in 1984 to 274 hectares in 1990 (Egziabher, 1993). In Dar es Salaam dairy cows increased from 3300 in 1985 to 18 000 in 1993 (Sawio, 1998). It is important to note that there is a difference in the tolerance of livestock between East Africa and Southern Africa. Whilst a common thread of the urban food production literature in Tanzania, Uganda, and Kenya includes the keeping of dairy cattle in urban areas, this is not tolerated in Zimbabwe, Malawi or Namibia where large livestock is only accepted in the peri-urban and rural areas. This position is also reflected in the health laws in Zimbabwe that specifically contain tougher clauses for handling of meat and dairy products (GoZ, 1989; GoZ, 1996a; GoZ, 2002)

In several countries in Africa the growth of urban agriculture has been linked to economic decline (Mlozi et al, 1992; Jacobi et al, 2000). In particular, it has been linked to economic structural adjustment programmes (ESAPs) which forced many urban households to resort to growing some own food (Drakakis-Smith et.al, 1995; Toriro, 2009; Frayne et al, 2014). The practice of urban agriculture in the region has generally been resisted by governments and planners (Mbiba, 1995; Mkwambisi et.al, 2010; Eziabher, 2014). Actions and responses to urban agriculture have ranged from some authorities taking a blind eye to the practice to heavy-handed actions such as destroying crops grown (Simatele and Binns, 2008; Mutonhodzo, 2012). The reasons for resisting urban agriculture are varied. They range from ecological to public health including child labour (Mlozi, 1995). Growers have been accused of violating public health regulations by creating mosquito habitats (Drakakis-Smith et.al, 1995). They have also been accused of causing environmental degradation and soil pollution

(Mbiba, 1994). However, scholars argue however that 'little is understood by planners' in the area of urban food (Egziabher, 2014)

There are also linkages between the urban and the rural in urban agriculture. Many farmers also farm in the peri-urban areas as well as the rural areas (Foeken and Owour, 2000; Sawio, 1998). There are some food types that are grown more in the rural areas since they need more space. Cereal crops are one example. Most urban areas do not have sufficient spaces in the intra-urban zone to grow enough maize to feed all city residents. This is where the urban and rural linkages become important in providing sufficient food for urban residents.

Perhaps one of the issues with urban food production has been the embarrassment it causes 'modernist' planners and urban managers. They see the growing of crops as a 'rural' activity that does not fit in an urban area (Battersby, 2013). Officials and urban elites have also been known to consider urban agriculture as backward and making the city look 'untidy' and 'unmodern' (Burger et al, 2009). It is therefore more fashionable and desirable to rather design large green parks and wide expressways so that African cities can look 'world class' and beautiful (Watson, 2014). With some of the concerns against urban agriculture even including noise and odour (Hovorka, 2008), the challenges facing the sector remain significant.

As a result of the negative perceptions indicated above, over the past few decades, international organizations such as International Development Research Institute (IDRC), Resource Centres for Urban Agriculture and Forestry (RUAF), the different United Nations organs with a food mandate such as FAO have lobbied for improved acceptance of urban agriculture in cities. A number of cities in the region now have urban agriculture policies (City of Cape Town, 2007; City of Bulawayo, 2008). Unfortunately, even in those cities with an improved policy position and an accommodative legal framework, urban agriculture remains constrained due to internal disharmony within the different governance levels (Battersby, 2013; Mkwambisi et al, 2010).

### **5.1.1 Urban Food Production in Zimbabwe: What Was Already Known**

In Zimbabwe urban food production has grown significantly from the 1970s to date. Several studies carried out over the years indicate widespread practice of urban

agriculture (Mbiba, 1995; Chaipa, 2001; Toriro 2009). The work by scholars such as Mbiba (1994 and 1995), Bowyer-Bower, Drakakis-Smith and Tevera (1995), Mudimu (1996) and Mazambani (1982) was probably the earliest academic focus on urban food production in Zimbabwe. Much of the work explained urban agriculture in the context of the negative effects of the Economic Structural Adjustment Programme (ESAP). This depiction of urban food production as an economic crisis survival strategy is a common thread amongst these 1990s scholars (Drakakis-Smith et al, 1995; Drakakis-Smith, 1994; Mbiba, 1995). Amongst the same crop of scholars was also an attempt to measure the extent of urban food production in terms of scale. Some took a general approach of merely observing the practice as 'widespread' and 'growing' (Drakakis-Smith, 1994) whilst others conducted measurements of the changing and growing spatial coverage of urban agriculture (Mazambani, 1982). Perhaps the most comprehensive work for the period was an attempt to link not just the economic and social aspects of food production, but also linking the policy failures to the increasing system failure to deal with underlying and growing poverty in a fast-urbanizing environment (Drakakis-Smith et al, 1995).

Whilst this work was useful in beginning to demonstrate the different linkages affecting the urban food system, some of the most authoritative researchers could not continue with their work due to death and migration and left a vacuum that remains largely unfilled. The work of Drakakis-Smith et al (1995) demonstrate the role urban food production was playing and could play in an urban setting if the operating environment improved. Tevera (1996) summarizes literature at that time (the 1990s) as falling into four broad categories: areal coverage of production spaces, socio-economic dimensions, ecological impacts, and operational issues to do with urban food production. Whilst most of the literature of the nineties suggests a case for improving the policy environment, their work did little to indicate the weaknesses in the policy environment as a basis for the advocated change. This thesis builds on that work and conducts a comprehensive analysis of the laws and regulations that affect food production amongst other food system components.

From the year 2000, there is a notable increased interest in urban food in general and urban food production, and the scope of the work also was becoming more comprehensive, taking a multi-disciplinary approach (Van Veenhuizen, 2006;

Hovorka, 2010; Mougeot, 2010). Urban food production in Zimbabwean cities is recorded as largely subsistence and produce still largely remains for own consumption with very limited sale of produce (Toriro, 2009; Tawodzera et al, 2010). There was however increasing pressure for land as competition for land was increasing due to rapid urbanization after independence in 1980 (Potts, 2008). This was due to the higher demand for land for housing as well as other informal activities.

This pressure increased over the years and later on there were reports of people fighting over land as different land use categories contest for access to urban land (Toriro, 2007). The decrease in available land for food production in Harare is graphically documented by Taru and Basure when they examined the conflicts over land, including their causes and how they were resolved amongst urban food producers in Harare. They observed that 'scarcity' of public land and the unfair distribution of the land were major causes of conflicts (Mudimu et al, 2003; Taru and Basure, 2013). They went on to criticize some of the means people were using to access land such as political affiliation and 'urban territorialism' as unfair (Taru and Basure, 2013). Both these means of access are outside the formal system and have weaknesses since regulatory authorities are not involved. Similar observations had been made by Mudimu et.al (2003) when they found that older residents who came into the city earlier had better access to more land. Whilst there was increasingly less municipal harassment because of the improving national policy environment as will be described below (Kutiwa et.al, 2010; Toriro, 2009) the principal and subsidiary legislation affecting urban food production remained the same. It remained unclear whether lower level legislation and plans were ever adjusted accordingly. It also remained unclear how sustainable urban food production continued to be.

Having discussed the background to urban food production, the thesis now revisits the regulatory framework with a specific focus on how it affects urban food production in the next section. Thereafter it examines the typology of urban food production in Epworth before discussing the views of different stakeholders on urban food production.



## **5.2 The Legislation and Urban Food Production in Epworth**

This section discusses what the law says about food production in Zimbabwe generally and Epworth in particular. The law in this section means any instrument used by the authorities to govern. This starts with the constitution and other acts of parliament, policies and public pronouncements, by-laws, statutory plans and any other plans that are used in the management of Epworth. The discussion only focuses on laws that affect urban food production.

### **5.2.1 The Zimbabwe Constitution**

As discussed in Chapter 4 of the thesis, the constitution of Zimbabwe is the principal law. Chapter Four of the constitution lists the rights and freedoms that are supposed to be enjoyed by all Zimbabweans. One of those rights in section 77 is the right to food. Inherent in this right is probably the right to food production. The constitution compels the government and its different supportive arms to take all 'reasonable measures' to ensure this right becomes practical. There is however a challenge in that this constitution became operative in 2013. The other laws that affect food production were enacted earlier than the constitution and are not in harmony with it.

There are also policies or public pronouncements that affect food production. The policies are found in statutory plans as well as in public pronouncements. Some of these policies laws and regulations support urban food production whilst others do not. The regulatory framework relating to food production will be briefly revisited below.

### **5.2.2 The Regional Town and Country Planning Act: Chapter 29:12**

As shown in the preamble of the Act below, its intention is only to provide for sound urban and regional planning. How that is done largely depends on the background, training, and values of the people that prepare the plans, the planners.

An Act to provide for the planning of regions, districts and local areas with the object of conserving and improving the physical environment and in particular promoting health, safety, order, amenity, convenience and the general welfare of, as well as efficiency and economy in the process of development and improvement of communications; to

authorize the making of regional plans, master plans and local plans, whether urban or rural; to provide for the protection of rural and urban amenities and to provide for the preservation of buildings and trees and generally to regulate the appearance of the townscape and landscape; to provide for the acquisition of land; to provide for the control over development, including use, of land and buildings; to regulate the subdivision and consolidation of pieces of land; and to provide for matters incidental to or connected with the foregoing.

(GoZ, 1996b)

According to a senior urban planner working in the public sector, the Act does not directly affect urban food production, but it does so 'in a general way' (DPPlanner1, 2017). There is no clause in the Act that directly refers to urban food production. It simply provides a framework for planning and controlling development without providing the detail. He thinks the real limiting factor is that in planning for urban areas, Zimbabwe's planning framework limits the main land use categories to those that are non-agricultural.

'The Regional Town and Country Planning Act affects urban food production indirectly. The law directs that statutory plans such as Master and Local Plans are prepared. These plans outline different land uses and zones in which these are permitted in both urban and rural areas. In Zimbabwe's urban statutory plans there are five broad land use categories namely residential, commercial, industrial, institutional, and open space/recreational zones. You will find that there is no room for large-scale food production in urban areas unless it comes as an ancillary use in any of the major land use zones.'

(DPPlanner1, 2017)

The Act and other laws have been assumed to prohibit urban food production in the country's urban areas. This view is found in numerous previous studies (Mbiba, 1994 and 1995; Makonese and Mushamba, 2004; Mudimu, 1996; Kutiwa et.al, 2010). Whilst this view is so common amongst Zimbabwe's land use planning professionals, it is not entirely true. A study commissioned to examine the validity of the view concluded that urban food production is not a prohibited activity. It found the law to regulate the practice and was enacted to protect the environment hence sustainable food production did not face resistance (Makonese and Mushamba, 2004).

### **5.2.3 The Urban Councils Act: Chapter 29:15**

The Act affects urban food production in several ways. Sections 227 to 232 provide for councils to enact by-laws, regulations and resolutions that should assist them in planning better, managing the environment, and in development control (GoZ, 1996a). The spirit of this law is to empower local governments to regulate local areas. The assumption in these powers is that authorities will act in public interest and act in a manner that best advances the needs of the people.

Unfortunately, the officials who are tasked with the responsibility to implement these provisions may have 'conflicting rationalities' with the lived reality of residents (Watson, 2003). Whilst officials at the Epworth Local Board indicated this as one of the laws that prohibits urban food production, the law does not have a specific negative clause (ELB2, 2017). Officials from Harare City Council, from where Epworth officials generally get guidance, also indicated the same position (CityPlanner2, 2017; CityPlanner3, 2017). The Harare officials went on to quote the by-laws which their council has enacted with guidance from the Urban Councils Act (CityPlanner1, 2017; CityPlanner3, 2017). Harare enacted a by-law that bans the keeping of livestock that can be a 'nuisance' to the neighbours (CoH, 2014). Nuisance is a general term used to describe unacceptable conduct such as being 'noisy' or 'smelly'. Harare has enacted ecological and noise by-laws which have been used against urban food production and other informal sector activities. Authorities argue that these by-laws are informed by the principles embedded in the Act.

### **5.2.4 The Environmental Management Act: Chapter 20:27**

The Environmental Management Act is one of the two resource laws that seek to protect the natural environment including water resources that were also found to affect food production in Epworth. The law has a number of provisions that many small food producers with limited resources would struggle to comply with. The specific provisions are to do with the conditions for the use of wetlands, the requirement for environmental impact assessments (EIA) for irrigation projects, and the reporting conditions for use of chemicals.

Most food producers that have no access to borehole water tend to use wetlands. These all become illegal in terms of the wetlands' provisions. Whilst the intentions of the law are good for ecological sustainability, they affect mainly small-scale producers most of whom cannot afford to comply.

### **5.2.5 The Zimbabwe National Water Authority Act: Chapter 20:24**

The Zimbabwe National Water Authority (ZINWA) is a statutory organization that was created to manage the provisions of the ZINWA Act. The law manages the access to water for different uses. It provides for the different water users to apply for permits to 'abstract' water from dams, rivers, as well as from underground. Obtaining the permit requires cumbersome applications done at centralized offices as well as the payment of application fees and user fees. The source of water that has been subject to the most controversy and conflicts is the abstraction of underground water. Many residents in areas where the authorities are supposed to provide them with water supplies but have failed to do so do not understand how and why authorities want them to pay for water that they have accessed at a huge cost and effort. As will be shown from interviews conducted with Epworth residents below, this act has negatively affected the potential of some farmers to produce food for themselves as well as for sale.

### **5.2.6 Policies and Public Pronouncements**

Acting outside of the laws described above, there are two key policies and public pronouncements which explicitly call for support for urban food production by the state. These policies were adopted by two key constituencies that include Epworth Local Board. This section argues that whilst the provisions of these two policy pronouncements were progressive and would have gone a long way in addressing the challenges of lack of clarity regarding local governments' position on urban food production, nothing has been done to put in place local level supporting tools in order to operationalize these. The Nyanga Declaration on Urban and Peri-Urban Agriculture was agreed to by all the urban local authorities in the resort town of Nyanga, Zimbabwe in 2002. The following year a higher-level policy pronouncement was made by the governments of five countries in the Eastern and Southern Africa region with the support of several NGOs and United Nations organs (See Box 5.1 and 5.2 below).

### 5.2.6.1 The Nyanga Declaration

We, the delegates to the Urban Councils Association of Zimbabwe's 61st Annual Conference, comprising of the Minister of Local Government, Public Works and National Housing and his Deputy, the Minister of State for Informal Sector, Executive Mayors and Chairpersons, Town Clerks, Chairpersons of Council Committees, Councilors, Heads of Departments, representatives from the Ministry of Local Government, Public Works and National Housing, International, Regional and Local Non – Governmental Organizations, meeting at Montclair Hotel, Nyanga, from 4-7 June 2002, acknowledging that Urban and Peri-urban Agriculture contribute to urban food security, poverty reduction, local economic development and sustainable urban development

Are urging

Local authorities to promote Urban and Peri-urban Agriculture in their cities, develop appropriate incentives and other policies necessary for its growth, mainstream urban food security within their operations and promote the collection and dissemination of information on Urban and Peri-urban Agriculture activities in their territorial planning areas,

The Government to include Urban Agriculture in its programmes to alleviate poverty and economic empowerment, food security, promotion of local economic development and environmental and health improvement,

Non-Governmental Organizations and Donors to support financially and materially urban and peri-urban agriculture projects for the benefit of the urban poor,

The private sector to invest in high value intensive urban and peri-urban agro-industries in order to create employment opportunities and promote local economic development.

Are encouraging:

Urban local authorities to recognize the significance of the contribution of Urban and Peri-urban Agriculture to social development approaches, generation of jobs and income, self esteem, environmental improvement and urban food security and to add them to their key development goals.

Are re-affirming:

Our commitment to improve urban management through the promotion of peri-urban agriculture in our cities so as to enhance urban food security, address urban poverty, improve urban environmental and health management as well as to protect the urban and peri-urban bio-diversity.

**Figure 5.1 The Nyanga Declaration on Urban and Peri-urban Agriculture 2002**

Source: Municipal Development Partnership for Eastern and Southern Africa (MDP-ESA), Harare

### 5.2.6.2 The Harare Declaration on Urban and Peri-Urban Agriculture

Ministers from local governments from Kenya, Malawi, Swaziland, Tanzania and Zimbabwe met in Harare, Zimbabwe, on Urban and Peri-urban Agriculture (UPA) in Eastern and Southern Africa organised by the Ministry of Local Government, Public Works and National Housing of the Government of Zimbabwe and the Municipal Development Partnership for Eastern and Southern Africa, in collaboration with UNDP, UNICEF, FAO, FANRPAN, RUAFA and IDRC, on 28 and 29 August, 2003. They acknowledged that UPA is a widely practiced activity in and around towns and cities within the region on parcels of land with alternative competing uses. Consequently, UPA has generally been practised informally without appropriate policy, legislative and institutional frameworks. Therefore, UPA plays, and will continue to play, a significant role in promoting food security, employment creation and income generation, health and nutrition and improving the economies of urban areas. Some governments in the region have made significant progress in incorporating UPA in their urban development plans, and others are now beginning to rise to the challenge.

Furthermore, they recognised the existence and increasing practice of UPA and also noted the many challenges that it faces.

They therefore called for the promotion of a shared vision of UPA that takes into account the specific needs and conditions in the region, and accordingly committed themselves to developing policies and appropriate instruments that will create an enabling environment for integrating UPA into urban economies.

### Figure 5.2 Harare Declaration on Urban and Peri-Urban Agriculture

Adopted from MDP, 2003

Source: Mubvami and Mushamba (2006)

### 5.2.6.3 Operationalizing the Nyanga Declaration

Whilst the two public pronouncements above laid out specific actions that local governments were supposed to take, a quick assessment reveals that nothing was done by Epworth Local Board at local level. In order to give effect to the Nyanga Declaration, the following was recommended:

- 1) Put in place incentives for urban food production
- 2) Enact relevant policies to support urban food production
- 3) Mainstream food matters in governance
- 4) Periodic collection of data on food situation
- 5) Dissemination of food information by local governments

None of the measures was implemented in Epworth and Harare. The fact that nothing in the Nyanga Declaration was done in Epworth means that the public policy pronouncement has not helped change anything in Epworth. An appreciation of the officials' views on urban food production below helps explain why they have not done anything to implement these public pronouncements.

### **5.2.7 By-Laws and Urban Food Production**

Section 229 of the Urban Councils Act provide for the enactment of by-laws by local authorities to assist them manage urban areas. Whilst Epworth has not enacted by-laws of its own, it has always adopted Harare by-laws where it needs legislative authority (ELB2, 2017). One by-law which has constantly been referred to is the Harare (Protection of Marginalized Land) By-laws of 2014. This has been used together with the provisions of the Environmental Management Act (GoZ, 2003) to manage public spaces deemed ecologically sensitive. This by-law as discussed in Chapter 4 seeks to empower the local government to deal with people doing anything that could be seen as degrading wetlands, vegetation, or any other area and aspect of environmental importance. Whilst Mbiba's work (1994 and 1995) showed earlier versions of this by-law being used extensively in other parts of Harare, the use of this by-law in Epworth has been very rare (ELB2, 2017). This is largely due to the fact that there are very few spaces available for cultivation in Epworth. The unavailability of open spaces leaves residents with only on-plot gardens for food production and authorities generally have no problems with that.

### **5.2.8 Plans and Urban Food Production**

There are three types of plans that affect Epworth and have been examined for their impact on food production. These are the Harare Master Plan (1993), the Epworth Strategic Plan (2015), and the draft Epworth Regularization Plans (undated).

As discussed in Chapter 4, the Harare Master Plan (1993) has useful clauses that compelled all settlements within the planning boundary to reserve certain spaces for food production. Whilst this was implemented in a few local plans in Harare (CityPlanner2, 2017), in Epworth this was not done. Officials in Epworth attributed this

to pressure for land and the generally unplanned nature of the settlement (ELB1, 2017; ELB2, 2017).

The Epworth Strategic Plan (2015) does not refer to food at all. It simply focuses on housing, health, infrastructure, housing and other urban management issues. The conclusion is that the strategy document does not consider food a strategic matter.

The same complete disregard for food is evident in the regularization plans. They concentrate on provision of roads, water, sewerage systems but with nothing about food. An examination of planning documents for Epworth therefore reveals little to no attention to food. The basic need is not a planning priority.

### **5.3 The Epworth Food Production Survey**

To understand how planning and the law affect food production in Epworth, this section discusses the extent of food production and the different production typologies. There is widespread prevalence of own food production in Epworth although at a small scale. Most of the respondents in a survey of urban food producers conducted indicated they grow some of their food. The survey first asked respondents if they grew any of the three food items that were chosen for their importance in the local diet or kept small livestock. The study found that far less food producers keep livestock as compared to those that grow crops. Only a quarter of the respondents reported keeping livestock. All respondents reported growing fruit trees. At the time of the study, only 12 percent of the respondents did not have fruits because their trees had not yet reached maturity stage as shown in Table 5.1 below.



**Table 5.1 Respondents That Grow Food**

Crop or Production Type	Overspill (Ward 7)		Zinyengere (Ward 4)		Percentage Growers out of Sample
	Yes (Grow)	No (Don't)	Yes (Grow)	No (Don't)	
Maize	42	8	47	3	89
Leaf Vegetables	37	13	42	8	79
Fruits	50	0	50	0	100
Small Livestock	9	41	16	34	25

N=100

The results have both similarities and differences with similar studies undertaken in Harare. An AFSUN study on food security conducted in 2008 found 60 percent of Harare's poor engaging in some form of urban agriculture (Tawodzera et al, 2012). The trend of livestock production being less than other production systems is similar with the findings of Mbiba (1995), Bowyer-Bower et.al (1996) and Kutiwa et.al (2010). The lower practice of animal husbandry in Harare is attributed to the laws that are stricter on livestock rearing in urban areas (Kutiwa et.al, 2010). However according to the same studies, households tended to practice more 'backyard gardening' of vegetables than maize. In this study there were more producers (89 percent) who reported growing maize than vegetables (79 percent). This can be explained by the lack of a comprehensive municipal water supply in most of Epworth unlike in Harare. This reliance on rain-fed agriculture limits the potential of Epworth farmers hence the main option being summer maize when it is raining. There is however more livestock farming in Epworth at 25 percent compared to the 12 percent found in Mabvuku, Mufakose and Budiriro high-density areas of Harare (Kutiwa et.al, 2010). A more detailed discussion of whether the regulations have an impact on specific production types will be undertaken below.

### 5.3.1 Purpose/Motive for Growing

Most food producers in Epworth grow food for own consumption as shown in Table 5.2 below. A small number sell some of their producers on their own vegetable stalls or to vendors who sell vegetables at other sites. No person was found to be growing maize, vegetables or fruits exclusively for sale. Only one poultry producer reported producing chickens exclusively for the market.

**Table 5.2 Reasons for growing food**

	<b>CONSUME ONLY</b>	<b>CONSUME &amp; SELL</b>	<b>SELL ONLY</b>	<b>DID NOT GROW or KEEP</b>
<b>Maize</b>	84	10	0	6
<b>Leaf Vegetables</b>	66	13	0	21
<b>Fruits</b>	71	17	0	12*
<b>Livestock</b>	19	5	1	75

N=100

\*Their fruit trees were not yet producing fruit

The results are similar to other studies undertaken in Harare. Tawodzera, Zanamwe and Crush (2012) found only 6 percent of the urban poor who practiced urban agriculture sold their produce. Kutiwa et.al (2010) found 33.9 percent of households consuming as well as selling agriculture produce. Mudimu (1996) found only 13 percent of food growers in Harare were motivated by the desire to sell produce. Urban food production therefore remains largely a subsistence activity mainly meant for own consumption.

### 5.3.2 Where Are Crops Grown?

Most food producers in Epworth grow their food from their own properties a practice commonly referred to as on-plot production. For all types of production, ninety percent of producers conduct their production on-plot, see Table 5.3.

**Table 5.3 Extent of On-Plot and Off-Plot Production**

Crop or Production Type	Area			
	Overspill (Ward 7)		Zinyengere (Ward 4)	
	On-Plot	Off-Plot	On-Plot	Off-Plot
Maize	38	4	43	4
Leaf Veg	36	1	40	2
Fruits	43	0	46	0
Livestock	8	1	15	1

N=100

The findings differ considerably with previous studies in Zimbabwe. Most studies found a significant number of growers utilizing public open spaces (Drakakis-Smith, Bowyer-Bower and Tevera, 1995; Mbiba, 1995; Mudimu, 1996; Kutiwa et.al, 2010; Taru and Basure, 2013). The dense development of Epworth and the low level of formal planning explain this situation. In all other areas of Harare, there are formal blueprint plans that emphasize different use zones and leave generous pockets of land for future uses including expansion of existing services (CoH, 1993). Epworth developed differently, and the planning was largely organic and spontaneous. The growing of food mainly on-plot has further implications on conflicts with authorities. The legislative framework, planning practice and general urban administration<sup>12</sup> perceives off-plot urban agriculture more negatively than on-plot agriculture (Mbiba, 1995; Mubvami and Mushamba, 2006). The legislative framework was enacted for a food system that was mainly supplied from the rural and commercial farming areas. Urban food production was therefore not meant to significantly contribute to urban food provisioning. This position was reflected in the planners' attitudes to urban food production. Whilst some displayed influence of a modernist approach, there were some who felt there are still sufficient spaces for food production outside urban areas.

### 5.3.3 Land Ownership of Grower

The study also sought to establish on whose land food was being grown. Most of the growers were found producing food on land that they owned, see Table 5.4

<sup>12</sup> Interviews with several planners also confirmed the position.

below. Tenants were far fewer than landlords amongst the food producers. Owners were four times more likely to grow food than tenants.

**Table 5.4 Ownership Status of Food Production Space**

Crop or Production Type	Overspill (Ward 7)		Zinyengere (Ward 4)	
	Owner	Tenant	Owner	Tenant
Maize	35	7	39	8
Leaf Vegetables	29	8	34	8
Fruits	33	7	38	8
Livestock	8	1	14	2

This finding is similar to those by other previous researchers who undertook similar studies in Harare (Mbiba, 1995; Mudimu, 1996; Mudimu et.al, 2005). The implications of the ownership patterns where a large number of farmers are owners of plots mean that urban agriculture may not be the best strategy with which to target the extremely poor who do not own properties as they have nowhere to farm. The data shows that urban food production is more likely to be done by residents who own land. If planning is to facilitate improved urban food production, it must identify ways of improving access to land for all residents.

### **5.3.4 Growers' Experience with the Law**

Most food producers in Epworth did not report experiencing problems with authorities or with the law. Again, this differs significantly with most studies undertaken on food production in Harare (Mbiba, 1995; Mudimu, 1996; Mudimu et.al, 2005; Taru and Basure, 2013). Most of these studies reported 'harassment' and 'repression' of farmers. The low level of conflict between urban food producers and planning authorities is explained by the absence of significant open land parcels in Epworth. Local authorities have been documented to object to cultivation on public land and other vacant spaces without authority. The different laws they administer do not conflict with small-scale domestic production on-plot.

There is however a small percentage of farmers that reported having problems with authorities because of the law. Only 5 percent had at any time been stopped from growing food crops and 8 percent from keeping livestock. The only people that had at any time been stopped from growing food were found growing crops in areas that were outside of their plots, the open space off-plot cultivators. They were stopped for two specific reasons: either they were said to have violated environmental laws or the water laws as discussed in Sections 5.3.3 and 5.3.4 above. The accounts below from different growers affected differently by different laws demonstrate the reasons:

#### Case One: The Environmental Management Act and use of Wetlands

We used to have gardens along the Jacha River, but we always ran into problems with officials from the board (ELB) and from the Environmental Management Agency. They would always come and ask us to apply for a permit because we were using a wetland. The process of obtaining the permit was complicated and cumbersome. Whilst we have stopped farming there, the land has been taken over and subdivided into housing stands. We wonder whether housing is allowed in a wetland. Yes, they managed to stop us from accessing our gardens there, but the wetland has now been occupied by the new stand owners

(Interview with a former producer who was stopped by EMA from farming in the Jacha wetland, July 2017)

The farmers were stopped from cultivating the wetland because the law requires anyone who cultivates in a wetland to obtain a permit from the Environmental Management Agency (EMA). The process is cumbersome as it requires lengthy application processes which must be accompanied by detailed justification and so they failed to get it. This finding mirrors what cultivators on open spaces face in much of the developing world cities (Bryld, 2003; Van Veenhuizen, 2006; Mougeot, 2010; Redwood, 2012). The finding also demonstrates the weakness of urban farming as a land use. In many instances land used for farming at some point loses its place to some other 'urban development' use (Mbiba, 1995; Mubvami and Mushamba, 2006; Redwood, 2009). It is important to note that the housing development that has displaced the food production is not formally planned nor permitted by authorities. Indications are however that the housing developments may end up being regularized

hence legitimized<sup>13</sup>. The small cultivators cannot stand the might of not only other land demands but are not supported by authorities and they have no influence (Scott et al, 1993). In a study covering the two cities of Lilongwe and Blantyre in Malawi, it was observed that 'most land' earmarked for urban food production was being taken over by other urban development uses (Mkwambisi et.al, 2010).

#### Case Two: The Zimbabwe National Water Authority Act and Use of Wells

I used to produce a lot of vegetables and was actually selling some at my own market stall here as well as to other vendors. Unfortunately, I had problems with the water people (ZINWA officials). They came and asked us where we got water for irrigating our crops. We told them that we had a protected well from which we also got our domestic water since this section does not have water supplies from the board (Epworth Local Board). He asked to see our permit. I told him I didn't have a permit and I asked him where I could get the permit. He directed me to their head office in town (Harare city centre). When I got there, they not only wanted us to fill in a few forms, they also wanted us to pay a penalty fee and a regular user fee and I told them I'd rather stop farming. How could I pay for water that I have struggled to get from underground? To avoid trouble, I now produce just for myself, maybe that will not attract their attention

(Interview with a food producer in Ward 4, Zinyengere, July 2017).

#### Case Three: Epworth Poultry Farmer and the Poultry Regulations

I was keeping 2000 chickens on my plot in five big fowl-runs. One-time health inspectors came to my premises. They indicated that they had received reports that I was keeping chickens without a permit. I told them I had always kept chickens, but they indicated that I needed a permit. I asked them to give me the permit, but they asked me to apply to the board (ELB). I went to the offices and applied but they refused to give me the permit. They said this is a residential area and I cannot keep 2000 chickens, so I had to stop. As you can see my fowl-runs are now empty.

(Epworth Resident Poultry Producer, July 2017)

Out of the twenty-five respondents that keep livestock, only two reported having ever been stopped from doing so. One of these two was stopped from keeping

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<sup>13</sup> Interview with an ELB Official, July 2017

chickens because their enterprise was seen as having grown to an extent where it was deemed to assume a 'commercial' character. The farmer was found keeping 2000 chickens, 1975 chickens above the permitted 25. The case was corroborated by one of the board officials in an interview. He confirmed that there were a few chicken farmers who had been stopped from keeping 'many more than the permitted 25 chickens'.

The limitation of chickens kept to only 25 reflects the envisaged production in an urban area. The law imagines a small-scale production typology which is limited to poverty alleviation only but not looking at livelihood and beyond. This fits into how urban agriculture has been framed in the global South. From a scalar perspective, it is an insignificant activity because real supply is supposed to come from the rural and commercial farming areas (Mbiba, 1994; Bowyer-Bower and Tengeh, 1995; Battersby, 2013).

#### Case Four: Epworth Goat Producer and Health Inspectors

I had four goats that I was keeping. I did not think they were a problem with anyone since I would tie them to a tree everyday inside my premises. They would graze around the trees and sometimes I brought them additional fodder. I think one of my neighbours got jealous and reported me to the authorities. When the health inspectors came they said my neighbours were not happy with me keeping goats in town so I had to move them elsewhere. I had nowhere to take them so I killed them, sold most of the meat and ate some with my family.

(Epworth Resident who participated in the Food Production Survey, July 2017)

#### **5.3.5 Residents' Perspectives on the Law and Food Production**

Many Epworth residents do not think the law constrains food production in their settlement. In most people's opinion, the law has nothing to do with food production and therefore it does not negatively impact on food production. This can be understood from the very rare incidences of residents being stopped from producing food because of the law in Epworth.

### **5.3.6 Does the law facilitate or constrain food production?**

The vast majority of participants in the Epworth food production survey did not believe that the law constitutes a constraint in their practice. Only 17 out of 100 food producers believed that the law is a constraint with 83 saying the law does not constrain them. Almost all the producers interviewed were of the view that urban food production must be permitted. This perception differs significantly with other studies on urban agriculture and the law. Most studies found the farmers complaining about conflicts with authorities regarding the law (Mbiba 1994 and 1995; Mudimu, 1997; Toriro, 2009; Mutonhodzo, 2012; Kutiwa et.al, 2010; Taru and Basure, 2013). The difference of the Epworth relationship between farmers and the authorities is the Epworth food production system. The production is small-scale and largely on-plot. The conflicts generally occur off-plot. Due to the unavailability of off-plot land in Epworth, the conflicts are generally not there. The Epworth food production system falls within what the law and planners find acceptable therefore there are few to nil conflicts.

### **5.3.7 Residents' Concerns with Epworth Food Production**

Residents who participated in the food production survey were also asked to share their concerns, if any, with food production in Epworth.

#### **5.3.7.1 Safety Concerns around Growing Areas**

There were residents that expressed views against urban food production. These were very few in terms of numbers but expressed very strong and some genuine views. Safety and security concerns were raised regarding maize grown along major roads and pathways. Some residents indicated that these made some areas prone to crimes such as robberies and rape during the cropping season.

I think urban agriculture threatens lives because Epworth is an area of high-unemployment therefore a lot of our young people have become thieves. When it is harvest time, they take advantage of the fields to snatch people's bags, raping some and injuring some. Because these fields are usually in places where we don't have clear and wide roads into some of the households this is a nightmare. If you're not home by 7 pm during the harvest time you will dread going back because you know that danger awaits you on the way. I personally think urban agriculture



is good but should be prohibited in urban areas and suitable land should be allocated afar from households for the safety of our girls. Besides crime, a lot of premarital sex happens in the cover provided by the fields and most of our people marry early and some get infected with HIV in the process

*(Epworth Resident)*

Farming in Epworth should not be permitted because of the increase in the number of cases of thieves. Most of the areas that have been farmed often provide hunting grounds for thieves who hide in the dark areas. Women are especially vulnerable at night and desist from passing through the areas with large crops as they are afraid of getting robbed.

*(Epworth Councillor)*

These concerns have implications on what production typology is acceptable in Epworth. An examination of the regulatory framework as well as the attitudes and concerns of different stakeholders point to on-plot production as the only acceptable mode of production. Growing on-plot would not go against the legal and administrative perceptions and understanding of urban food production as well as residents' concerns.

### **5.3.7.2 Theft of Produce**

There are also other challenges to food production in Epworth. Some producers of both crops and livestock reported theft of produce as a common problem.

The major problem we face is poultry theft. Most people in Epworth hatina mabasa, saka tinoona zvekurima zviru nani, asi mbavha" (we do not have jobs, so we think that agriculture could be an alternative, but thefts affect that.)

Takudzwa<sup>14</sup>, a respondent in Epworth

The major problem that limits agriculture projects in Epworth is theft. Garden projects such as the one that is organised by the NGOs has been affected by theft.

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<sup>14</sup> Not his real name

These thefts present an additional challenge to any intensive production of food in Epworth. Due to the micro scale of production, it would not be affordable to invest in security of produce.

## **5.4 The Officials' Perspectives on Urban Food Production and the Regulations**

This section deals with the views of the people who have a responsibility to manage the day-to-day affairs of government. The section sought to respond to two questions: How do they view food production, their opinions; secondly how they interpreted the laws. Both their views towards urban food production and their interpretation of the different regulatory instruments are important in that they shape the practice and ultimately how urban food production is managed in Epworth.

### **5.4.1 Most Don't Support Urban Food Production**

Officials generally do not support urban food production. Many of them do not believe food issues are part of the responsibilities of a local authority. Out of the 22 key informants interviewed (most of them with a planning background) 8 believed it is the local authority's responsibility to manage food issues with the others (11) indicating the local authority has nothing to do with food whilst a few others (3) were not sure.

No, I don't think the local board has an obligation to manage food issues, because if you check with the Urban Councils Act under the responsibilities of an Urban Local Planning Authority, I do not think such a responsibility is there. My experience tells me that we are concerned about service delivery, water, roads, sewer, schools, hospitals, recreational areas but not food security. The issue about food and agriculture is that it is basically a rural land use activity.

(ELB3, 2017)

Food issues are not managed by the local board. The mandate (for providing and planning for food) falls on other institutions such as the Ministry of Agriculture to focus on food production. All they (Epworth Local Board) do is plan the areas where people settle and the shopping or service centres

(Nature, 2017)

These results mirror the position of many African urban government authorities who either ignore the existence of food production or 'oppose' it (Crush et al, 2012; Simatele and Binns, 2008; Thornton et al, 2010). The results also show that Zimbabwean planning and local government officials as generally blind in terms of their attitude to food matters. This is probably what leading American planners found about planners' attitude to food matters in the nineties (Pothukuchi and Kaufmann, 2000). The two concluded that the urban food system was 'a stranger' to the urban planning profession. The accounts below show how officials' blindness to food matters is not inconsequential. The officials' indifference to food matters affects the food system.

The tendency by officials to neglect urban food production disadvantages the community. There is a large community garden that is very conveniently located in a central position of Epworth which is under-utilized. This is because officials who should be coordinating the management of the garden do not think it is their position to do so. Meanwhile residents cannot get assistance in farming the garden because NGOs want written permission from authorities (NGOPlanner2, 2017). As a result, the strategically positioned food production resource is largely under-utilized.

Pothukuchi (2000) argues that when officials are not actively engaged with food, it is not just a neutral position; it is negative. Perhaps more than just the loss of an opportunity for food production for the Epworth community, this case demonstrates not just lack of officials' engagement with food, but also the absence of participation in the planning and governance of settlements by citizens or certain groups of citizens (Pieterse, 2008). The poor and the weak are voiceless. Rakodi (1988) also observed how the poor female cultivators in Lusaka, Zambia were 'powerless' and had no voice when it came to getting their farming activities formalized.

## **5.4.2 Officials Interpretation of the Laws**

### **5.4.2.1 Urban Planners**

The planners interpreted the laws governing urban food production in different ways. The views range from acceptance through tolerance to outright negativity towards urban food production. Whilst some interpreted the laws to be facilitating

urban food production, others had a negative interpretation, whilst another category was indifferent or took a 'neutral' position. As the critical profession in managing all land uses including urban food production, the divergence in their interpretation of regulations creates a difficult operating environment for urban food production. A closer examination of the responses that appear to accept the law as facilitating food production also reveals that they really do not accept, they give conditions that indicate intolerance.

The ideal, just stating what the supreme law says:

I think the law strongly facilitates anything around food for the citizens. The constitution itself, it says that everyone has the right to food. Therefore, I do not think any piece of legislation can contradict the constitution and promote the suffering of its citizens. It is just that the law will regulate these activities around food issues to ensure sustainability.

(DPlanner1, 2017)

The above official appears to indicate the law supports because the constitution, which is the supreme law of the country says so. He however ignores the fact that there are outstanding processes since the constitution was enacted in 2013. Other laws were supposed to be harmonized with the constitution so that they all are in sync with the intentions of the constitution, but this has not happened. Muchadenyika and Williams (2017) show how planning in Zimbabwe is negatively impacted by the political contestations between the two major parties, ZANU PF and MDC. These contestations have meant that logical processes that were supposed to take place in public interest have not happened due to the political tensions. The contestations have also meant that urban areas became political fighting spaces to the disadvantage of the citizens.

Conditional Acceptance:

We do not have problems with people growing food such as vegetables or some crops at their houses. The issue comes when people start to keep animals such as chickens, rabbits and other small animals, because there are by-laws which limit the number of animals that can be kept, for example there is a by-law that states that people cannot keep over twenty-five chickens on a yard. We are sympathetic to some people who keep over this number due to the economic conditions. If there are

no complaints from neighbours we do not stop people from keeping even more than the maximum limit stipulated in the by-laws.

*(CityPlanner4, 2017)*

The planners who take the above position on the surface appear to be logical professionals who are only trying to create a good environment for all residents. The response however does not communicate a straight position. On the first part, they clearly give a definite position on the growing of vegetables on-plot. They however take an ambiguous turn when communicating about small livestock. They may look aside if no one complains. They may also be prepared to turn a blind eye because the economy is bad (Mutonhodzo, 2012; Taru and Basure, 2013; Toriro, 2009). However, this does not bring certainty to the food producer because the moment a neighbour complains the situation changes. Equally it can be argued that if the economy was better the planner could be moved to take a more punishing position. This position also reflects a modernist view; if the production scale and typology does not challenge views of a beautiful city, it is acceptable, but the moment it challenges that position it becomes unacceptable.

Appearing to accept but under conditions that are impossible in Epworth:

It differs, we don't expect farming activities in high density housing; these activities are suitable for low density houses or plots where there is space for agriculture. We also have problems when there are complaints about the animals especially from the neighbours.

*(DPPlanner2, 2017)*

Epworth is almost exclusively high-density, effectively this planner is saying there should not be any urban food production in Epworth. A similar position was given by another planner below:

'I don't have problems with anything to do with urban food production, processing or retailing as long as it doesn't affect other people's lives'.

*(DevPlanner1, 2017)*

Yes, to urban food production, but it must be controlled:

Urban agriculture can become a nuisance if it is not guided. Some of the problems it poses include ground water pollution and smell pollution here and there. However, I think urban agriculture is very vital to the survival of the urban population and should actually be recognized as a land-use

*(DPPlanner2, 2017)*

No, it does not belong in cities!

Urban agriculture is a rural land use. It has no space in an urban area where farming affects the beauty of the city and pollutes the environment. There are many under-utilized farms in Zimbabwe and there is absolutely no reason why someone should pretend to be farming in Epworth when just nearby in Goromonzi there are proper farms for those that genuinely want to produce food. The predominant land uses in urban areas in terms of sound planning do not and should not include agriculture. To me these so-called urban food producers are not serious; they are just attention-seekers.

*(UniPlanner2, 2017)*

This view in (v) above continues to dominate planners' attitudes across the region. Several similar studies show that urban planners still associate urban food production with the rural landscape and in the same vein as out of place in a 'modern' city (Maxwell, 1995; Mbiba, 1994, 1995; Drescher, 2001; Frayne et.al, 2014; Mkwambisi, 2010; de Zeeuw and Drechsel, 2015). These views are influenced by a number of issues including the regulatory framework, training of planners, politics, and vision of urbanity. As in many other areas, planners struggle in engaging with livelihoods that are of an informal nature (Simone, 2000; Roy, 2005; Kamete, 2012; Battersby, 2018). These livelihoods do not fit in the authorities 'dreams' of how cities should look like (Watson, 2014b).

#### **5.4.2.2 Views from the Settlement Managers: Epworth Local Board Officials**

This section looks at how officials working for the local authority, the Epworth Local Board understand their role in urban food production, the actions they have taken and their interpretation of the regulatory framework that governs urban food production. The officials do not share a common position of their role in urban food. Their general interpretation of the regulatory framework is diverse but generally negative. The authorities have however adopted a tolerant position to urban food production except for a few instances where they have stopped certain production practices.

#### 5.4.2.2.1 Inconsistent positions of ELB officials on food production

The position on urban food production and the role of the local authority contradicted each other. Out of the 3 officials, only 1 believed the board should be involved in managing how food was produced, distributed, processed and sold. Another one was sympathetic to urban food production but indicated they have 'far more pressing' issues such that other entities can and should do that. The third official was of a strong opinion that in urban areas food matters are 'embedded' in other 'more important' urban planning and management issues such that there is no need for a local authority to 'waste its time' on what others can do better, see the conflicting views in Figure 5.3 below.

**(a) A view supporting the authority's involvement in urban food:**

'According to the Urban Councils Act a local government is given powers to manage all aspects affecting the people in their town or city. Food is a major and important basic need. It is therefore important that as managers of a city we develop a responsibility towards how our communities are fed. This means us planning where food is grown or how it comes into our area, as well as how it is processed and sold.'  
(ELB3, 2017)

**(b) A view sympathetic to food but there are other pressing needs:**

'Whilst I do appreciate the importance of food in our people's lives, that is not the most important and urgent problem we are battling with. There are far more pressing and urgent issues that are affecting the people of Epworth. Look at the state of the roads, the lack of water in most areas, and the critical housing needs. I am sure the people will be happier with us focusing on the real service delivery issues than food which everyone can buy.'  
(ELB2, 2017)

**(c) A view against consideration of food for the authority:**

'Urban areas are for urban development. This means providing people with housing, roads, water, waste management, shopping areas, and employment. Food matters are embedded in the provision of basic services. The moment you have good shopping areas it means you have provided urban food. I will not be judged by how well Epworth residents are fed; rather I will be judged by how well people in Epworth live because they have good houses, good roads, water and sanitation, and the other more important provisions. As for farming in Epworth, surely there is sufficient land for farming in rural areas. The board cannot waste its time trying to major on the minors.'  
(ELB1, 2017).

**Figure 5.3 Epworth officials' views on whether they have a role in urban food**

5.4.2.2.2 Food Is Not their Mandate

Officers 2 and 3 of the Epworth Local board were of the view that food is not part of their official mandate. Whilst Officer 2 was a bit sympathetic to including food to their responsibilities, Officer 3 was clearly against council involving itself in 'other institutions' mandates. In his opinion food is someone else's 'key result area'.



Provision of food or ensuring residents are fed is not one of the local government's mandates. You certainly will not see that as part of our mandates in the Urban Councils' Act or the Regional Town and Country Planning Act. That is other institutions' mandate. I would only lose sleep over people's food and nutrition issues if I was working for the Food and Nutrition Council, the Ministry of Health, or the Department of Social Welfare. It is not my key result area, so I will stick to providing services.

*(ELB3, 2017)*

#### 5.4.2.2.3 They Have No Capacity to Enforce

Epworth Local Board officials' failure to embrace food as one of the areas that they should be addressing is partly explained by the institution's human resources capacity. The board is headed by a manager known as the Secretary of the board. He is supported by five managers who head different departments. Unlike many Zimbabwe local authorities of the same size who will have multi-disciplinary teams in each department, the board has very few professionals who double up to cover other areas that they may not be competent to manage. A comparison of the functions in the similar population Mutare City helps demonstrate this capacity deficit. The Epworth technical department comprises only two professionals (an engineer and a building inspector) who perform all technical duties that would be performed by engineers, town planners, land surveyors, environmentalists, and architects. A comparison is made with the city of Mutare whose population according to the 2012 census was 188 243 when the Epworth population was 168 462 (GoZ, 2012). Mutare City has 6 engineers, 6 town planners and 8 building inspectors to manage development in the city<sup>15</sup>. Epworth has far more complicated urban development challenges since it is still battling with re-planning, infrastructure, employment, poverty, and many other urbanization challenges. That all those challenges are expected to be covered by 2 technical officers is daunting. This was confirmed by the head of the administration:

We have serious capacity limitations. We would want to employ a number of important skills, but we are constrained by our limited capacity to pay. Our revenue base is very small, so we cannot afford to hire more staff. We are aware we cannot manage the board without additional skills but for now we just cannot afford.

*(ELB3, 2017)*

Epworth therefore suffers severe capacity constraints that affect the local authority's capacity to manage the settlement.

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<sup>15</sup> Interview with official from the Ministry of Local Government, Public Works and National Housing

#### 5.4.2.2.4 Epworth Officials' Interpretation of the Regulatory Framework

All the three officials working for the local government that were interviewed gave different interpretations of the regulatory framework and its impact on urban food production. Similar to planners, the Epworth Local Board officials appear to interpret the laws based on their world view of urbanity and how their city is supposed to be managed. The officer who is sympathetic to urban food production thinks the laws are not a problem (ELB1, 2017). The other official who may also be sympathetic but thinks there are other more pressing challenges (rather than food) thinks the laws support but they impose restrictions which many operations would not meet (ELB2, 2017). The third official who feels urban food production has no space in urban areas however thinks the laws do not support urban food production (ELB3, 2017). There was also an element of lack of in-depth understanding of the laws because they could not attribute their positions or interpretations to specific clauses. This was unlike other areas such as budgeting where they confidently linked the budget processes to the specific clauses in the Urban Councils Act.

#### 5.4.2.3 Views from Planners working in NGOs 'The Laws are Unclear, and the Implementation is Inconsistent'

Planners that are working in NGOs that support food production indicated that the laws are not clear, and they are not implemented uniformly and consistently every time.

The laws are not clear to everyone and generally the by-laws are outdated, and their enforcement side is also weak and inconsistent. For example, the health by-laws say one can only keep 25 chickens at home. Currently due to the economic hardships some people are keeping more than 25 chickens on their properties but are not penalized because it is a main source of income in some households. If there is a complaint however, then the enforcement people come and address the issue. When it comes to crop production one cannot go onto any piece of land and start planting without permission, there are council rules that are with respect to planting on land. In the past people's crops were slashed but now there few of such actions. There are also a few legally allocated groups and corporations that have been allocated land to produce food but the procedures are not clear.

(NGOPlanner1, 2017)

The laws are not clear, and we are not sure of the official position regarding food production. Although the destruction of crops has not happened here in Epworth, people know that our laws are made in Harare and they remember how maize crops were once destroyed by authorities in Harare. We all know that the law has not changed so that can still happen today

(NGOPlanner2, 2017)

This evidence is similar in other cities in Africa. Whilst some progress has been achieved through the efforts of international organizations in lobbying for the improvement of the policy and planning environment, there is still a long way to go (Van Veenhuizen, 2006; Mougeot, 2006; Mbiba, 2000). Even with increased tolerance, there is no certainty. The situation is still one in which either the regulatory framework is unclear or is incomplete. This leaves the application to be largely discretionary and inconsistent (Toriro, 2009; Kutiwa et.al, 2010; Mkwambisi et.al, 2010).

## **5.5 Implications of the authorities' positions on food production**

The general negativity displayed by the Epworth Local Board officials, the planners, and the natural resource management authorities present problems for food production in Epworth. Firstly, this negative attitude may explain why authorities have not put in place policies that promote urban food production in Epworth. According to the Harare Declaration as well as the Nyanga Declaration, local level instruments should have been put in place to incentivize as well as facilitate urban food production. There is no evidence of any effort made to do that. This has kept uncertainty in the regulations causing support organizations wondering whether to invest in the sector or not. In the only city in Zimbabwe to enact relevant by-laws and plans, there has been massive support to the sector by different NGOs<sup>16</sup>. The absence of regulations is negative for the sector because it perpetuates the position that urban food production is illegal when all the laws only expect the sector to be regulated.

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<sup>16</sup> The City of Bulawayo in Zimbabwe has an Urban Agriculture Policy as well as a Strategic Agenda. Because of the clarity regarding urban food production, there are several NGOs that have implemented community and commercial food production projects spearheaded by organizations such as World Vision, SNV, MDP-ESA, and Action-Aid

## 5.6 Chapter Conclusion

The findings of this chapter lead to the following conclusions: The legislative framework has numerous laws and plans that affect urban food production. The legislation and the plans did not envision large scale food production in urban areas. Whilst small-scale production within own property is tolerated, problems arise when production scale changes and open spaces are used. It appears the legislative framework was enacted for an urban sector whose food supply was from the rural and commercial farming areas with limited micro-scale urban production.

The findings regarding the existence of conflicts in urban agriculture in Epworth presents a strikingly different picture from what has been documented in many areas. The production scale and typology in Epworth fits into what the planning laws envisaged so there are fewer conflicts compared to other urban areas. Production is mainly small-scale and on-plot. This is largely attributable to the dense form of Epworth which leaves very few if any spaces at all for off-plot cultivation. Although the different laws that impact urban food production contain clauses or by-laws that seek to regulate the sector, these have generally been wrongly interpreted to mean they are against urban food production. The more positive policies have been completely ignored. The attitude of Epworth authorities to urban food production was found to be negative and similar to those exhibited by most city managers in the global South (Mutonhodzo, 2008; Simatele and Binns, 2008; Crush et al, 2011; Redwood, 2012). Most of them have a negative attitude to urban food production and they believe some other authorities are responsible for promoting anything to do with food including urban food production. Although they could not indicate specific clauses, most of them also believe that producing food in cities is illegal. The impact of this negativity has however not been felt much by the residents because of technical capacity constraints within the Epworth Local Board which has caused them not to take any action against growers as well as the fact that there is no land for off-plot cultivation.

The urban planners presented different and sometimes conflicting views. This largely reflects their values (Mkwambisi et al, 2010), their training (Parnell et al, 2009), and their vision of how a modern city should look like (Roy, 2005; Watson, 2014b). The attitude of planners and municipal authorities is reflected in their failure to cascade

the regional and national policy positions on urban agriculture to the local level. This means that despite the Government of Zimbabwe and other national organizations advocating for the support of urban food production, the activity remains uncertain because the local authorities have not done anything at local level.

## Chapter 6: Planning and Food Processing in Epworth

### 6.0 Introduction

The chapter examines how planning regulations affect the grinding of maize in Epworth. The study explores one of the key food processing methods that is used in Epworth and other low-income residential suburbs in Zimbabwe, the use of grinding mills also known as hammer mills or *zvigayo* in one of the local languages. Maize grinding is of perpetual relevance in the low-income communities as it entails the processing and refinement of maize into mealie-meal which is a major ingredient for the preparation of the staple food of the nation, *sadza* (a thick porridge cooked from maize meal) and the increasing importance of grinding mills was first explored in detail in Zimbabwe's urban areas in the early 1990s (Mbiba, 1995). This chapter seeks to examine how planning regulations affect the processing of food in Epworth by exploring the location of grinding mills in relation to the land use planning zones. The two previous studies undertaken in Zimbabwe on grinding mills both tracked the growth of grinding mills and explained the growth in numbers of grinding mills from an economic and affordability perspective (Jayne and Rubey, 1993; Mbiba, 1995). This thesis also examines the continued growth in the numbers of grinding mills within the context of the planning and regulatory framework. The study took a planning and legislation perspective in trying to understand how the regulations and the profession is sensitive to the food needs of the citizens.

The chapter argues that whilst there has been an exponential growth in the number of grinding mills, urban planning criminalizes most of the grinding mills in Epworth. It further argues that the problem is compounded by the continued use of an old set of planning and legislative instruments. Legislation and planning use groups continue to define any grinding mill as an industrial use even though the grinding mills being used are not operating at the industrial scale envisaged in the regulations. Even the enactment of responsive legislation in Zimbabwe has not always benefitted the people because local governments and planners have not adapted the spirit of those laws in their local plans. Furthermore, Zimbabwe's continued reliance on a scientific rational planning approach creates challenges for settlements such as Epworth. Rational planning expects developments as set out by master plans and layout

blueprints with processing nodes however the thesis findings are that people's needs are taking an unconventional linear pattern along major routes. The chapter also argues that the industrial unit envisaged by planning is not today's grinding mill. The Epworth grinding mill is not only compact in scale but a robust multi-purpose outlet that can co-exist with other uses including residential.

There is also a vision-reality disconnection in that the aspirations of the officials managing the settlement are failing to identify with the real needs of their citizens. Whilst the Epworth Local Board (ELB) has neither adopted nor implemented a hardline position regarding these grinding mills, they still displayed an uneasy tolerance towards these important processing plants. The local government however finds itself in a dilemma in that they criminalize but cannot implement their dislike of the grinding mills due to capacity constraints

## **6.1 Background to Food Processing**

Maize also known as corn in other parts of the world is described as the highest produced food crop that is also subjected to a variety of processing methods as it meets the food security needs of billions of people (Gwirtz et.al, 2014). Urban food and nutrition security is getting increasingly important on the global agenda as more people move to cities. The issue is even more relevant in Africa as the continent suffers chronic urban food insecurity (Crush et.al, 2010; Cohen and Garrett, 2010; Battersby and Crush, 2014). The increasing importance of grinding mills in urban areas must also be understood within the context of the politics of maize in urban areas of Eastern and Southern Africa including Zimbabwe as well as the shift in maize meal sources. Traditionally the Eastern and Southern African governments have controlled the growing of maize and its marketing through marketing boards. The vision of the provision of maize meal especially to urban areas has been through a well-controlled chain starting with production all the way to large-scale milling which was conducted at an industrial scale using massive machinery located in the industrial areas (Smale and Jayne, 2003). This vision is reflected in planning provisions in most of the African cities (Battersby, 2018).

In Zimbabwe, urban maize processing was also largely an industrial activity undertaken at a large scale using heavy industrial equipment. A literature search only found evidence of the use of grinding mills in urban areas starting from the late 1990s (Benhura et.al, 1991; Jayne and Rubey, 1993; Mbiba, 1995). These years are coincidentally the years when poverty started to significantly assume an urban character. Poverty levels were rising as a result of a number of economic and policy positions taken by the authorities over the years. These policy positions included the adoption of the economic structural adjustment programme (ESAP) of 1991 (Mupedziswa, 1997; GoZ, 2001). This was followed by the payment of unbudgeted gratuities<sup>17</sup> to veterans of Zimbabwe's war of liberation in 1997 leading to the steep fall of the Zimbabwe dollar (Potts, 2008). This was later followed by a costly war in the Democratic Republic of Congo in 1998 (Tawodzera, 2010) as well as a decision to undertake the land reform program at the turn of the century which further exacerbated the economic meltdown (Tawodzera, 2013).

All the above events contributed to make the economic position deteriorate leading to increasing poverty which in turn affected urban residents' capacity to access food in the formal market. Other events that also contributed to the increase in poverty was the 2005 government programme known as 'Operation Murambatsvina' which destroyed informal accommodation and livelihoods in urban areas (Potts, 2006; Kamete, 2009,2010; Toriro, 2007). The economic meltdown has manifested itself through urban food insecurity especially amongst the urban poor in Zimbabwe. To survive the harsh economic conditions and urban poverty, urban dwellers have resorted to several coping strategies (Drakakis-Smith et.al, 1995; Toriro, 2009; Potts, 2009; Kutiwa et.al, 2010). The production of maize as part of urban agriculture as well as rural-urban transfers has presented an opportunity for grinding mills as the maize has to be processed into mealie-meal leading to the increase in grinding mills in urban areas.

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<sup>17</sup> In 1997 former fighters in Zimbabwe's war of liberation demonstrated to government for payment of gratuities for their role in the war. The government was forced to make unbudgeted payments of \$50 000.00 to each war veteran.



## **6.2 Zoning and Grinding Mills**

Urban planning in Zimbabwe uses zoning as a tool to manage location of land uses (CoH, 1993; GoZ, 1977). This was the framework employed in determining the legality of grinding mills in Epworth. Three broad zones were identified and mapped accordingly. The three broad zones identified were commercial zones, (where the shopping centres are located), service industrial areas (where small-scale industries of Epworth are located) and residential zones (wherein houses are located). In terms of Zimbabwe's planning practice, different uses are placed in use-groups wherein the listed uses are either permitted, prohibited, or may be permitted by special consideration of the local government responsible (GoZ, 1977). It is from the zones that legality or illegality is determined. Using Yiftachel's (2009) power of planning in labeling others and determining which spaces become 'gray' or 'white', these zones imposed through planning and its regulations, determine legitimacy and illegitimacy. This is essentially the traditional blue-print planning where zoning is determined by a system that determines compatibility of different uses. Although not all areas are formally planned in Epworth, there is general consensus in determining where different zones lie. In this thesis, land use zoning was therefore used as the analytical framework for determining the acceptability of the location of grinding mills in Epworth.

### **6.2.1 The Envisaged Industrial Milling and the Epworth Grinding Mill**

In discussing the Epworth grinding mills, it is important to illustrate the scalar differences between the milling industry envisaged in the legislation and plans as compared to those existing in the Epworth community today. The milling industry was typically a massive operation conducted in large industrial buildings on vast stands extending between 1 hectare and 5 hectares. This contrasts sharply with the Epworth grinding mill which typically is found in a building measuring 3 metres by 3 metres. Figures 6.1 and 6.2 below show the difference:



## **6.3 Legislation and Plans Affecting Grinding Mills**

Save for the clause granting the right to food in the constitution of Zimbabwe, physical and spatial planning is regulated by the Regional Town and Country Planning Act (GoZ, 1996b). The main institution mandated with administering planning laws and regulations is the Department of Physical Planning (DPP) which is situated in the Ministry of Local Government, Rural Development and National Housing. The department is responsible for overseeing legislative regulations as well as advising the relevant minister on physical planning in Zimbabwe (DPPlanner1, 2017). As already alluded to in Chapter 4, it is the mandate of local governments to come up with master plans and local plans that determine location of various land uses. The planning and siting of grinding mills is also determined by the Urban Councils Act (GoZ, 1996a) that mandates councils to enact by-laws to manage activities that occur within the council's areas of jurisdiction that include but not limited to regulating grinding mills. The Shop Licensing Act (GoZ, 1976) and the Public Health Act (GoZ, 1996c) also affects the operations of grinding mills and therefore are of significance in this case. The impact of legislation and plans on grinding mills is described in detail below.

### **6.3.1 Grinding Mills and the Shop Licenses Act**

Grinding mills in Epworth are not only expected to be located in appropriate zones. There are other planning regulatory expectations that may constrain their operation. There are expected compliances in terms of business licensing. Almost all grinding mills in Epworth require shop licenses because in addition to milling, they also sell maize or maize meal to the residents. In terms of the Shop Licenses Act, all businesses must operate only after obtaining a license. Where there is no need for a shop license, a trading permit will still be required in terms of Part IV section 29 of the Act. Once obtained the shop license or trading permit is not a permanent document. It is subject to annual renewals. Any change of ownership in the operator of the business automatically leads to the nullification of a license and a requirement for a new license. The operating licenses are also location-specific and therefore cannot be used should any operator change premises, even within the same land use or zone.

The application for a license triggers other legislative compliance requirements. As part of the application for a license, the structure in which the business of the grinding mill operates must meet the requirements of the Model Building by Laws (GoZ, 1977).

One problem we have with grinding mills is the structure in which they operate. Most of the buildings were not approved by the board and so they are sub-standard. The second one is that the design of the buildings pose hygiene challenges. We would want them to have a wash hand basin where they can wash their hands within the building. Many of the buildings do not have running water and therefore cannot comply. These are some of the things we look at before recommending that a license be issued. The fact that most of these buildings cannot meet minimum safety standards may also be the reason why even some grinding mills in areas that could be permitted still do not have licenses

*(ELB1, 2017)*

The impact of the Act is that the challenges affecting the legitimacy of grinding mills go beyond land use. Whilst many of them are rendered illegal due to being located in prohibited zones, even those in permitted zones still have other hurdles caused by this Act. In order to be considered under the Act, the buildings in which the grinding mills operate must be approved in terms of the Model Building By-laws (GoZ, 1977). This makes compliance very difficult because of the connectedness of some of the regulatory requirements.

### **6.3.2 Requirements under the Public Health Act**

The requirements under the Public Health Act are almost an extension of those outlined under the Shop License Act above (GoZ, 1996c; GoZ, 1976). In fact, there is an element of duplication. The requirements as with the Model Building By-laws, seek to achieve personal hygiene for the operator so that the food that they process is not contaminated. The Act however also imposes further requirements for periodic inspections by the Health Inspectors to ensure that high levels of cleanliness are maintained at all times (Inspector, 2017). Some of these requirements were said by some operators to fuel corruption. This trend is reflected in the work of other scholars

in the region, where regulations have created opportunities for officials to solicit for bribes (Mitullah, 2004; Skinner, 2008; Chen, 2012).

Whilst the stringent requirements should serve to deliver a high-level hygienic operation, the poor economic environment means very few, if any, operators can meet the requirements. Some of the planning regulatory requirements only create conditions for the small-scale operators to suffer additional losses as the regulations are abused by officials to make the difficult situation impossible to comply with.

### **6.3.3 Grinding Mills and the Environmental Management Act**

The Environmental Management Act sets out general environmental requirements that affect the operation of grinding mills. According to the pollution regulations under the act, there are expectations that all operations that emit pollutants such as smoke, gases, dust or fumes must install devices that mitigate or reduce the impact of the pollutants (GoZ, 2003). There are also requirements for managing any waste generated by a business. There should be waste receptacles for depositing waste so that all litter is collected and kept safely before discharge (ELB2, 2017).

For us we expect that any grinding mill first is licensed to operate. Thereafter we periodically inspect the premises to check for compliance with waste management regulations. If waste is not being properly managed, we levy a fine on the offending party. If there are no bins, we also charge a fine

*(Nature, 2017)*

The environmental authorities' waste management expectations are noble but out of place in Epworth. The individual business operator is expected to have waste management plans in place, yet the local authority only operates a partial waste management service. The service mainly concentrates on formal shopping centres and the planned areas. Some areas of Epworth do not have a refuse collection service (ELB3, 2017). The businesses can therefore find themselves with bins full of waste that may not be collected by the authorities.

### **6.3.4 Grinding Mills and the Regional Town and Country Planning Act**

As with food production and food retailing, the Act does not affect the operation of grinding mills in a direct manner. It affects the operations indirectly through the requirement for preparation of plans with appropriate zones as stated in Part IV of the Act. In the master and local plans, there is supposed to be land set aside for different uses of which grinding mills are one. Grinding mills are also affected by Part V of the Act which sets out conditions for development control. Since grinding mills fall within the definition of what constitutes development, they cannot be set up nor operated without obtaining planning permission. The operation of grinding mills under the Act can therefore be facilitated or constrained by how they are treated in the plans, which in turn determine where they are located and what conditions they must comply with to be permitted.

### **6.3.5 Grinding Mills and Statutory Instrument SI 216 of 1994**

The Statutory Instrument 216 of 1994 (SI 216/94) was enacted in response to increasing informality and the need to harness entrepreneurship. The overall aim of the SI was to accommodate small-scale businesses in residential areas where master and local plans prohibited them. The businesses however had to be small in scale, non-obtrusive to the neighbourhood, and not generate a lot of traffic (GoZ, 1994). This section argues that there are contradictions in the planning legislation in that some regulations appear to accommodate uses such as grinding mills in most areas of Epworth, but bottlenecks still exist. Although there are useful legal instruments that could be used to resolve the land use conflicts by bringing relief to the largely rigid planning regime, this has not happened. One such tool is SI 216/1994 that was enacted to provide for the operation of small-scale businesses in residential areas. Some planners however think the SI cannot include grinding mills because they consider them as industrial activities.

Although the broad objective of SI 216 was to provide for the operation of micro businesses in residential areas, it cannot include uses such as grinding mills for two reasons: Firstly, grinding mills would not qualify because they make noise. One of the conditions for approving businesses in residential areas is that it must operate quietly and not be a nuisance to the neighbourhood. Secondly, for the statutory instrument to take effect, it must be incorporated in the local plans or layout plans.

This has not been done by the authorities in Epworth therefore it does not apply there

*(CityPlanner2, 2017).*

The failure of the statutory instrument to resolve the planning law dilemma in Epworth reveals a disconnection between the authorities that enacted it and the lower-level officials who are supposed to implement the law. The modernist planners and officials who are supposed to implement the statutory instrument interpret its provisions in terms of their vision of what is supposed to belong in a city. As already explained in the introduction and illustrated in Figures 6.1 and 6.2, the grinding mill being used in Epworth is both small-scale and produces noise at the same level as domestic electricity standby generators. The gap between the intention of the statutory instrument and what it has been able to achieve is further highlighted in the following extract from an interview with a planner at the government central regulatory body:

The intention of the statutory instrument was to accommodate all small-scale uses that should be located close to the people and offer convenience without having to go through cumbersome processes. Today's grinding mill is very small, and the noise levels are the same as those of stand-by electricity generators that are used in residential areas. It should only be logical that grinding mills must also qualify under the statutory instrument.

*DPPlanner2, 2017*

That the government intended to make the operating environment simpler, yet this has not happened reveals deeper structural challenges. The interpretation of the statutory instrument and its relevance to grinding mills in residential areas exposed serious differences amongst planning professionals. Whilst some were of the opinion that new smaller quieter grinding mills could qualify under the statutory instrument (DPPlanner2, 2017; ZiruPlanner, 2017), others insisted that any use that has potential to cause noise or pollution such as grinding mills was not meant to benefit from the statutory instrument.

Any use that has potential to cause noise and pollution cannot be considered under SI 216 of 1994. The SI is only for strictly non-obtrusive uses

*(UniPlanner2, 2017)*

CityPlanner3, (2017) also supported the above position. It does not help in this interpretation maze demonstrated above that Epworth has not prepared detailed local plans which could have defined the uses that could have been covered by the statutory instrument. A settlement the size of Epworth must have at least one local plan and possibly more<sup>18</sup>. The failure of Epworth to prepare local plans was attributed to limited skills capacity (ELB3, 2017). The disharmony between the SI and the dire need on the ground is similar to the Regional Town and Country Planning Act assumption that prior to the preparation of a local plan, a study shall be undertaken which assumes local context will be considered. That the reality continues to be ignored in the plans and areas of need may indicate the detachment of planning professionals (who drive the planning processes) from reality and the pervasiveness of modernist values in their work. An opportunity to ease regulations has however been lost for now as the SI is not being utilized in Epworth.

### **6.3.6 The Harare Master Plan and Grinding Mills**

Epworth's macro plan is determined by the Harare Master Plan (1993). Whilst the Harare Master Plan provides for grinding mills, it is the definition of a grinding mill that is problematic and has not responded to the evolving typology of this processing plant. Grinding mills are defined as industrial uses in terms of the Harare Master Plan which is the principal land use policy document governing planning in all areas in the Harare Metropolitan area covering Harare, Chitungwiza, Ruwa, and Epworth (CoH, 1993). This definition implies that all grinding mills are supposed to be situated in areas zoned for industrial use.

Whilst the processing of maize mill has gone through different phases the definition in Zimbabwe's planning law and regulations has remained unchanged. The definition has maintained the original status of a large-scale industrial plant that is run by the state in the 1950s or later by the private sector chains under globalization (Reardon et.al, 2009). This continued definition of a grinding mill as an industrial use

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<sup>18</sup> Harare next door has a local plan for every suburb, as at 2017, Harare had 52 local plans covering most suburbs, industrial areas, and shopping malls



poses location challenges. The type of grinding mill used in Epworth is much smaller and is no longer as noisy. Today's grinding mill is a compact machine that can fit in a small room. It compares very well to the stand-by electricity generators that are used frequently in residential areas in terms of its size and operation.

The Harare Master Plan was approved in 1993. The studies that informed the master plan preparation were undertaken between 1989 and 1991 (CityPlanner1, 2017). According to Zimbabwe's master and local plan regulations, master plans are supposed to be reviewed after every 10 years (Goz, 1977). Many assumptions that informed the preparation of the Harare Master Plan have changed. The economic structural adjustment programme (ESAP) was introduced after the master plan studies (Mupedziswa, 1997). The land reform programme took place after the master plan. The economic structure has changed significantly from being driven by large-scale sectors to largely small-scale (Potts, 2008). Some of the land use conflicts are a result of the difference in the period in which the master plan was prepared and today's needs and challenges. The master plan has now outlived its relevance hence its continued use is now problematic.

#### **6.4 The Grinding Mills Survey**

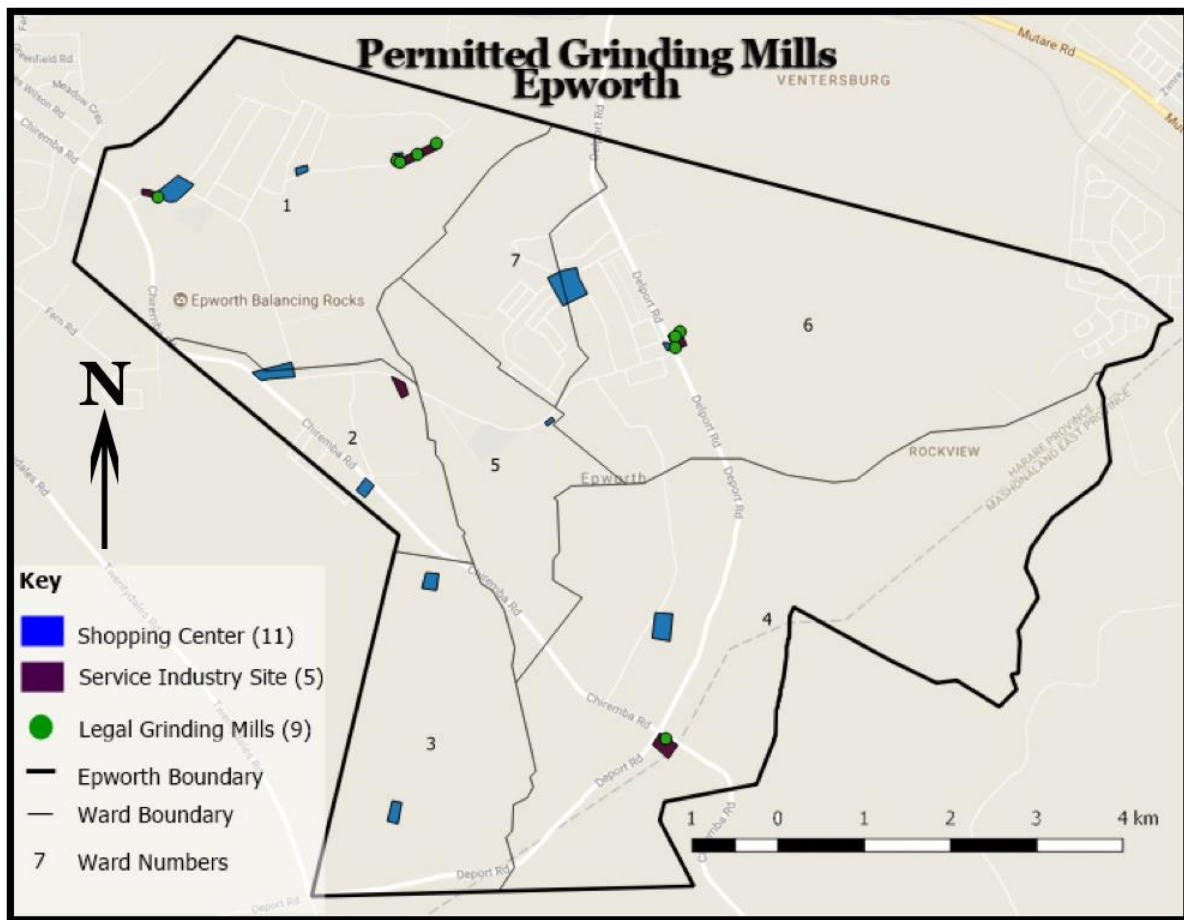
In order to get insights into the extent of the use of grinding mills in Epworth and their planning status, a grinding mills survey was undertaken in the period July to September 2017. The survey involved the identification and mapping of all grinding mills in Epworth using the snowball method. The location of each grinding mill was picked using a hand-held Global Positioning System (GPS) gadget to pick the site coordinates. A geographical information system (GIS) was then used to create maps that show the distribution of the grinding mills. The data was verified by comparing it with the CUP survey as well as checking with the Epworth official responsible for building inspectorate.

The grinding mills location was classified according to the three main land use zones in Epworth. These zones are residential areas, where the houses are situated; commercial zones where the shopping centres are located; service industrial zones where all sorts of service industrial uses and where small-scale manufacturing takes

place. According to the country's land use regulations, grinding mills are permitted in the service industrial areas. They may be permitted at shopping centres if an application for special consent is made to the Epworth Local Board and the board agrees. Grinding mills are however prohibited in residential areas as they are considered an industrial use hence incompatible with residential areas (GoZ, 1977).

The survey revealed that Epworth has 90 grinding mills. This is a phenomenal increase considering that the last major survey of grinding mills found 85 grinding mills in Harare including the secondary cities of Chitungwiza and Epworth in 1993 (Mbiba, 1995). Of the 90 grinding mills, only 9 are situated in the acceptable town planning zones thereby making them the only legal and legitimate mills (See Figure 6.3). 64 grinding mills are situated in residential areas where they are prohibited (Figure 6.5). Another 17 grinding mills are located at shopping centres (Figure 6.4) where they may be permitted subject to the local authority granting special consent. According to the planning regulations (GoZ, 1977) a use that is not ordinarily provided for in a particular zone may be allowed subject to justification been given and need for the facility being demonstrated. The different locations also represent three levels of planning legality. Therefore, this implies that 71% of all grinding mill operators in Epworth are considered illegal in terms of town planning regulations. This means that most of the grinding mills serving the residents of Epworth are illegal from a planning regulatory perspective. The detailed findings and the implications of these findings are discussed below in the following sections.

### 6.4.1 Epworth Grinding Mills that are Permitted in terms of Planning



**Figure 6.3: Permitted Grinding Mills at Service Industrial Sites**

The research found that there are only nine (9) permitted grinding mills in all of the seven wards of Epworth out of the 90 operating grinding mills. The nine grinding mills are more concentrated in Ward One and Six in one of the service industrial sites, this may also have resulted due to their proximity to the shopping centres hence more population to service. If grinding mills were located only where they are legally allowed to be located, they would not be able to serve the needs of the population. The spatial distribution of the permitted grinding mills leaves many parts of Epworth potentially underserved and not served at all. For a service that people use frequently and regularly, the grinding mills that planning deems legal would create severe accessibility challenges.

Whilst the nine grinding mills passed the spatial planning legitimacy test, there were still other compliance issues. Some did not have licenses because the structures

in which they were operating were not approved building structures (GoZ, 1977). Others did not meet the public health requirements mainly the need for staff ablution facilities in the building (GoZ, 1996). Most operators indicated that they made use of public toilets or made arrangements with a friendly neighbour. This also shows the inappropriateness of the legislation. It envisages grinding mills as something different from what they are. The additional infrastructure the authorities require such as toilets are not necessary since people already have formal and informal plans to address the need.

#### 6.4.2 Grinding Mills in areas that may be Permitted

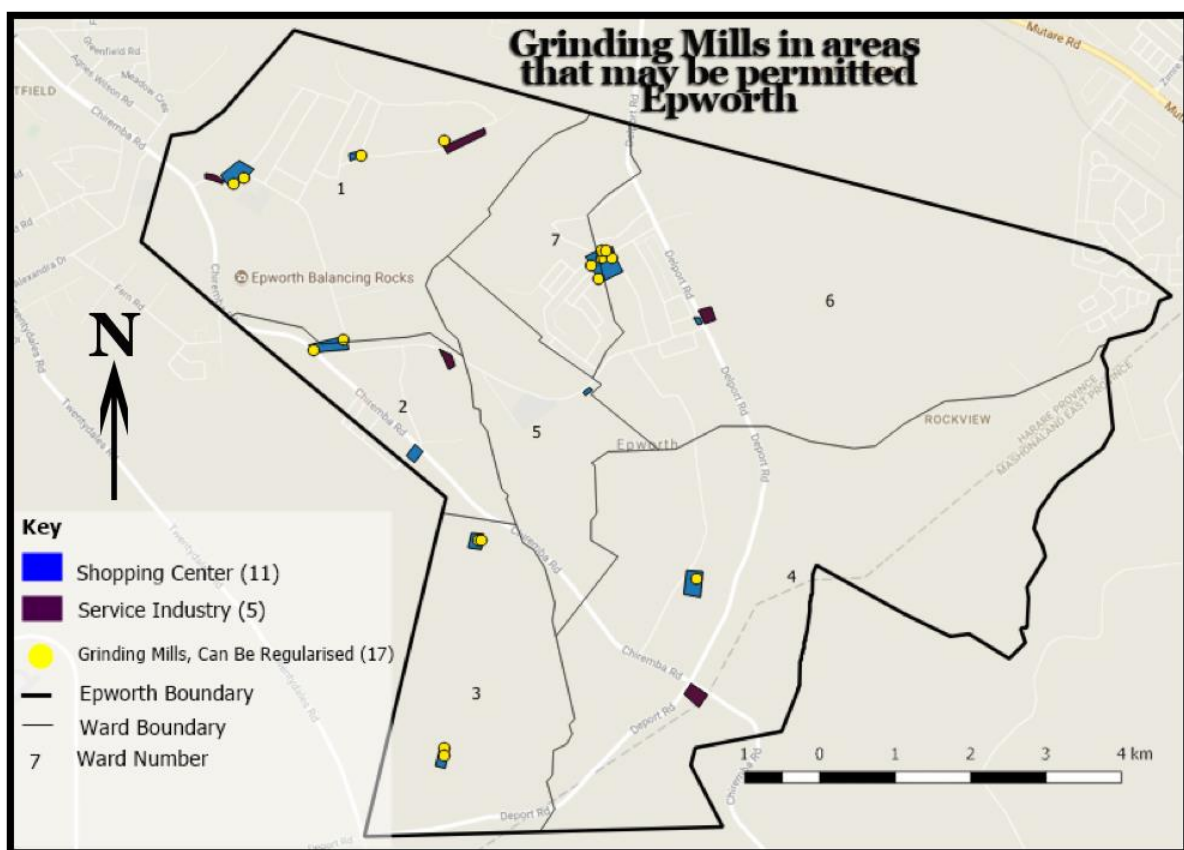


Figure 6.4 Grinding Mills at Shopping Centres

According to the survey data, there are 17 grinding mills that are situated at different shopping centres in Epworth (see Figure 6.4 above). According to the law and land use planning regulations, these 17 could be regularised (GoZ, 1977; CoH, 1993). In terms of the land use regulations there are some uses which may not be

freely permitted in terms of a land use plan but can be considered for approval if need for the use can be established within certain locations (GoZ, 1977). This was also corroborated by a senior planner as well as a local government official in the key informant interviews (ELB2, 2017; DPPlanner1, 2017). This means an application can be submitted to the local authority and if the applicant demonstrates that the grinding mills are important to the Epworth residents, the board may approve the application (ELB2, 2017). The grinding mills at shopping centres therefore offer a regularising opportunity as the planning regulations provide for a special consideration of their planning status.

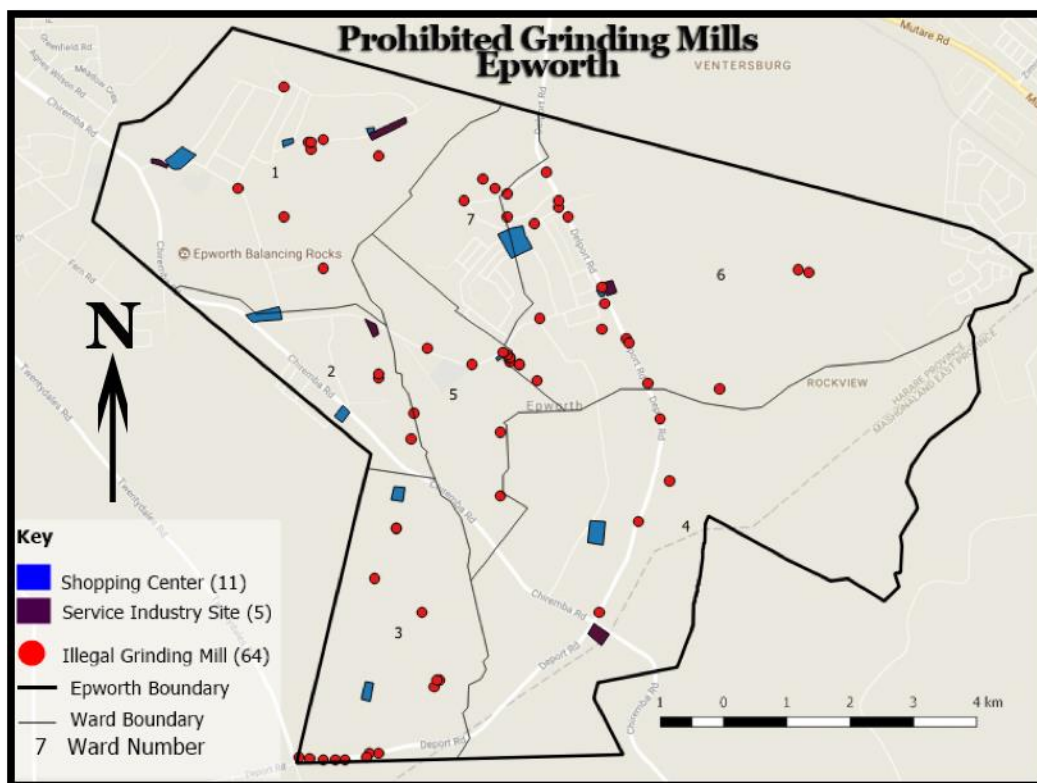
A spatial analysis however revealed that grinding mills that can be regularised are densely concentrated on the north-western part of Epworth especially in Ward One and Ward Seven. This means that there will still be extensive areas of Epworth that would be far away from grinding mills should planning laws and regulations be strictly implemented.

In addition to the zoning compliance, all these 17 would still be subjected to other regulatory compliance such as building compliance, licensing, health and environmental regulations. The chances of compliance in all the compliance areas would be low since the buildings were constructed without any authority supervision and therefore did not follow building standards.

#### **6.4.3 Prohibited Grinding Mills**

The survey found 64 grinding mills which planning deems illegal because they are located in the residential areas of Epworth where they are prohibited (see Figure 6.5 below). This finding is significant for two reasons: Firstly, this number is much higher than the number of the grinding mills in acceptable areas. Secondly the number shows the increasing significance of informality in Zimbabwe. According to Mbiba's 1993 survey, there was generally just one grinding mill in each suburb and its location was not subject to planning contestation (Mbiba, 1995). It is also significant that whilst the 1993 survey by Mbiba found a total of 85 grinding mills in Harare, Chitungwiza, and Epworth, this survey found a total of 90 grinding mills in Epworth alone!

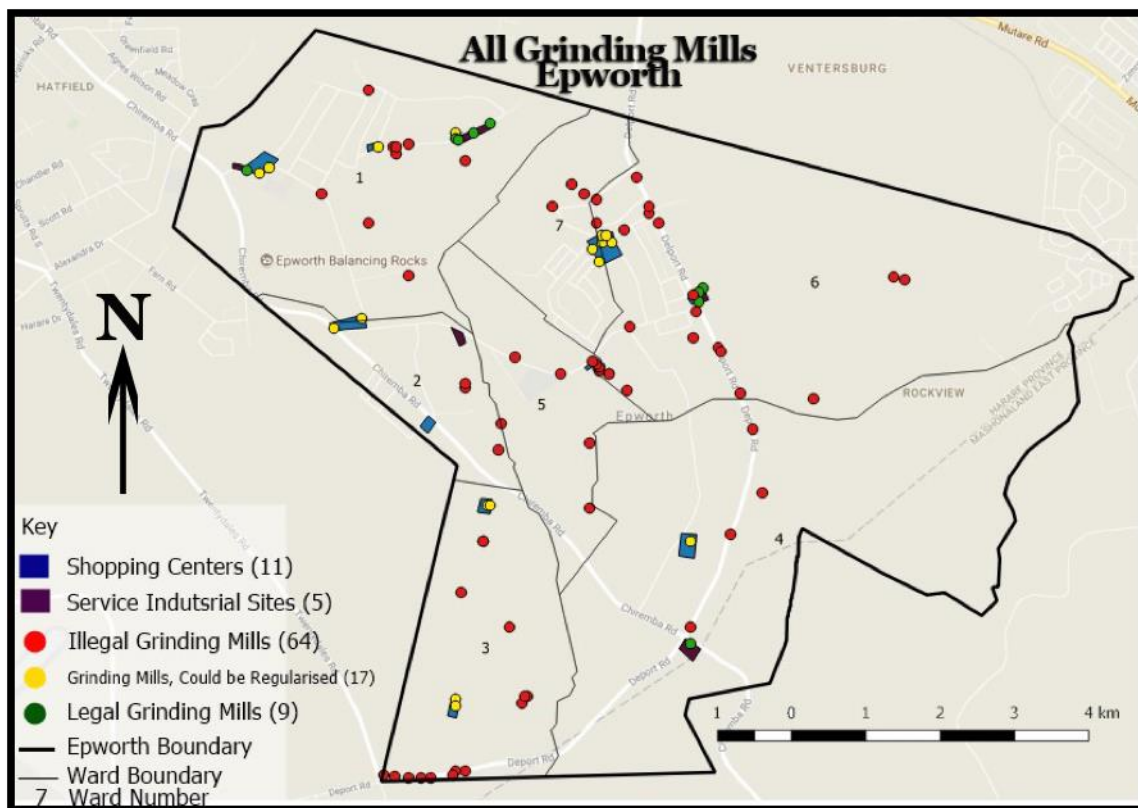
All the 64 grinding mills in residential areas are prohibited in terms of the zoning regulations as well as the Harare Master Plan (GoZ, 1977; CoH, 1993). There is no provision for approving these even if an application is submitted for consideration. Most planners interviewed indicated that some grinding mills could be in 'inappropriate places' but they did not expect the majority of the grinding mills to be in prohibited areas (DPPlanner2, 2017; CityPlanner4, 2017; DevPlanner2, 2017). A spatial analysis of the location of the 'illegal' grinding mills shows that they tend to follow major transport routes. A typical example is the 22 grinding mills along the Delport Road corridor. They also tend to cluster close to shopping centres and areas where large numbers of people pass through. Whilst the law and 'rational' land use planning envisions a logic based on land use zones modelled along nodes there is a counter rationality of the residents based on their needs. The result is typical of Watson's 'conflict of rationalities' that tend to exist between the logic of expert planners and the logic of residents based on their experiences (Watson, 2003).



**Figure 6.5 Illegal Grinding Mills in Residential Areas**

Figure 6.6 below shows all grinding mills in Epworth. It is only when all of the grinding mills are considered together without looking at its legality that a picture reflecting complete coverage of all areas emerges.

An important question to consider is what would happen if all these illegal grinding mills were to be removed as per planning regulations. Firstly, many people would find themselves very far away from grinding mills. Evidence from the recently published Epworth Working Papers based on the CUP survey indicate that traveling outside Epworth to buy basics such as maize or for milling was considered not economically viable (Tawodzera et al, 2019). Secondly, the remaining grinding mills will only be 10 percent of the existing. These would be overwhelmed and could fail to meet the demand by making not making the infrastructure investment required to scale up and cope with the increased demand for the service.



**Figure 6.6 Consolidated map of all grinding mills in Epworth**



**Table 6.1 Summary of grinding mills and their planning status**

<b>Permitted Mills</b>	<b>Shopping Centre Mills that may be Permitted</b>	<b>Prohibited Grinding Mills in Residential areas</b>	<b>Total Grinding Mills</b>
9	17	64	90

Table 6.1 above summarizes the planning status of grinding mills in Epworth. Of all the grinding mills, only 9 are freely permitted, 17 may be regularized if authorities accede to applications and 64 cannot be legitimized under the existing planning regulations as they are illegal in terms of planning zoning regulations. Thus, statistically 71% of grinding mills in Epworth must be demolished as they fall in illegal zones and only 10% of grinding mills in Epworth are legal and can remain if planning regulations are strictly enforced.

#### **6.4.4 Comparing the growth of grinding mills in Epworth and Harare**

The phenomenal rise in the number of grinding mills in Epworth was a surprise. It raised further questions regarding whether this increase in grinding mill numbers applied to other areas outside Epworth. Two quick surveys were conducted in other low-income areas of Harare in order to compare the trends. One survey was done in Highfield<sup>19</sup> and another in Mbare<sup>20</sup>. Two outstanding issues emerged from the surveys: Firstly, that whilst there had also been significant growth in other areas, Epworth had far higher numbers of grinding mills serving the residents than the other two areas; Secondly that in Mbare and Highfield, most of the grinding mills were located in acceptable town planning zones unlike in Epworth.

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<sup>19</sup> Highfield is a low-income high-density suburb of Harare

<sup>20</sup> Mbare is the oldest high-density suburb of Harare settled mainly by low-income residents



**Table 6.2 Comparison of Grinding mills in Epworth and similar areas**

	<b>Epworth</b>	<b>Highfield</b>	<b>Mbare</b>
<b>Population</b>	167 400	90 000	140 000
<b>Grinding Mills</b>	90	14	16
<b>People per GM</b>	1855	6428	8750

Sources: GoZ (2012), City of Harare (2015), Survey Results (2017)

This increase called for an understanding of the drivers of the fast-growing numbers of informal food processing. After attaining independence in 1980, restrictive urban legislations were repealed, rural people began migrating into urban settlements, and many settled in Epworth, thus expanding rapidly the population from approximately 20 000 people in 1980 to 167 400 by 2012 (Potts, 2008; GoZ, 2012). Some scholars have attributed the growth of urban agriculture to the growth in the business and numbers of grinding mills (Mbiba, 1995; Kutiwa et.al, 2010). In Epworth the data collected in the food production survey does not support this position. Chapter Five has indicated that very little maize is produced in Epworth. This thesis therefore does not attribute the growth in the numbers of grinding mills in Epworth to intra-urban food production, but rather to rapid urbanization, some peri-urban food production, food transfers and other adaptation measures of the urban poor (Tawodzera, 2013; Potts, 2008). The contribution of the peri-urban zone to food provisioning is well-documented by several scholars (Mbiba, 2005; Thornton, 2008; Cobbinah et al, 2015). In Epworth and Harare, the peri urban production of maize significantly increased with the allocation of one-hectare plots to 'more than 1500 beneficiaries' from the Harare Metropolitan province by government (Toriro, 2018). The explosion in grinding mills may also be attributed to national economic decline that forced people to venture into alternative ways of finding cheaper food. Another possible driver of this growth in Epworth is the limited capacity of officials to enforce planning regulations. Unlike Harare which employs many planners and has a history of strict enforcement of regulations, Epworth has not been able to do the same due to capacity constraints. Whilst the economic decline and de-regulation has also caused grinding mill numbers to rise in other urban areas, in Epworth the increase has been steeper due to limited regulation. This trend started during the 1990s economic structural adjustment programme (Mbiba, 1995; Jayne and Ruby, 1993) and given the necessity of mealie-meal, grinding mills are flourishing.

## **6.5 The Planning Practice and Grinding Mills**

When Anna Tibaijuka the then Executive Director of UN-Habitat addressed planners at the 2006 World Urban Forum in Canada, she made two observations regarding planners: She recognized that planners occupied a special place in urbanization and could help solve most of the teething challenges affecting urban areas. She also however expressed concern that the profession had so far not managed to be the positive change that it could be (Tibaijuka, 2006). Her observation accurately describes most Zimbabwean planners. The reaction of practising planners to the ever-increasing number of grinding mills has been generally negative. Most planners take a control-minded and modernist approach that sees the operators as violating a whole range of planning tools from town planning laws, to master plans and by-laws. In typical scientific rational planning logic planners claim to seek to enhance 'sustainable urban planning' and therefore advocate for the demolition of all illegal structures and uses. The irony of this attitude in Epworth is exposed by the fact that most uses started organically and informally and therefore generally exist outside of approved plans (Chatiza and Mlalazi, 2009; Chirisa, 2013).

### **6.5.1 Heavy Handedness and Typical Rational Planning Approach**

Most planners displayed a heavy-handed approach to managing the location of grinding mills that was influenced by their reliance on the scientific rational planning approach. The response by a government planning official below highlights the typical approach:

Grinding mills are industrial undertakings that are ordinarily located in industrial zones in terms of the Harare Master Plan or any layout plans. By virtue of the noise they make they cannot be located near residential areas where the public would complain because they are not compatible with residential and other uses. Where grinding mills are in a prohibited zone, relevant enforcement action must be taken in line with the Regional Town and Country Planning Act. This means an enforcement order will be issued against the use and the structure housing the grinding mill will be demolished and the grinding mill will be removed from the illegal site

*(DPPlanner2, 2017)*

The response demonstrates rigidity in articulating the supposed location of grinding mills. The planners also suggest the remedial action for dealing with an 'illegal' grinding mill by invoking the provisions of the planning law. The law is blind to the fact that almost everything in Epworth exists with some degree of illegality. The planning design standards that sets out the incompatibility of grinding mills in relation to other uses should not strictly apply in this case. The milling that is considered incompatible with other uses in residential areas was the industrial milling that was done using large industrial equipment by large companies exclusively in the past. When the new small compact and less noisy grinding mills were introduced, the regulations did not change. They simply continued using the same definition and conditions for a different milling typology.

The official views of where they should be are shaped by rational scientific planning's top-down perception of the expert planner who knows the best siting for the grinding mills and what is good for residents. This approach is heavily criticized by planning theorists such as Yiftachel (2009:93) who blames planners for providing the 'tools for classifying and stratifying groups' of uses, oftentimes inappropriately. The residents are disadvantaged in a planner's quest to give them a well-planned settlement.

### **6.5.2 Incorrect Interpretation of Regulations**

Some planning professionals interpreted the regulations incorrectly. When asked where grinding mills should be located, one Planning Official responded that;

There exists a number of grinding mills in the Harare, Epworth and Chitungwiza urban areas. Grinding mills can be classified as shops hence anyone who has a shop building can choose to place a grinding mill there. All grinding mills at light industries and shops are regarded as legal. It becomes illegal to place a grinding mill inside a residential area. And there exists no specific license for a grinding mill different from the shop license meaning there are no specific fees paid for grinding mills alone.

*(CityPlanner4, 2017)*

The planning official's statement indicates a problem in the implementation of planning regulations. The interpretation of the regulations is incorrect. Three things are presented incorrectly by CityPlanner4: First grinding mills cannot be classified as retail shops, although they would require a trading permit under the Shop Licenses Act, they are an industrial use, not shop which falls in the retail use group according to planning use-group regulations (GoZ, 1977). Secondly not all grinding mills located at shops are considered legal in terms of both the law and the use group regulations (GoZ, 1977; CoH, 1993). They can only be granted authority after applying for special consent<sup>21</sup> justifying public need for their existence. Thirdly there is a different license required for a grinding mill because shops fall into a different license category. Municipal officials represent the voice of the authority. When an official of the city interprets regulations wrongly, it affects their discharge of the powers vested in their local government and can be costly for the citizens.

The incorrect interpretation of the regulations by CityPlanner4 above is exposed in the response below by a senior government planner from the Department of Physical Planning when asked to explain the planning status of grinding mills and where they should ideally be located, and he gives a correct planning regulatory position:

Grinding mills are industrial operations and there is provision for their establishment in spatial plans. They are freely permitted in industrial zones. In those areas that are designated as small-scale service industry areas, grinding mills are also permitted and when developers apply for them then permission is given. But then they have to follow all the other development standards for industrial buildings after which licensing is granted by the local authority. So, if one wants to run a grinding mill, they can apply to the local board and if they are situated in a service industrial area they get licensed and can operate legitimately.

*(DPPlanner1, 2017)*

This is the correct position in terms of zoning regulations. Grinding mills are freely permitted within service industrial areas although there are other conditions that

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<sup>21</sup> A special consent application is made where a use was not expressly provided for but an applicant is allowed an opportunity to convince the authorities that the use is needed in the area and the residents would benefit from it

may have to be complied with. For example, the fact that the buildings housing grinding mills are considered industrial buildings imply that the buildings must satisfy additional requirements for industrial manufacturing buildings. They also must be certified by the National Social Security Authority (NSSA) because of the industrial classification. These requirements go beyond the requirements of shops and other retail buildings which only must meet the requirements of the Model Building By-laws (GoZ, 1977; ELB1, 2017).

When planning professionals are incorrect or inconsistent in their interpretation of regulations the operators of grinding mills suffer due to the following reasons. They are confused because they do not know what to do in order to operate within the regulatory framework. The inconsistency breeds uncertainty on the operators as they speculate over what is expected of them. The impact of that confusion presents a threat to the food system as people's source of food cannot be guaranteed.

### **6.5.3 Capacity Constraints**

There are capacity constraints in the administration of planning regulations. Some of the contradictions detected in the interpretation of the planning regulations were attributed to capacity limitations on the part of some planning and local government professionals. This capacity challenge was highlighted by a representative of the urban planners' institute below:

One of the new challenges we face as a profession is that we have been affected by the political isolation of Zimbabwe as a result of the sanctions as well as skills flight. As an institute we have not been able to expose our planners to regular capacity building. We have also observed that due to the migration of skilled and experienced planners, some of the younger professionals are not benefitting from competent mentorship. So sometimes the interpretation of the regulations is affected by inexperience and poor grooming of professionals

(ZiruPlanner, 2017)

There are capacity challenges in the management of the planning profession in Zimbabwe. This constraint impacts on the plans that are produced and the regularity of reviews. The planning institute official indicated that plans have not been prepared

and reviewed as regularly as expected due to the absence of adequate experienced planners. This leads to another challenge whereby inappropriate plans are used to manage a changed environment. As demonstrated above, the capacity constraints also cause the regulatory contradictions due to inexperience and ignorance. All this impacts on the food system operation.

#### **6.5.4 Detachment from Reality**

One finding was that some planners tasked with overseeing the regulation of the planning practice and the regulatory framework are unaware of the extent of the existence of grinding mills and their status. They remain guided by what the situation was a few years back,

Yes, there exists quite a number of grinding mills especially now with the increase in number of small plots where people do their own maize production. The specific numbers are difficult to speculate but at least there are three grinding mills for each established residential area and slightly more for more recent residential areas such as Epworth, Hatcliffe extension and so forth. And the vast majority of them are legal as they are placed mostly at shopping centres. They become a challenge when they are located deep inside the residential areas where it's difficult to monitor their status.

*(DPPlanner2, 2017)*

The statement indicates a very general awareness yet incorrect appreciation of the grinding mills situation in Harare, Epworth and the surrounding areas. The statement by the planner just acknowledges the existence of grinding mills in Harare and Epworth. It is however wrong on estimation of numbers of grinding mills and their planning status by a wide margin. Such a planner cannot manage a situation that they are so detached from its reality.

#### **6.5.5 Grinding Mills are Informal and therefore Temporary**

Some planners consider informality as temporary and that it will soon pass when the economy improves. This is the view expressed below by a planner in a local government:

Whilst there are many problems with illegal developments including grinding mills in the informal sector, we need not be worried about this as it is temporary. As soon as the economy improves, this will all go away. This was not a problem in the past so I'm confident it won't be in the future when the current economic problems go away.

*(CityPlanner3, 2017)*

This view was also implied and openly expressed by a few other planners (DPPlanner2, 2017; UniPlanner2, 2017; DevPlanner2, 2017). This policy response appears influenced by what is considered as a 'dualist' perspective in literature where informality is viewed as 'marginal' and separate from the formal (Hart, 1973 and ILO, 1972 in Chen, 2012). The notion that urban informality is temporary and disconnected from the formal is out of sync with the reality of urbanization trends particularly in the global South. The thinking is problematic because it does not push for solutions that are futuristic but tends to dismiss informality as transient and not warranting serious attention. The statement is also pregnant with negativity as demonstrated by the use of words such as 'problems', 'illegal developments' and 'temporary'.

### **6.5.6 Grinding Mills as Multi-Functional Outlets**

Grinding mills in Epworth operate as multi-functional outlets. They serve more than the grinding or processing purpose that we observed them serving in Highfield and Mbare suburbs where we compared their numbers and locations<sup>22</sup>. They were also selling points for maize and containers for carrying the maize such as empty bags. They also performed additional processing functions such as de-hulling the maize before grinding. Lastly the grinding mills also sold by-products of milling such as the waste coming from the de-hulling process which they sold to residents that use the by-product as chicken feed.

Planners expressed reservations at this new role of grinding mills in Epworth as indicated in the interview below:

One challenge with Epworth's grinding mill is that it is no longer just for purposes of milling. They now also de-hull the maize for those that want refined meal. They also are maize selling points where you can go and

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<sup>22</sup> Unlike Epworth grinding mills which serve a variety of functions, the grinding mills in Highfield and Mbare were primarily for milling

buy your maize then grind it. They also have a new business to sell the waste from the milling process to people that keep chicken who mix the waste with chicken feed. With all these uses being undertaken in one place, when you authorize this grinding mill, what are you really authorizing? More importantly, where do you locate it in our current land use zones?

*(DevPlanner2, 2017)*

The planners see the multi-functional nature of the Epworth grinding mill as a problem. This is based on Zimbabwean planners' use of old master planning and traditional blueprint planning as their basis for what is acceptable or not. The fact that the Epworth grinding mill can also perform other functions could be seen as a positive development for the food system. It brings convenience to the residents of Epworth by bringing a comprehensive service. Planners should consider how to harness the positives out of the functions of this food processing typology rather than think of how it is a problem.

#### **6.5.7 Epworth Officials take a Planning Position**

Although the Epworth local board does not employ any town planner, interviewed officials responded in similar manner to planners in Harare. They made arguments like those of planners aiming to achieve 'sustainable development' planning for Epworth coated in modernist rhetoric. The Epworth Local Board (ELB) official indicated their objective was to advance good urban planning and were not happy with grinding mills in other areas:

Grinding mills are supposed to be in the service industrial areas in line with sound planning. They make noise and are an industrial activity because they are processing plants. They also produce dust and fumes which can be a nuisance to residents. They are a manufacturing use and so they should be found where similar uses are, that is in industrial areas.

*(ELB3, 2017)*

Even an elected ELB official who is responsible for policy making argued that the location of most grinding mills rendered them illegal:



The position of the Epworth Local Board is to make sure that grinding mills are located in designated places. Where they are in wrong places, the operators should be approached and advised to regularize. If they are not willing, they should be moved from the illegal places. However, at the moment we do not have adequate resources in terms of enforcement

*(ELB4, 2017)*

That the elected ELB councillor is advocating for the typical zoning-influenced blueprint planning location of grinding mills as well as regularization or demolition of illegally located mills was intriguing. The aspect of demolition is reactionary. As a representative of the people one would have expected a view that is less radical and more people-centred. The view reflects the responses of other officials who mentioned intentions to make Epworth 'as well-planned' as Harare (ELB1, 2017 and ELB3, 2017). Even with widespread informality, the officials still see the location of grinding mills as problematic.

#### **6.5.8 Views of Planners in NGOs and UDCORP**

Planners in non-governmental organizations and the quasi-government Urban Development Corporation support the operation of grinding mills taking a livelihoods approach. When asked to give an opinion on grinding mills location, an Urban Development Corporation Planner argued that,

Grinding mills should be permitted in Epworth because we want to enable the people of Zimbabwe to have access to affordable food processing. Some people may buy large quantities of maize and other grains from rural areas so that they can keep it for maize meal throughout the year. This is why grinding mills are very necessary in Epworth.

*(DevPlanner2, 2017)*

A practising planner in an NGO also opined that grinding mills are people's initiatives at bringing food processing closer to the areas of need (NGOPlanner1, 2017). He further argued that they constitute a significant empowerment instrument especially where the owners and operators are local people. Both opinions of grinding mills view them as important food security enhancing methods in which they play a

vital role as livelihood activities. This industry helps the locals to quickly conveniently and affordably process maize into mealie-meal which is a key ingredient for the local staple food. As indicated in 6.5.6 above, grinding mills in Epworth are multi-functional operations offering de-hulling, grinding, maize selling, as well as other by-products of milling. The grinding mill business in Epworth therefore also presents an entrepreneurship opportunity and thus explains the proliferation of grinding mills in many parts of Epworth. Thus, grinding mills exist in Epworth as a result of opportunity, in spite of their contested planning status and perceptions of emissions and noise.

## **6.6 Chapter Conclusion**

This chapter examined how planning regulations affect food processing using grinding mills in Epworth. There are challenges caused by the gap between the food processing envisaged in the laws and the plans and the reality of Epworth today. On one hand the regulatory framework largely has laws that find grinding mills problematic. On the other hand, there has been a silent, largely unnoticed exponential growth in the use and importance of grinding mills in Epworth. This growth can even be described as a silent revolution due to the fact that it has happened without officials noticing although the growth has been at a massive scale. Yet the regulatory framework has remained largely unchanged, insisting on defining a grinding mill in a manner that disregards the changes that have occurred to the size and character of the mills thereby affecting its acceptance in terms of planning. The regulatory framework has lagged behind the people's needs because it has remained rooted in the traditional blueprint plans and uses old plans which are informed by old laws.

There is also a problem with the changed situation today and the food processing system that the regulatory framework envisaged. The regulatory framework envisaged a tightly-controlled maize marketing and processing system. It also envisaged the milling to take place at a large-scale within an industrial setting. The opening up of the maize milling and marketing system which removed controls and enabled small-scale milling has not been reflected in the planning and regulatory framework. Equally the smaller grinding mill now used in Epworth was not envisaged in the laws and plans. The operational grinding mill is not the one included and described in the regulations.

There also appears to be a disconnection between the central government and central planning agencies intentions and the local governments whose officials implement the regulations. The spirit of flexibility in the central government policy documents and subsidiary legislation is not shared by local government. The failure of local agencies to cascade the intentions of those regulations into their plans and policies reflects a disconnect that affects the residents.

The planners and other administrators responsible for managing Epworth cling to a planning and regulatory framework that is detached from the lived reality in Epworth. Their vision of good 'modernist' planning, and sustainability is utopian and even ironic. In a settlement that is largely informal they strictly hope to implement standards that do not accommodate informality. With ninety percent of grinding mills in Epworth considered illegal, the regulations are not practical. The officials are refusing to see the changed reality around them. Their rationality significantly differs from the lived reality of the citizens leading to a typical 'conflict of rationalities' (Watson, 2003). The fear that planners may not help to solve the emerging global South's urbanization problems despite their strategic positioning is real in Zimbabwe (Tibaijuka, 2006). More significantly, these planners and the regulatory framework threaten the sustainability of the Epworth urban food system.

## **Chapter 7: Planning and The Epworth Food Retail System**

### **7.0 Introduction**

This chapter focuses on how Zimbabwe's planning regulatory framework affects the retailing of food in Epworth. The chapter unpacks the Epworth food retail sector in relation to the planning regulatory framework. It does so by examining four key food retail types; grocery dealers, butcheries, market stalls, and tuck-shops. The chapter sought to answer the question what planning laws and regulations say about food retailing in Epworth. To effectively answer the research question, it is further broken into four sub-questions starting with where food is sold, what the planning status of the sites is, what the law says about these different spaces, and what officials' opinions are regarding all these. The discussion also examines the impact of the planning regulatory framework to the lived experience in Epworth.

The chapter uses data that was collected in Epworth by the Consuming Urban Poverty (CUP) survey in which the author was a team member. The data was collected using both qualitative and quantitative techniques. A retail survey of both formal and informal food outlets was undertaken to identify and locate different types of food retail outlets. This involved collecting data on the typology of the outlets, the goods traded, as well as the coordinates of the outlets. In-depth surveys were also undertaken to get a detailed understanding of the operation of these retail outlets.

The chapter shows that the urban planning regulatory framework and practice outlaws most of the existing food retail outlets in Epworth. It further argues that the existing regulatory framework was prepared many years ago, in an urban context different from the one now obtaining in contemporary Epworth and other Zimbabwean urban areas. As with food production and processing regulations, the positive clauses in the regulations are not fully utilized. Markets have always been strictly regulated by law and the rise in informality was not envisaged by the planning regulatory framework. There is now a disconnection between the spirit in which the legislative framework was enacted and today's lived reality. The 1993 Harare Master Plan has also outlived its lifespan. Not all its clauses remain useful in managing today's increasingly complex and different challenges. The chapter also argues that in addition to the planning tools,

the people that are supposed to manage planning are also part of the problem: Their vision of urbanity and the way they interpret and implement planning is also problematic. For the Epworth Local Board, there are problems being caused by the limited capacity of the institution to competently manage the settlement. The chapter however also argues that the lack of capacity on the part of officials of Epworth has not been entirely negative. This has allowed traders to operate without harassment since the regulations are largely not implemented. This position has helped secure the Epworth food retail sector albeit temporarily.

After introducing the chapter, the next section gives a background to food retailing. This is followed by revisiting the laws that affect the food system with a direct focus on food retailing. The main findings on the food retail survey in Epworth are then presented and discussed together with an examination of the planning officials' views and interpretation of the food retail regulations and plans. Lastly the chapter ends by summarizing the key issues covered and conclusions drawn.

## **7.1 Background to Food Retailing**

Food retailing has attracted a lot of interest amongst scholars. The phenomenon has been analyzed from different perspectives. The sector has been examined through general shopping patterns and the supermarket growth (Reardon et al, 2004; Battersby and Peyton, 2014; Weatherspoon and Reardon, 2003; Neven et al, 2006) to the small-scale and informal traders and how they have been treated by authorities (Chen, 2012; Mitullah, 2004; Bromley, 2000). In Zimbabwe early studies about retail networks were undertaken in the 1970s and 1980s when the growth of supermarkets was beginning to gain significance in the country (Drakakis-Smith et al, 1995).

The importance of food retailing in urban areas is better understood when one considers urban dwellers' food sources and how much they spend on food. According to Cohen and Garrett (2010), the poor in the global South cities tend to buy mainly from small-scale local sources. The informal sector is a significant source of food for the poor, including different forms of vending and 'street food' (Reardon et.al, 2004). For the low-income areas of Harare and Epworth, there have always been high levels of sourcing food from the informal sector even when the 'supermarket revolution' was

affecting the country (Drakakis-Smith, Bowyer-Bower, Tevera, 1995; Njaya, 2014). The urban poor spend most of their income on food purchases (Mitlin, 2005; Crush and Frayne, 2010). In dire economic situations, households spend even more on food. In Harare poor families reported spending as much as 62 percent of their incomes on food during the tough economic year of 2008 (Tawodzera, Zanamwe, Crush, 2012). According to the Zimbabwe Statistics Agency in 2017 the 'minimum food needs basket' cost \$164.33 when the minimum wage was \$482.36. This translates to an expenditure of about 34 percent on food (Zimstats, 2017). This figure however assumes a minimum wage which most low-income households may not even earn.

Small-scale and informal food retailing is widespread in Africa. There is rapid expansion of informal retailing in many global South cities (Mitullah, 2003; Skinner, 2008). Some studies have described the sector as a significant development throughout the continent (SAMP, 2014). However, the management of these informal livelihoods has not always been without controversy. Parnell and Pieterse (2014) consider sub-Saharan cities to be in a 'state of crisis' regarding the way they are managing urbanization and informality. Official response to small-scale informal food retail in Africa has ranged from 'violent repression' and large-scale evictions to 'supportive policies' (Rogerson, 2016). There are not many cities that have enacted 'innovative and supportive policies' in a way that aligns with the realities of the lived experience in these cities (Rogerson, 2016). Yet the exact manner in which these policies affect livelihoods is only superficially understood.

Rather than harness the potential of these enterprising citizens, the states are reportedly rarely engaging with 'inclusive approaches'. They rather usually attempt to 'sanitize' the 'pathological' nature of the sector guided by 'modernist planning' (Kamete and Lindell, 2010; Kamete, 2013). Traders therefore are generally disadvantaged using an oppressive regulatory and policy framework (Mitullah, 2004). Due to the use of these inappropriate regulations, the small-scale retail food operators are exposed to sometimes 'savage' actions at the hands of authorities (Cross, 2000). Whilst the common policy response has been to remove traders from the streets (Rogerson, 2016), this response only serves to negatively affect the profitability of the businesses forcing the traders 'down the social scale and ensuring that it caters primarily to lower income customers and to poorer neighbourhoods' (Bromley, 2000:23). Skinner (2008)

asserts that 'inclusive' approaches are rare. Zimbabwe has generally adopted a heavy-handed approach in its management of informal retailing (Potts, 2007; Njaya, 2014; Rogerson, 2016). There have been several cases of clashes with the informal retailers as well as forced evictions of traders (Kamete, 2010; Potts, 2007; Tawodzera, 2010).

The conflict between the authorities and the informal sector have been documented as more pronounced in some food sectors than others. The literature on West African cities in section 2.6.3 shows the health concerns particularly with cooked and fresh food (Barro et al, 2006; Chukuezi, 2010; Okojie and Isah, 2014). The Zimbabwean regulatory framework also demonstrates stricter requirements for fresh food and meat handling (Goz, 1996c and 2002). Whilst there is literature on food and health regulations, there has not been studies that investigated how the regulations and the practice of planning affect food retail. This is the gap this thesis fills.

## **7.2 The Laws Affecting Food retailing**

This section looks at how the law affects food retailing in Epworth. It looks at several laws as well as other regulations and plans used in the governance of food retail in Epworth. The principal law of Zimbabwe, the Constitution (GoZ, 2013) only affects food retailing by guaranteeing the right to food in Section 77 as stated in Chapter 4. How the right to food is achieved is supposed to be addressed in the different laws that impact on food as will be discussed in the sections below.

### **7.2.1 The Regional Town and Country Planning Act**

As noted in Chapter Five and Chapter Six, the Act does not affect food retailing in a direct manner. Part IV of the Act requires that master and local plans are prepared that guide how developments are laid out in space. These plans are what determine where retail activities can be undertaken. Part V of the Act is about control of development. It states that no development shall take place unless permitted as per existing plans (GoZ, 1996b). Food retail is therefore only affected by the law in as far as the Act requires that land use plans be prepared, which plans then legitimize or de-legitimize certain retail types and spaces. Once the legitimacy issues are addressed by the plans, the provision of the Act that tends to be used most is Section 26 of the Act that requires all developments to occur only after a permit has been granted by

the local planning authority. Any retail activity that does not fall in a commercial zone is not given planning permission hence is considered illegal. Since most small-scale retail outlets are in residential zones, they are deemed illegal in terms of the act.

There are however old use-group regulations that are supposed to guide in placing different land uses into categories. These are known as the Regional Town and Country Planning (Use Groups) Regulations (RGN, 1976). These were enacted by the Government of Rhodesia through a statutory instrument known as the Rhodesia Government Notice No.926 of 1976. All retail outlets are defined as shops where a shop is further defined as a use 'for the carrying out of retail business and the primary purpose of which is to sale produce or manufactured articles'. This is the general definition of outlets that are supposed to obtain a licence or a trading permit before they can operate. The question that arises is, did the regulations envisage today's tuck shop or other small-scale food traders when it was enacted? Most probably the law did not consider that because studies indicate that during that period, there was almost no informal sector in Rhodesia (Potts, 2008).

### **7.2.2 The Shop Licenses Act: Chapter 14:17**

The Shop Licenses Act presents two main requirements on retail businesses that are problematic for the small-scale Epworth food retailers. Firstly, it requires that all retail businesses regardless of scale must have a retail shop license or a trading permit in order to operate. Secondly the act sets out operating hours for all businesses. Part II of the Act prohibits all 'businesses and operations' to function without a trading license. The act does not specify the scale at which a license is required (GoZ, 1976). The assumption of the law is that all business operations can meet the minimum requirements for shop licensing. The requirements include that the business must be in a permissible operating area (planning zone) and that it is housed in a building that has been approved by the planning authorities. Most of the buildings in which the small-scale informal operators use in Epworth were not approved by the Epworth Local Board. Many of them will not be approved if they approached the board because they cannot meet the requirements of the Model Building By-laws (ELB2, 2017). The provisions of the Shop Licenses Act do not accommodate these informal retail operators who constitute the majority in Epworth. By using a standard set for larger



businesses and not considering the special requirements of these small players, they become illegal and operate outside the law.

The requirement for operating hours that the law expects all traders to be guided by is also problematic for these traders. The expectation is that all traders state their operating hours when they apply for licensing and they must comply with those. Informal food traders do not operate within rigid formal hours (Skinner, 2008; Tawodzera et al, 2012). In Epworth different food retail outlets were found trading during different hours in response to market requirements as well as the need to avoid enforcement authorities (CUP Survey, 2016). One advantage of the informal sector food retail is the ability to be flexible in terms of the trading environment including operating outside 'normal' hours. The requirement for them to operate within certain specified hours removes that advantage.

### **7.2.3 The Public Health Act: Chapter 15:09**

The Public Health Act imposes stricter additional requirements for operators that deal with food. The requirements affect the trading environment as well as the people that serve the customers. Section 68 of the Act requires that spaces in which food is sold are periodically inspected. This assumes that such spaces are formal and approved. As indicated in previous sections, informal food retail spaces are mainly unapproved (ELB2, 2017). Whilst this is a reasonable precautionary requirement, it cannot be met by most small-scale food traders because they do not trade from buildings that can meet the minimum inspection requirements.

Perhaps the requirement for periodic examination of the person selling food is one of the most stringent. Section 71 requires all persons that sell or handle food to go for periodic examination to ensure that they do not have infectious diseases. The people must undergo expensive examinations that include specialist procedures such as X-rays. This requirement clearly did not envisage a small-scale food operator who makes very little out of their business and virtually survives from hand to mouth. That business player cannot afford to pay for the medical examinations required. Rather than comply, they are forced to operate 'illegally'.

#### **7.2.4 The Environmental Management Act: Chapter 20:27**

The Environmental Management Act affects the food retail sector by expecting that business is conducted in a clean environment. Perhaps the biggest challenge of small-scale business is to comply with the provisions of the act that have to do with keeping the environment clean. Section 83 of the Act prohibits littering. They are therefore required to have refuse receptacles in the form of bins where customers can put litter. Whilst some food retail operations such as grocery dealers and butcheries were found to comply with requirements for refuse receptacles on the premises, the much smaller ones such as market stalls and tuck shops did not always have such facilities. This requirement is important as the small-scale food traders have been accused of making the town dirty (ELB1, 2017). The government health authorities also believed this sector is problematic because of littering (Inspector, 2017). Addressing the small food traders' litter challenges will help manage negative perceptions to their operations.

#### **7.2.5 The Harare Master Plan 1993**

The Harare Master Plan contains clauses that could facilitate food retail in the manner it exists in Epworth if implemented. This section will show that the Harare Master Plan contains clauses that could be used to provide for a robust food retail sector that is inclusive of the different scales.

##### **7.2.5.1 The Positive Master Plan Provisions**

Goal A of the Harare Master Plan aims to 'ensure that the population throughout the master plan area is within easy access to competitive outlets for ordinary day to day shopping needs of households' (CoH, 1993:26). The intention of this clause is to ensure that all areas are well-served with appropriate food retail facilities. If properly implemented, there should not be any food deserts as generally defined by the global North or even in the more complex global South food deserts understanding (Battersby and Crush, 2014) in all the areas covered by the Harare Master Plan.

The Harare Master Plan even considered measures to avail different food types including fresh produce. Under Goal C which seeks to encourage the convenient

availability of farm produce, Objective 1 sought to 'identify sites throughout the planning area in close proximity to markets that can be used for the wholesale retailing of fresh farm produce particularly vegetables, fruits, eggs and poultry' (CoH, 1993:28). If this objective was implemented, there would be different types of markets in different urban areas within the master plan coverage ensuring that all settlements have easy access to fresh food. Unfortunately, this was not implemented. The whole Harare Metropolitan area is still served from the one big market at Mbare in Harare. Many areas of Epworth are served by the small markets as shown by the CUP survey (2016). The failure to implement this clause has kept the small informal food markets that have come in to fill the need gap 'illegal' at planning law.

Although the Harare Master Plan intended to provide infrastructure for the informal sector, this was never implemented. Policy 22 seeks to 'realise and encourage the role played by the informal sector by providing built facilities supported by the necessary public infrastructure needed by emerging small scale business people in this sector' (CoH, 1993:28). The CUP survey data shows that despite the important role the informal sector plays in providing for the food needs of many people in Epworth, they continue to operate without basic infrastructure.

There is also a useful proposal that could help remove the current conflict between informal businesses and the formal businesses. Proposal 34 aims to 'remove conflict between informal and formal sectors.' This is achieved by 'designating sites, both streets and roads from where vendors can operate hygienically throughout the urban centres of the planning area' (CoH, 1993:28). As with the other potentially useful intentions of the master plan outlined above, very few sites were designated in Epworth. Extensive field assessments and observations did not indicate sincere effort towards implementing this clause. Informal traders continue to operate without basic infrastructure under very indecent conditions. There has not been any effort at improving the informal sector hygiene conditions, yet the authorities continue to expect so much out of these poor operators. It is ironic that although authorities have not met their obligations in terms of the master plan, they expect the poor powerless small traders to comply with difficult conditions.

### **7.2.6 The Model Building By-laws**

The Model Building By-laws set requirements for different types of buildings. Retail buildings should only be used when the building is approved by the local government. The buildings are supposed to be inspected at various stages of construction. Each stage of inspection is supposed to be paid for at the local government offices. For different retail uses there are also different requirements, but the following general expectations apply. The building must have ablution facilities for the staff employed therein. If the nature of the business attracts customers that are expected to spend a lot of time being served, there will also be additional expectations for customer ablutions (GoZ, 1977). The by-laws were enacted for the bigger businesses in the formal sector. The requirements cannot be practically and economically met by today's informal small-scale food retailer. Even the larger grocery dealers and butcheries that could meet some of the requirements would still be unable to meet all conditions. Meeting some of the conditions is also made impossible by the reality of Epworth's conditions. Most areas are not serviced with roads, water and sewerage infrastructure. Even where a retail operator can afford, there would not be the main supply to connect one's sewerage or drainage to. The by-laws are therefore out of place in parts of Epworth.

### **7.2.7 Statutory Instrument 216 of 1994**

One statutory instrument that promised so much when it was enacted but has delivered very little to date is the Statutory Instrument 216 of 1994 (SI 216). As indicated in Chapter Four, this piece of legislation was government's response to the growing informal sector. It specifically sought to provide for the operation of non-residential enterprises in residential areas for businesses that could comply with the following conditions:

- 1) That they are small-scale in nature
- 2) The business would employ not more than 4 people
- 3) The business would not make noise
- 4) The business would not cause pollution
- 5) If at a house, the space taken up by the business should not exceed 15 percent of the property

- 6) The operation of the business would attract not more than 4 cars at a time

This was considered as a well-thought out and responsive solution to Zimbabwe's emerging informal sector at the time. All local governments were asked to incorporate the statutory instrument provisions within their local plans and spatial plans so that they would give the SI 216 land use planning legitimacy. This incorporation of SI 216 into local plans did not get a positive response from planners. Several new plans that were produced after the instrument do not incorporate its clauses. Out of 10 plans that were produced in Harare after the SI, only a quarter have included its useful provisions (CityPlanner2, CityPlanner4, 2017). In Epworth, the SI has not been used at all (ELB2, 2017). The failure of authorities and planners to use this clause reflects their uneasiness with the informal sector. It resonates with other scholars' findings that planners do not accept informality as a reality of urbanization in the global South (Simone, 2000; Mitullah, 2004; Roy, 2005; Kamete, 2009; Chen, 2012).

### **7.2.8 The Provision for Corners Shops**

Another tool that can be used to address the legitimacy of small-scale food retail outlets is to use the layout provision for 'corner shops'. These are small shops to cater for day to day low-order goods that are needed within easy walk by residents (GoZ, 1975). After realizing the need for these types of small convenience food shops, the Department of Physical Planning encouraged local governments to include these whenever they plan low-income areas. Whilst some planners conceded that these were provided for in the guidelines, in practice they have only been included in a few Harare suburbs (DPPlanner1, 2017; CityPlanner2, 2017; DevPlanner1, 2017).

The fact that planners have not taken advantage of this provision to give legitimacy to these convenience shops has meant that operators of these shops remain illegitimate even though there is an opportunity for some of them to be regularized. Potts observed how urban informality was treated heavy-handedly upon independence by most African governments then the position improved in the nineties. Unfortunately, she points to evictions and demolitions in the new millennium to indicate

that the attitudes may have shifted to 'bad' again (Potts, 2008). Whilst a feeling of independence may have compelled planners to be considerate during the years after independence, several years later planners are becoming true to their modernist values.

### **7.3 The Retail Survey Findings**

This section presents and discusses the empirical data on food retailing in Epworth to demonstrate how food retail is being affected by the planning regulatory framework. The data was collected by the Consuming Urban Poverty (CUP) project. This project was conducting the study under the auspices of the African Centre for Cities (ACC) at the University of Cape Town. The study employed both qualitative and quantitative approaches. The author was part of the CUP research team.

The thesis uses land use zoning as the analytical framework for legality or illegality. Similar to Chapter Six, three broad land use zones were identified in Epworth. These are commercial zones, where the shopping centres are located; Service industrial zones where small-scale industrial activities of a services nature are located; Residential zones where houses are located. Within these zones the legitimacy of uses was determined by the Regional Town and Country Planning (Use Groups) Regulations, Rhodesia Government Notice No.926 (GoZ, 1976). The regulations place different land uses within use-groups and these are used to guide planners on which uses belong together. They also define what different land uses mean to avoid ambiguity. In terms of the Harare Master Plan, retail activities are shops and are supposed to be located at commercial or shopping centres. They may also be permitted in service industrial areas if their need can be justified (CoH, 1993). Any types of retail shops are prohibited in residential areas unless properly planned in a layout plan or provisions of SI 216 are invoked.

### 7.3.1 Legal Grocery Dealers

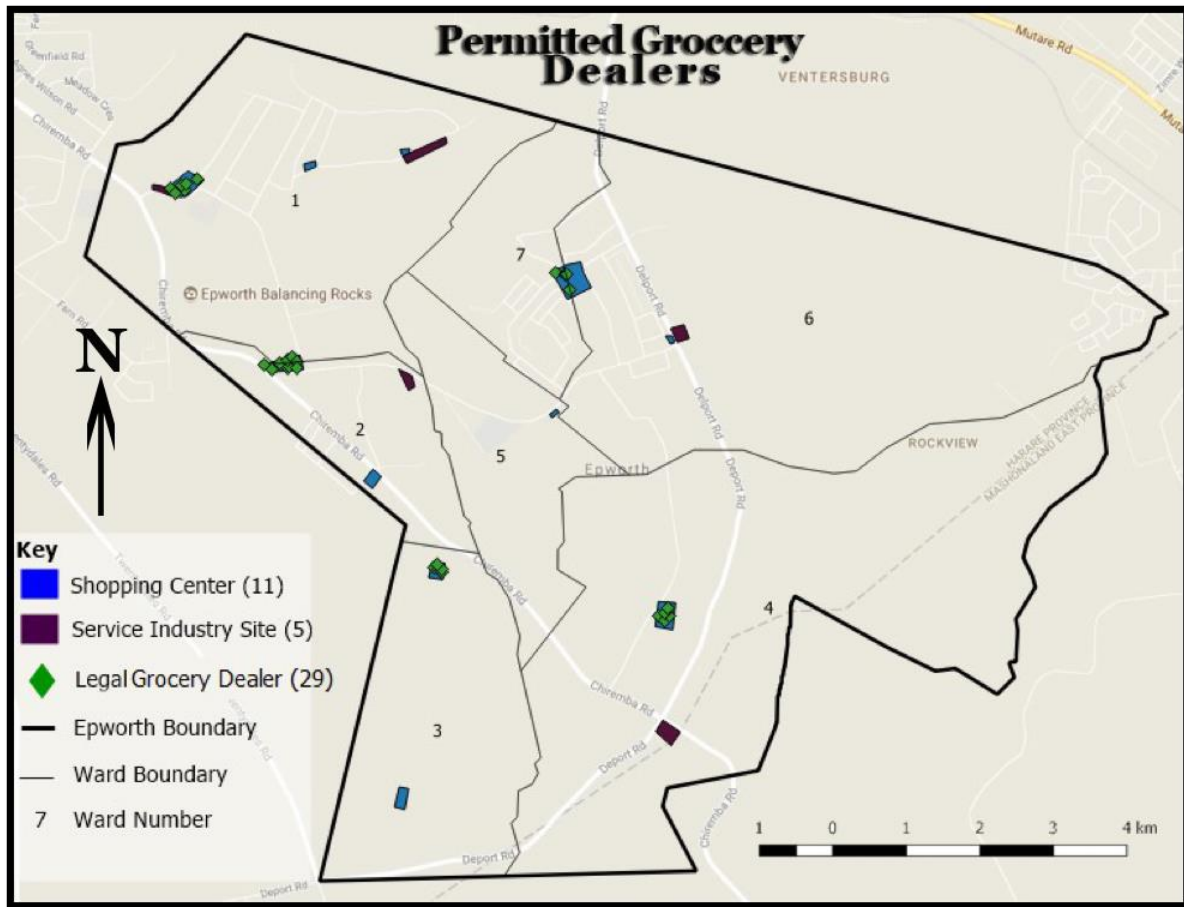
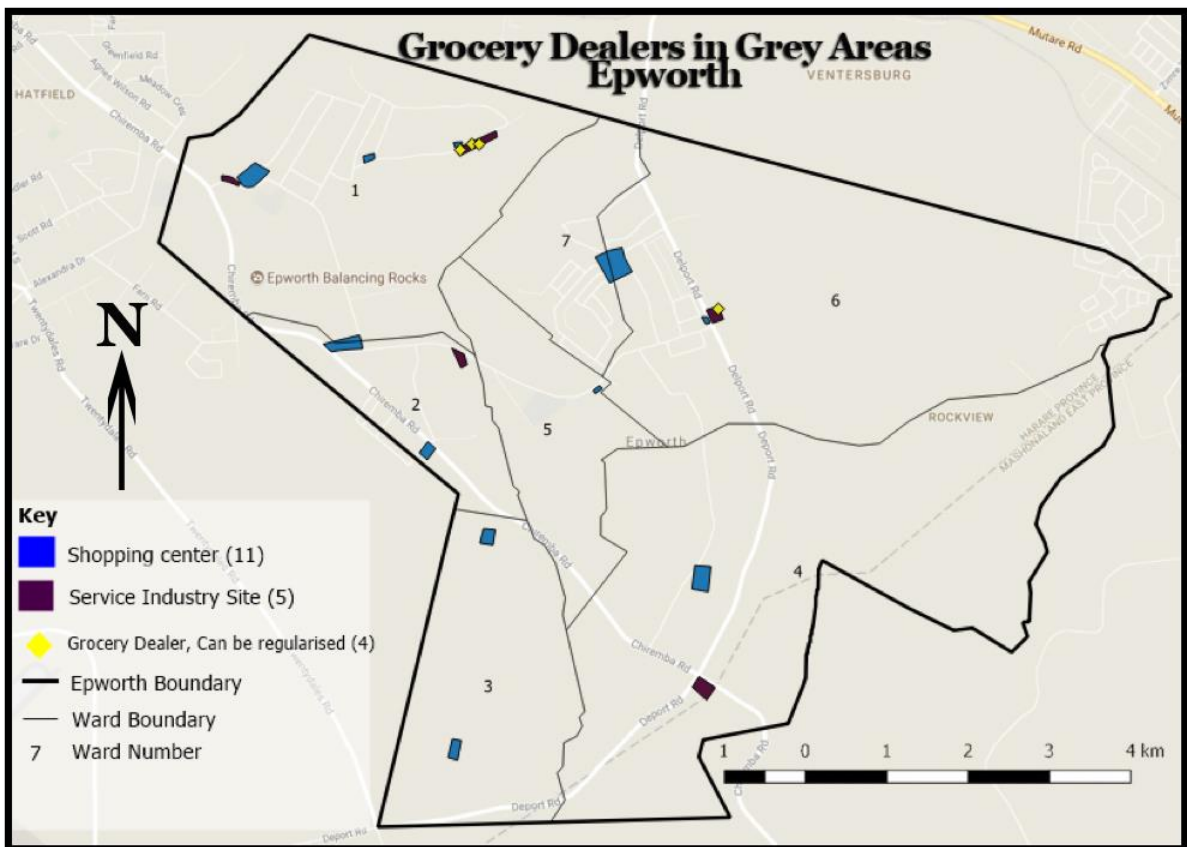


Figure 7.1 Legal Grocery Dealers at Shopping Centres

The survey found 29 legal grocery dealers in Epworth which are at designated sites (CUP Survey, 2016) and these are scattered all over the 7 wards. All major shopping centres have legal grocery dealers, and these are more densely concentrated in Ward 1, 2 and 4. There are also a significant number of grocery dealers at Domboramwari shops in Ward 3 as well as at Overspill Shopping Centre at the boundary of Wards 6 and 7. Due to the organic manner in which Epworth developed, these shopping centres are not evenly distributed (Chatiza and Mlalazi, 2009; Chirisa, 2013).

### 7.3.2 Grocery Dealers in Grey Areas

There are areas where retail outlets were found where they are not freely permitted in terms of land use zoning but could be permitted if special consent of the local government was applied for.



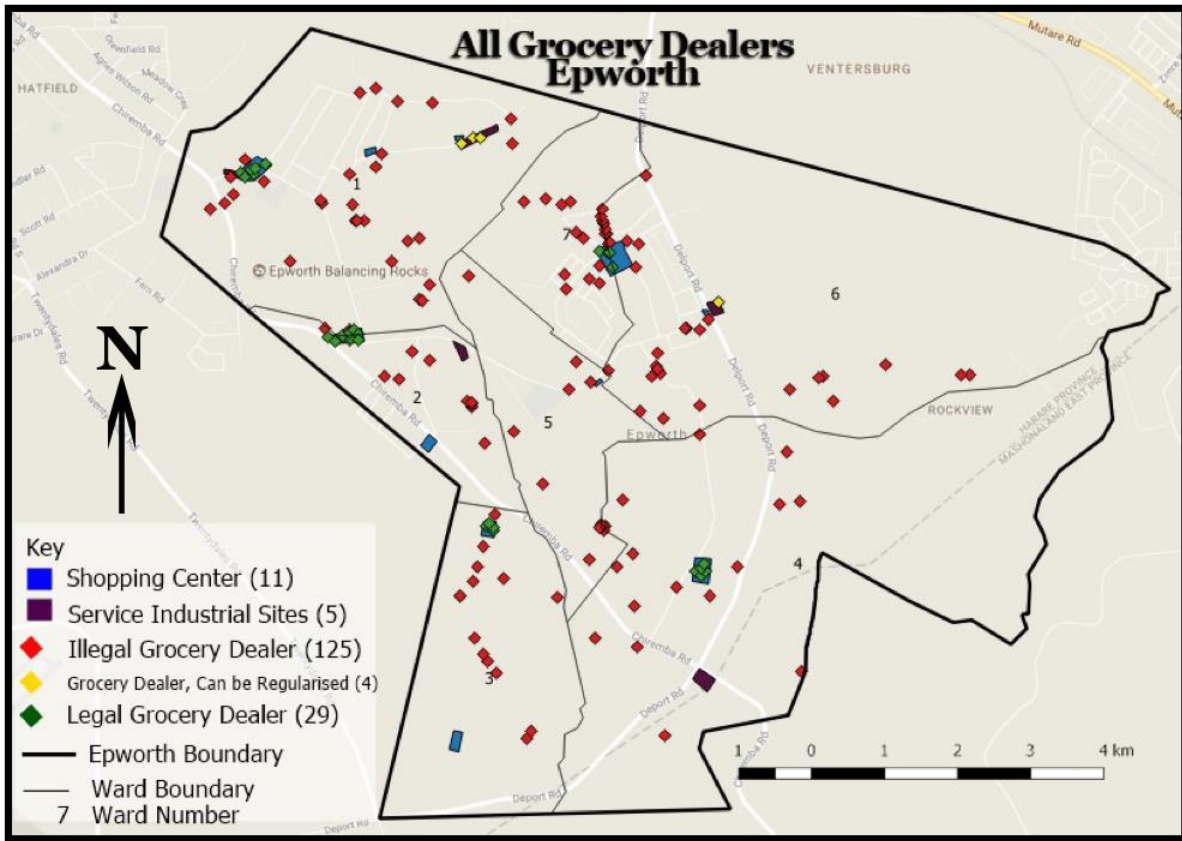
**Figure 7.2 Grocery Dealers Service Industrial Sites (Author’s map based on CUP data)**

In all 7 wards of Epworth, 4 grocery dealers were found situated at service industrial sites. In these areas, grocery dealers may be regularized if the authorities give permission. A section of Ward 1 was found to have more grocery dealers than all other wards. These were in a densely populated area with higher levels of informality (ELB2, 2017). This maybe because the service industrial area is frequently visited by many people hence, local small-scale entrepreneurs saw the need to create these grocery dealers. As indicated, these grocery dealers can be permitted as there is provision for that under the planning regulations (CoH, 1993; GoZ, 1996).

### 7.3.3 Prohibited Grocery Dealers







**Figure 7.4 All Grocery Dealers (Author’s map based on CUP data)**

As shown by Figure 7.4 above, most grocery dealers, though illegal in terms of urban planning regulations, are bringing service convenience to the Epworth residents. Table 7.1 below summarizes the numbers of grocery dealers in Epworth and their planning status.

**Table 7.1 All Grocery Dealers**

<b>Permitted Grocery Dealers</b>	<b>Grocery Dealers in Areas that May be permitted</b>	<b>Grocery Dealers in Prohibited Areas</b>	<b>Total</b>
29	4	125	158

The data reveals that there are 29 grocery dealers found in designated zones, 4 were in an area that can be permitted and 125 were located in a prohibited zone. In general, the majority of grocery outlets in Epworth are illegal from a planning regulations perspective.

### 7.3.4 Butcheries

Butcheries are specialist food stores that sell meat and meat products (GoZ, 1977).

#### 7.3.4.1 Permitted Butcheries

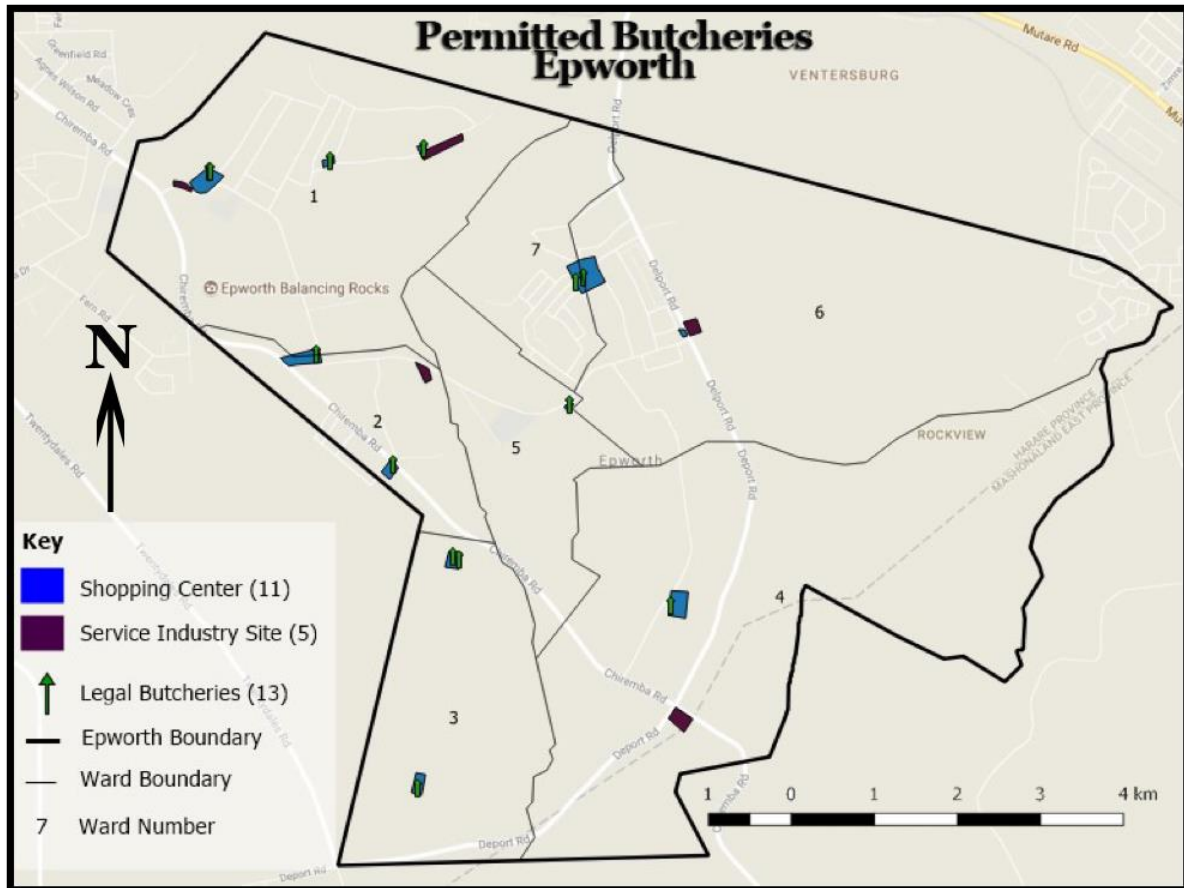


Figure 7.5 Butcheries in designated zones (Author's map based on CUP data)

Eleven (11) butcheries were found in designated zones, that is shopping centres (source CUP Survey: 2016).

Health laws as well as licensing laws tend to be stricter on fresh perishable products such as meat. These health laws and licensing laws are clearly stated in the Public Health (Butchers) Regulations of 1989 which regulates the operations of butcheries and stipulates standards on which butcheries operate. The Public Health

(Butchers) Regulations have parts touching on the critical aspects such as licenses and operating conditions (GoZ, 1989).

The distribution of butcheries shows a somewhat better coverage in Wards 1, 2, 3 and 4 since the butcheries are generally central to the particular wards in which they are located. The butcheries along Chiremba road and Delport road are also conveniently situated and so are those along ward boundaries, for instance, the butchery on the boundary of Ward 1 and 2 as well as the butchery on the boundary of Ward 6 and 7. Ward 4 and 6 being the larger areas would be expected to have more shopping centres and in turn more butcheries, yet this is not the case. This leaves large areas under-served therefore showing the inadequacy of shopping centres and butcheries in these wards. This distribution of authorised butcheries is also explained by the fact that Ward 4 is situated in a largely unplanned area with poor or no infrastructure (ELB2, 2017).

### 7.3.4.2 Butcheries in Residential Areas

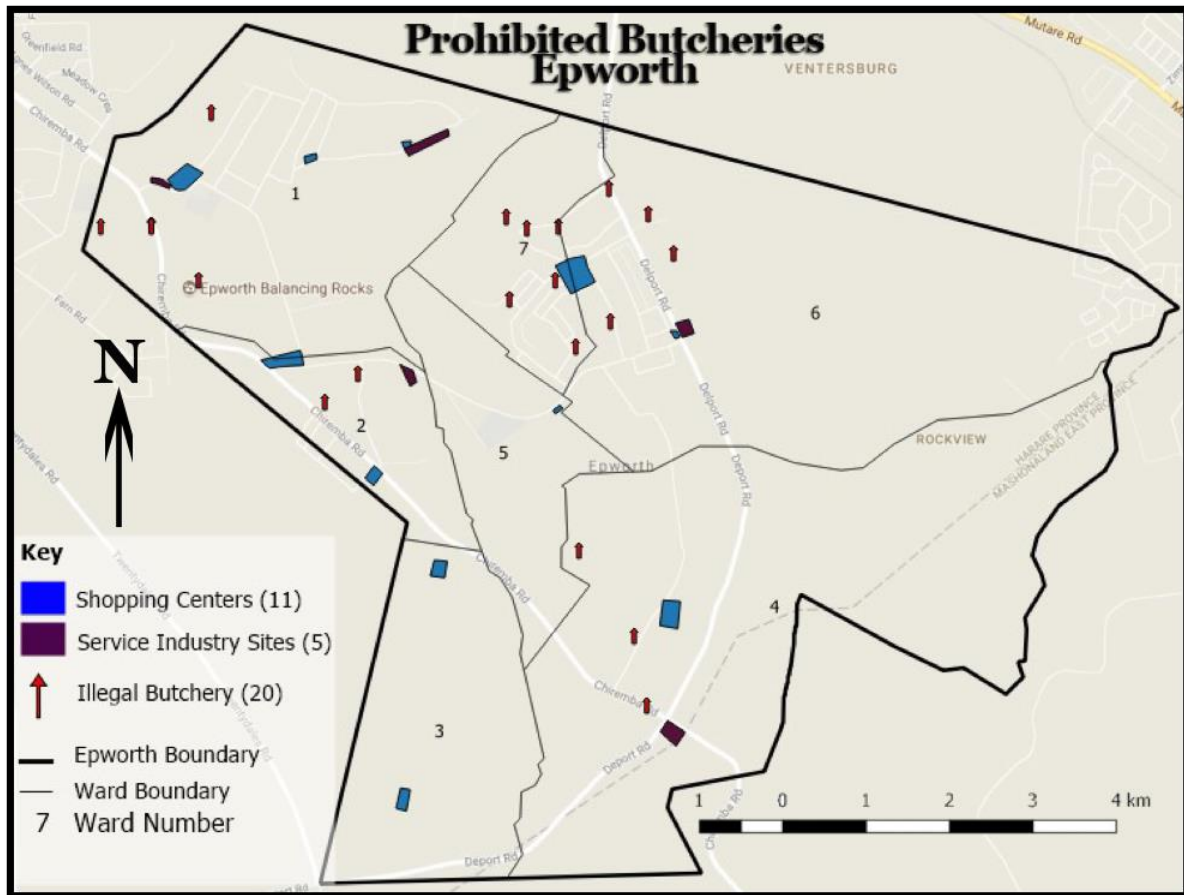
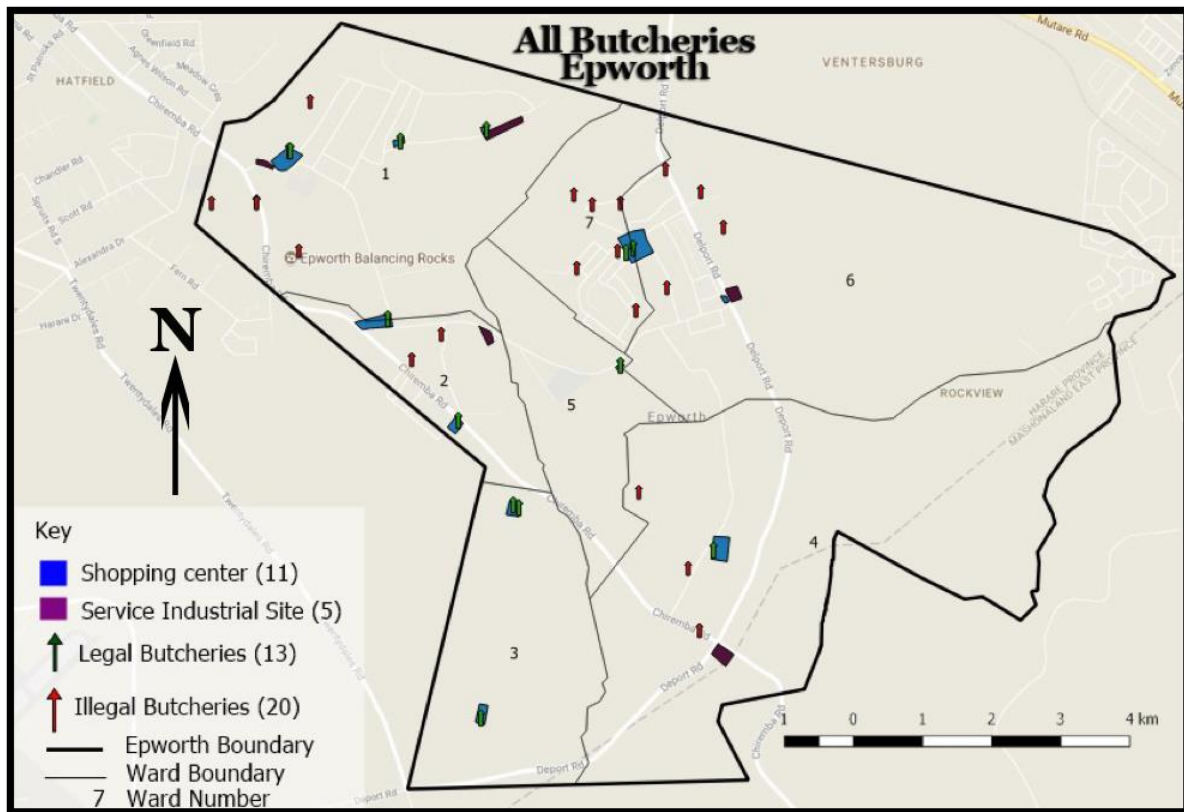


Figure 7.6 Butcheries in residential Areas (Author's Map based on CUP data)

Twenty (20) butcheries were found in undesignated areas and cannot be regularized according to planning regulations (CoH, 1993). The fact that they cannot be legitimized in terms of planning regulations also presents a licensing challenge in that a license can only be issued after planning approval (GoZ, 1976). The distribution of these Butcheries is random and irregular with a high concentration of these butcheries in Wards 1 and 3. This is coincidental and driven mainly by demand as these butcheries are not deliberately planned but were established by enterprising individuals making a business decision.





**Figure 7.7 All butcheries in Epworth Map (Author’s map based on CUP data)**

The survey found 13 butcheries at designated areas and 20 butcheries in residential areas therefore most butcheries are not in designated areas (see Figure 7.7). This brings into question whether planning regulations are serving public interest as they purport to do. It also brings to question the relevance and responsiveness of Zimbabwe’s planning regulations. That most of the meat retail facilities are operating outside of the regulatory framework is reflective of a problem. The regulatory framework is not responding to the lived reality of the Epworth residents. The survey did not find any butcheries in the service industrial areas.

### 7.3.5 Tuck shops

Tuck shops are small-scale mainly informal groceries shops that are found in many low-income areas in urban areas of Zimbabwe. They are an important food source since they sell low-order food products that are bought and consumed frequently.

### 7.3.5.1 Permitted Tuck shops

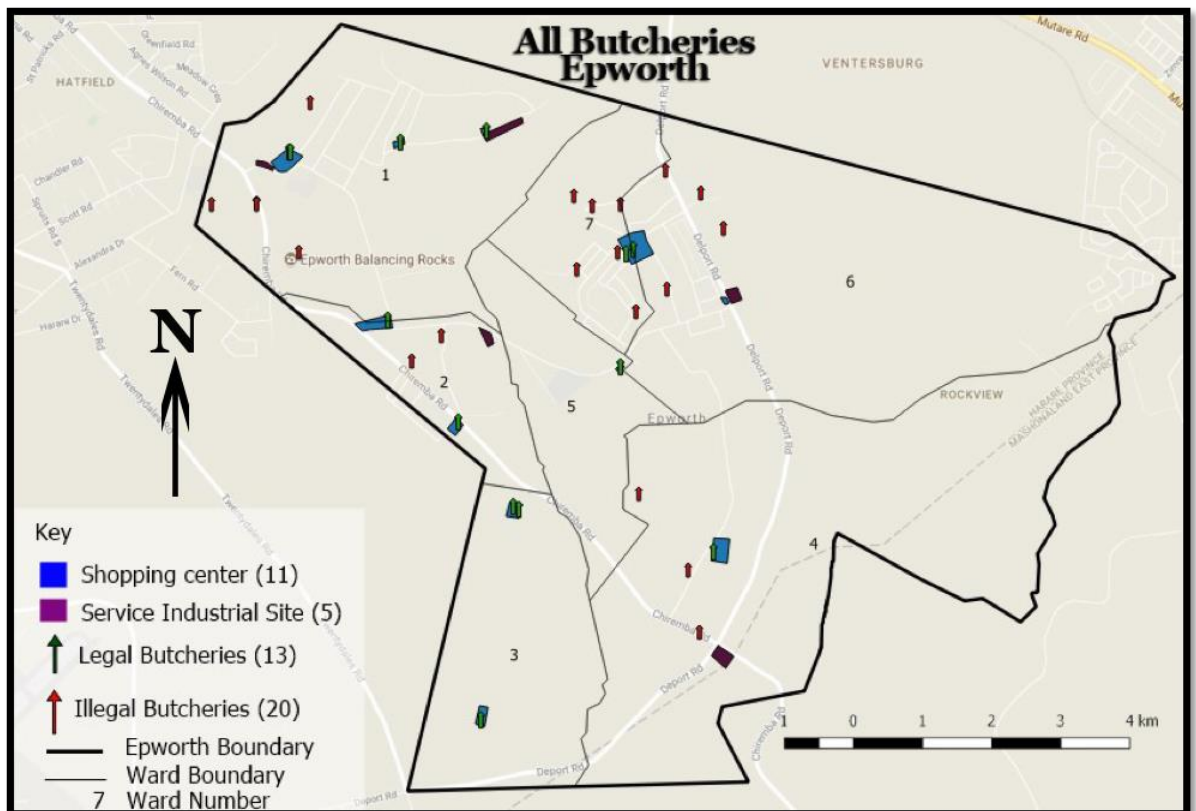


Figure 7.8 Tuck-shops in Designated areas (Author’s map based on CUP data)

The survey found only 6 tuck-shops within designated areas for retail which is a relatively small number considering that there are 11 shopping centres in total and 5 of these tuck-shops are concentrated on the shopping centre which is on the boundary of Ward 6 and 7 whilst the 6<sup>th</sup> tuck shop is located on a rather small shopping centre in Ward 3. This is a clear indication that locating tuck-shops within designated areas for retail has not common.

### 7.3.5.2 Prohibited Tuck-shops

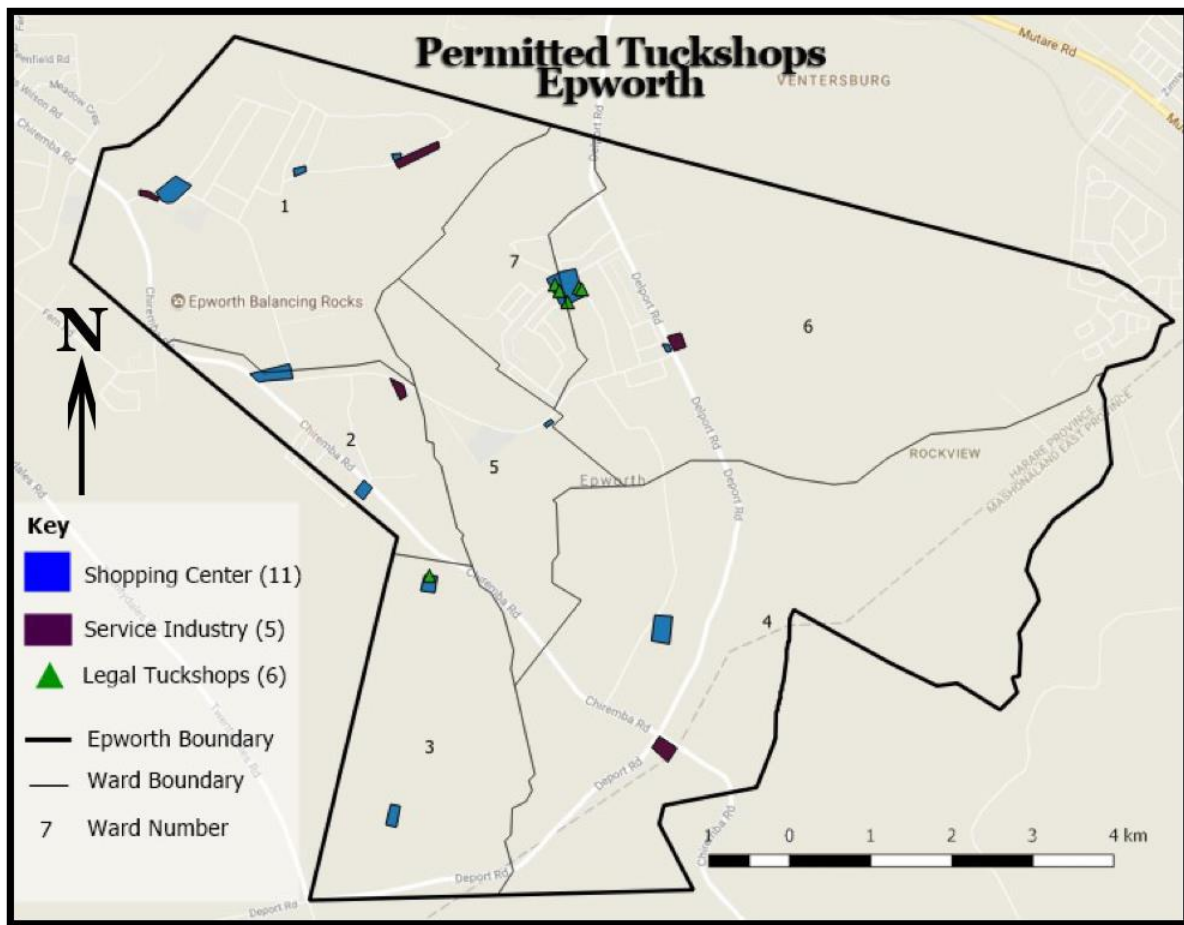


Figure 7.9 Illegal Tuck Shops in Residential Areas (Author’s map based on CUP data)

Two hundred and sixty (260) tuck-shops were found to be located in residential areas as shown in Figure 7.9 above. The residential area is not a permissible zone and therefore they are all prohibited in terms of planning regulations. There is a very high concentration of tuck-shops in all the 7 wards with the density of tuck-shops almost in proportion to the density of the population (CUP Survey, 2016). Whilst these tuck-shops are all illegal in terms of the planning regulations, there are also opportunities for accommodating these. In terms of the layout preparation regulations there can be corner shops in residential areas (Goz, 1975). The envisaged corner shops in terms of the guidelines are like the Epworth tuck-shops. A similar opportunity exists in the Harare Master Plan which also identifies in Proposal 34 the need to remove conflict between formal and informal business by providing space along streets or roads (CoH, 1993).



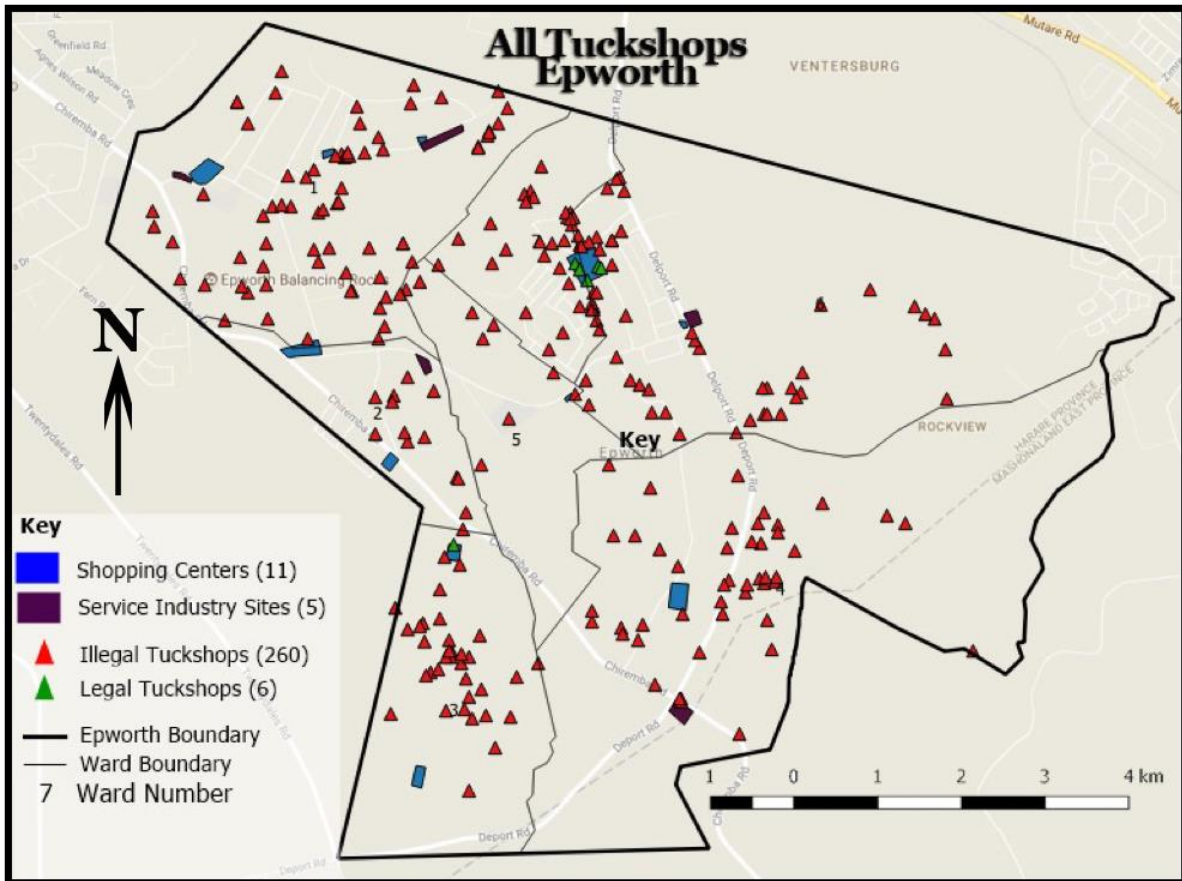


Figure 7.10 All Tuck-shops Map (Author’s map based on CUP data)

### 7.3.5.3 Summary: All Tuck-shops

The survey found 6 tuck-shops within designated retail areas and 260 tuck-shops in undesignated areas meaning that only 2.3% of tuck-shops in Epworth were found to be in designated spaces. These statistics speaks to the rationality of the people of Epworth based on their daily needs as opposed to the logic of formal town planning. There is need for authorities in Epworth to resolve the issue of small convenience food outlets in residential areas because 97.7% of tuck-shops serving the residents are currently illegal. Part of the solution lies in trying to understand the rationality of the local people. The answer may also lie in planners accepting informality as ‘an epistemology’ of planning (Roy, 2005) and not as something unacceptable.

### 7.3.6 Market Stalls

Market stalls in this study refer to small vegetable markets that are set up for the sale of fresh or dried vegetables and fruits. These can be provided by governments or can be developed by the business sector or individuals.

#### 7.3.6.1 Permitted Market Stalls

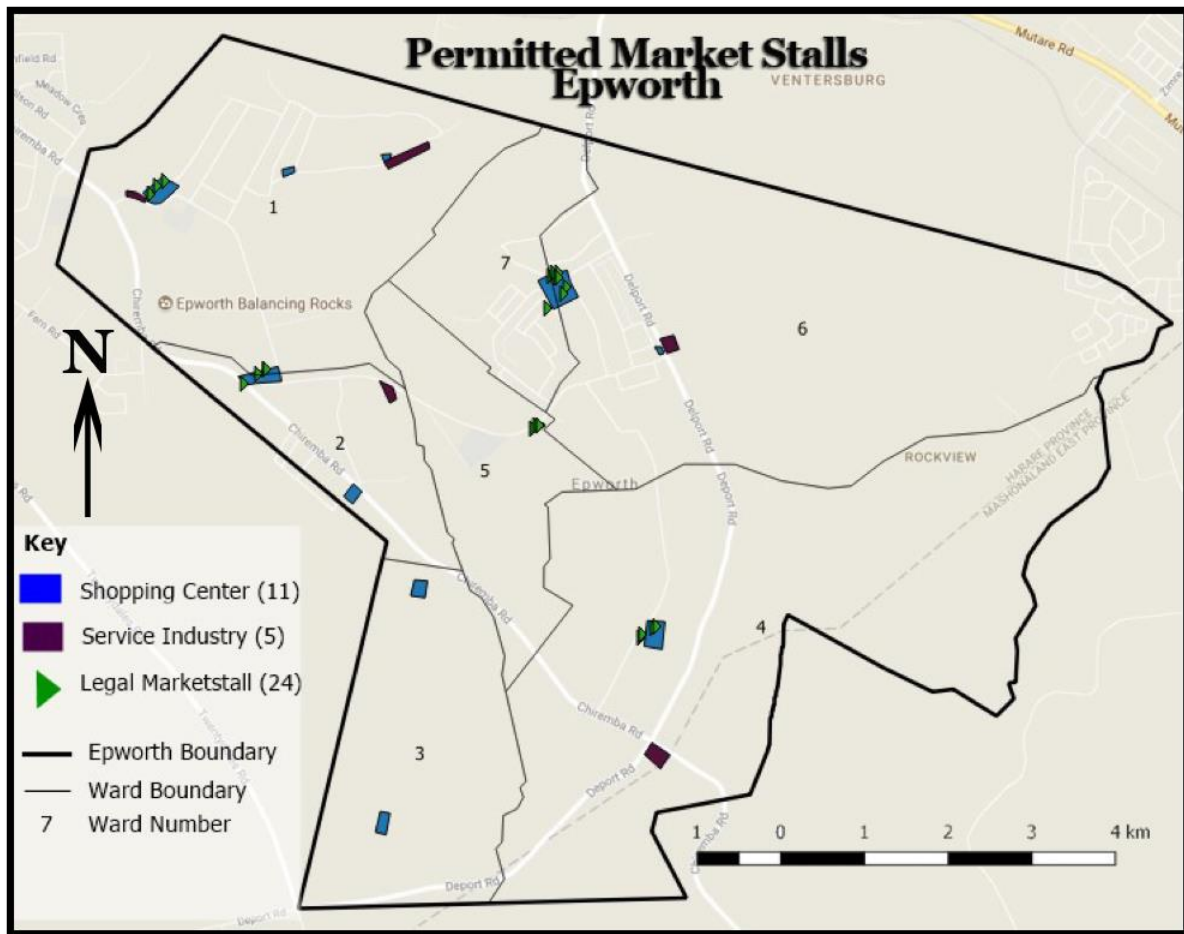


Figure 7.11 Market Stalls in Designated Areas (Author’s map based on CUP data)

According to planning land use classifications regulations, market stalls are retail outlets and must be located at shopping centres (GoZ, 1975; CoH, 1993). Twenty-four (24) market stalls were found in designated zones which are shopping centres. The Ward 6 and 7 boundary shopping centre known as Overspill has most of the market stalls. This is probably owing to the fact that these wards have large populations since they are very large.

### 7.3.6.2 Illegal Market Stalls

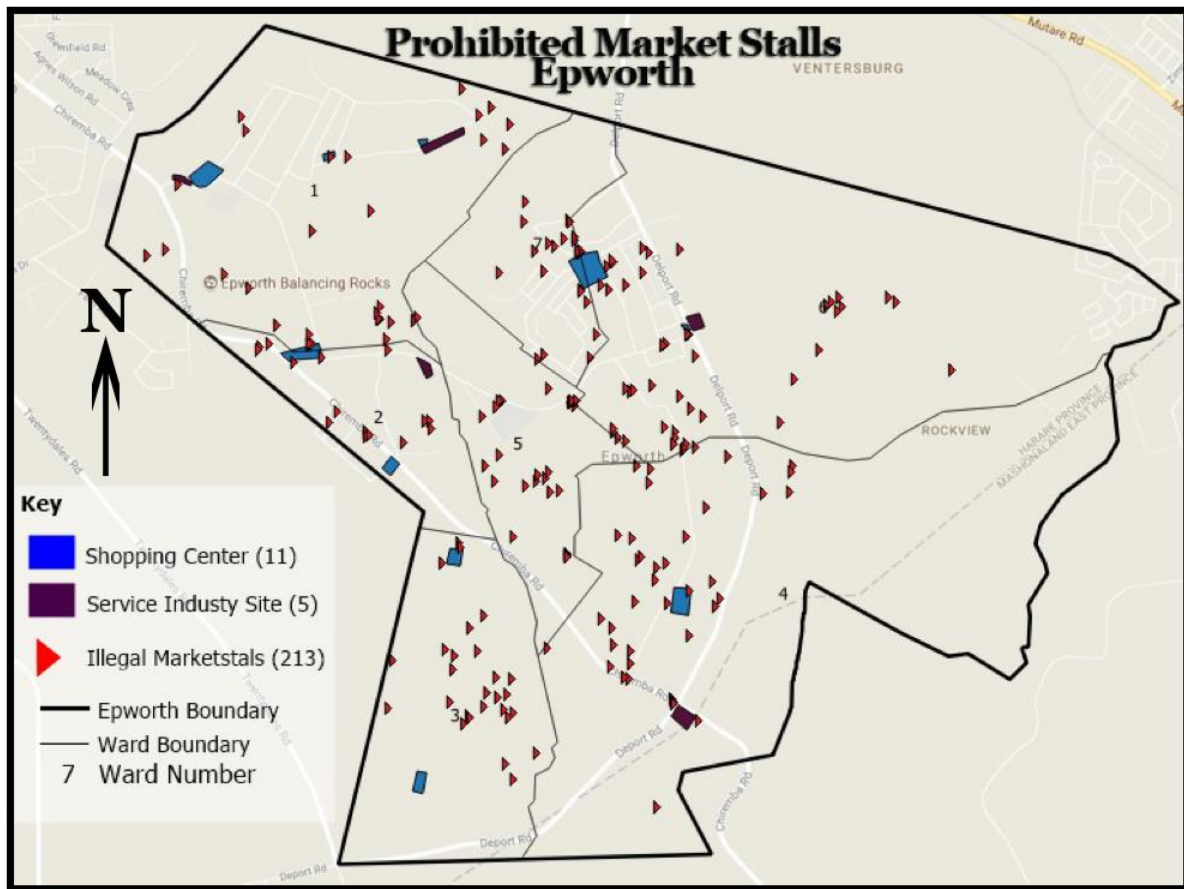


Figure 7.12 Market Stalls in Undesignated Zones (Author's based on CUP data)

The survey found 213 market stalls in undesignated zones, randomly scattered in all the 7 wards of Epworth. All these were found in areas zoned for residential use where they serve to bring fresh vegetables to the people. However as with other retail activities, in this zone they are prohibited. This is also one of the uses that the Harare Master Plan must have been considering in the clauses that seek to accommodate vending (CoH, 1993).

### 7.3.6.3 All Market Stalls

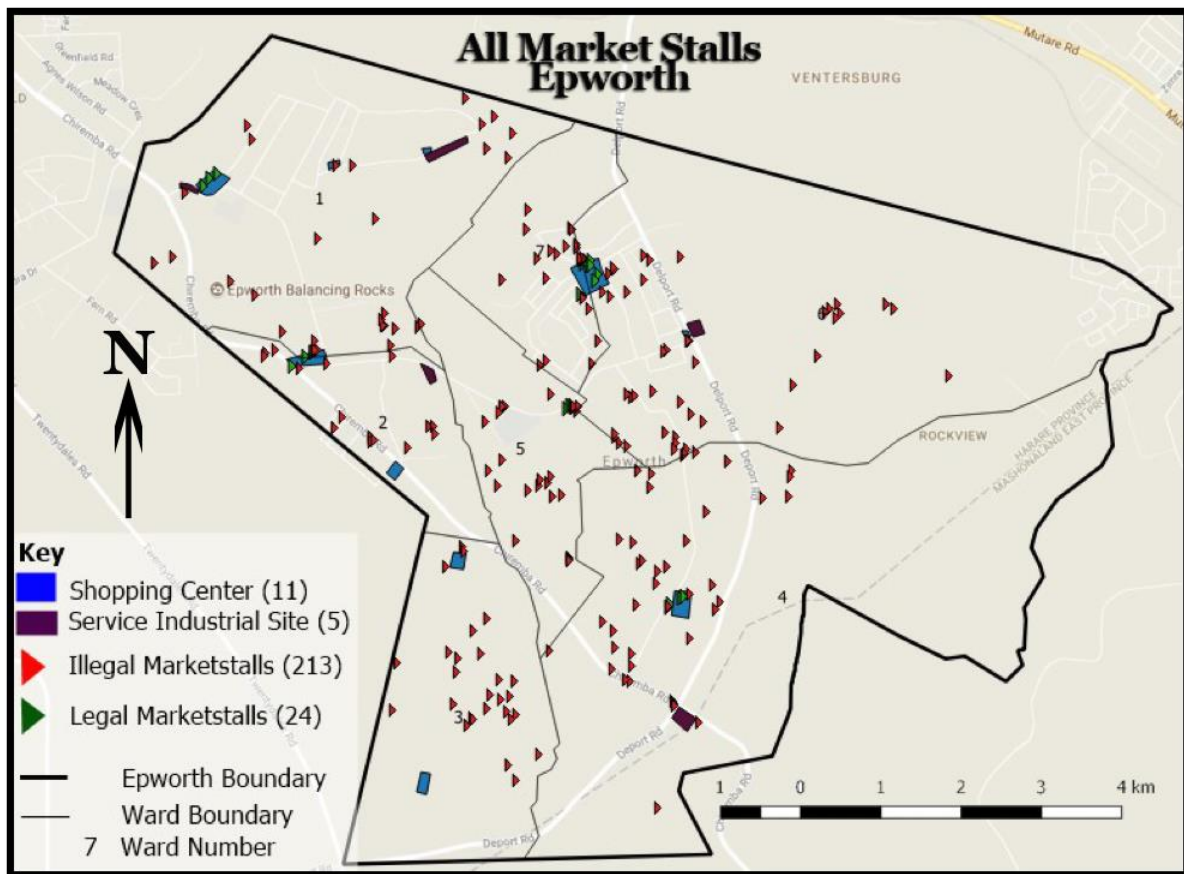
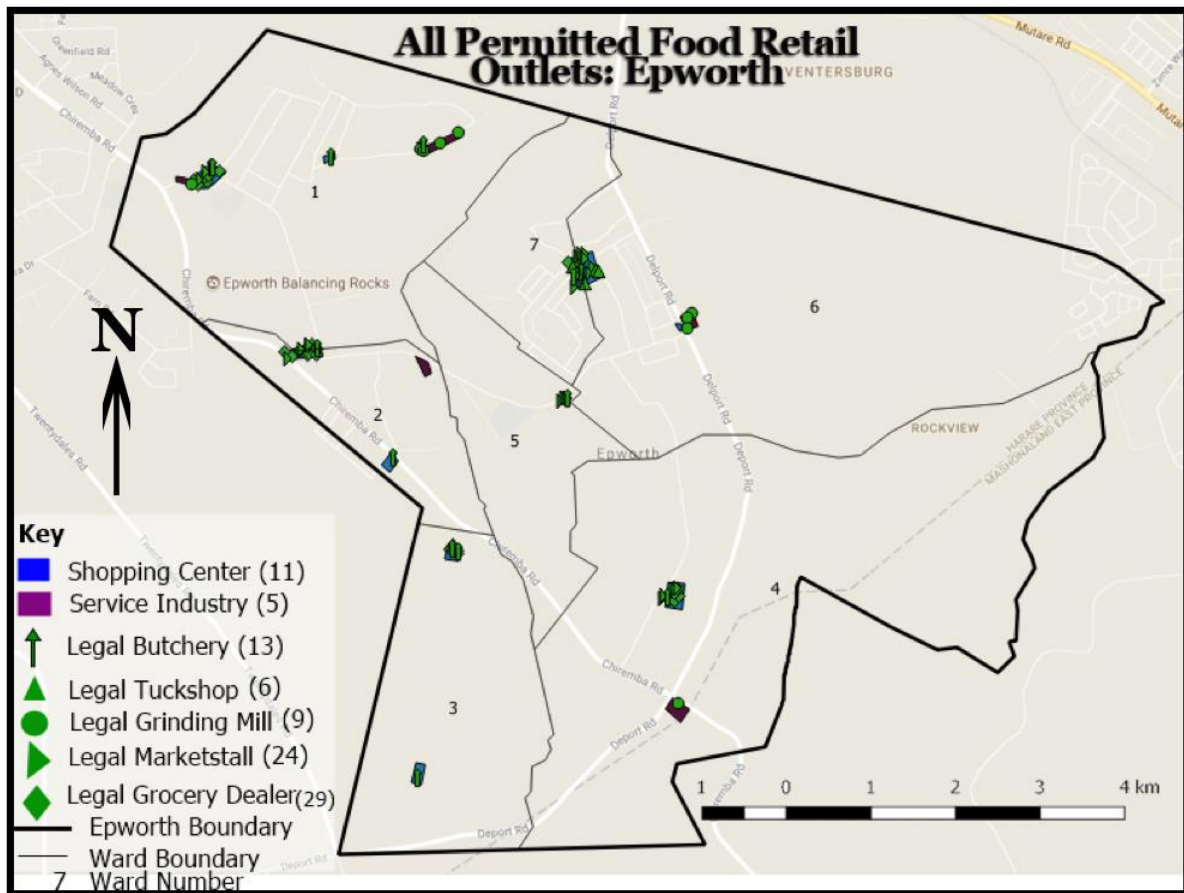


Figure 7.13 All Market Stalls (Author's map based on CUP data)

Overall there were 24 market stalls found in designated zones and 213 Market stalls found in undesigned zones (CUP Survey: 2016). There were no market stalls found in service industrial areas. This finding means only 11 percent of market stalls in Epworth are legal with 89 percent being illegal. Consistent with other food outlets, the main sources of food in Epworth are at risk of planning regulations. Perhaps this is showing that an evaluation of the zones termed as legal is necessary to solve this planning challenge. Most of market stalls are situated in residential areas which bring convenience to the residents but also the risk of being removed should zoning regulations be strictly applied.



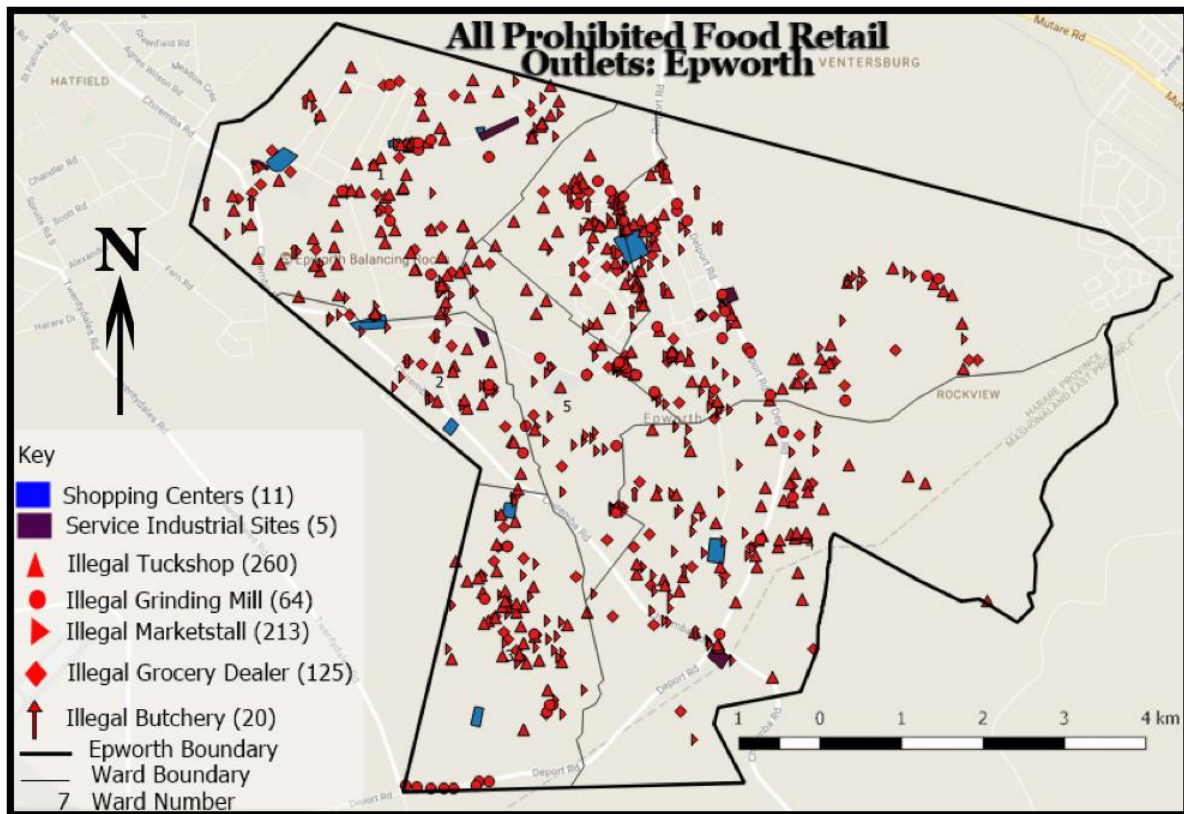
### 7.3.7 All Legal Food Outlets in Epworth



**Figure 7.14 All legal retail food outlets in Epworth (Author’s map based on CUP data)**

Figure 7.14 shows the legitimate food outlets in Epworth in terms of zoning regulations. These are what would remain if zoning regulations were enforced strictly in terms of the letter of the laws. This is an indicator of secure food sources for Epworth residents. These show what the Epworth food supply situation would look like in a ‘planned Epworth’. It also shows how most areas would become ‘food deserts’ (Battersby and Crush, 2014) as many people would travel long distances to buy food.

### 7.3.8 All Illegal Retail Food Outlets in Epworth



**Figure 7.15 All Illegal Retail Food Outlets in Epworth**

Figure 7.15 is a consolidated map of all food outlets that planning deems illegal in Epworth. The survey found 260 tuck shops, 213 market stalls, 125 grocery dealers and 20 butcheries in undesigned areas. This is profound. The extent of the scale of this criminalization of the Epworth informal food outlets is clearer if juxtaposed against the 6 tuck shops, 24 market stalls, 29 grocery dealers, and 13 butcheries in the permissible zones. This means that the bulk of food supply areas in Epworth are illegal in terms of planning law.

## 7.4 The Planning Practice and Food Retailing

This section discusses the views of the officials that manage the planning and enforcement of planning regulations' views on small-scale informal retailing in Epworth. Officials interviewed comprised mainly urban planners but also included others who have a role to play in other aspects of land use such as environmental, health including administrative officials. The section sought to answer the question

regarding officials' perspectives on food retailing and their interpretation of plans and laws that regulate food retail.

#### **7.4.1 Informal Food Retail is Unacceptable**

Most planners find urban informal retail unacceptable. They see informality in urban food retail as going against the principles of 'sound urban planning' and therefore out of place in a well-managed and well-planned city. In their opinion informality cannot be part of a good city and wherever it is found it must be stopped, removed, or banned. The following responses capture the thinking of most planners:

Informality is a major problem.

(ELB2, 2017)

Informality is a major challenge that we have to eradicate

(CityPlanner2, 2017)

Although Epworth started off as an informal settlement, we are battling with that and would want to formalize everything so that it can be a beautiful town.

(ELB1, 2017)

These views from the people that are supposed to plan sustainable inclusive settlements indicate that they view anything informal in a negative way. The idea of viewing urban informality as a 'major problem' that planners 'have to eradicate' does not allow planners to be part of the solution. This finding however is consistent with findings of other researchers on the position of planners and other urban officials on urban informality (Kamete, 2008, 2010 and 2013). They typically see the sector as 'a problem to be solved rather than a viable resource' to resolve other urbanization challenges such as unemployment (Mutonhodzo, 2009). There is no acknowledgement that this sector is the 'main generator' of employment and therefore should be regarded as part of the solution to unemployment rather than something unacceptable (Chen, 2012).

#### **7.4.2 Informal Retail is Temporary**

Some planners regard the informal retailing of food as a passing phase that they should not be concerned with. The following responses were made by interviewed officials:

The problem with what is happening now (the informal food retailing) is that it is a passing phase that you cannot do much about. Once the economy re-bounces and most of these people get formal jobs you will not see it. It is temporary and will go away once the economy recovers.

*(ELB3, 2017)*

The informal sector is being driven by poverty and so will be a problem solved as soon as the economy improves.

*(DevPlanner2, 2017)*

It's temporary, it never used to be this bad so once the economic challenges are sorted we will be back to our normal selves.

*(CityPlanner1, 2017)*

This treatment of informality as a passing and temporary phase is problematic as it causes authorities to ignore it or simply wish it away (Chen, 2012). There is an assumption that once the economy improves there will not be an informal sector. Whilst it is a fact that poverty impacts on the levels of informality (Drakakis-Smith et al, 1995; Mudimu, 1997; Tawodzera, 2010; Njaya, 2014), to assume that in a good economy there is no informality is oversimplifying urban issues. With 2.5 billion people consuming food bought from the streets daily, this sector cannot be ignored (FAO, 2007). This 'alternative' street economy surely requires more serious attention.

#### **7.4.3 Planners Protect Formal Businesses**

Planners are more sympathetic to formal business operators than the informal small-scale operators. Where there is a conflict between the two they support the bigger established business, which is 'planned'.

You can't have a situation where vendors just come and trade in front of established businesses or very close to them. This is unfair competition, so the vendors must be moved from there and allocated away where they compete amongst themselves. Remember also that the formal



retailers are the ratepayers that contribute to the municipal financing. They must be protected.

*(DPPlanner2, 2017)*

Similar responses were also made by other planners (CityPlanner2, 2017; CityPlanner3, 2017; DevPlanner2, 2017; UniPlanner2, 2017). These findings are consistent with Rogerson's recent work in central Harare (Rogerson, 2016). When there is a conflict of this nature, the planners appear motivated by the power of resources, a case of knowing where their bread is buttered from. This leaves the poor informal players exposed and without the power of advocacy enjoyed by the bigger businesses. It is as if planners punish the informal businesses because they are 'unplanned and flout regulations' (Potts, 2008). As Watson (2009) observed quoting the then Executive Director of UN-Habitat, planners seem to be validating the assertion that 'the planned city sweeps the poor away' (Tibaijuka, 2006).

#### **7.4.4 Planners are Overwhelmed**

The planners are overwhelmed with day-to-day crisis management and have very little time to think through strategic and futuristic issues. It becomes a vicious cycle where they don't address problems holistically because they are busy fighting current planning challenges, meanwhile the problems get bigger and even more complex hence cannot be solved without looking at the causal factors.

What's happening my brother is that we have not been able to review the (Harare) Master Plan because we are busy trying to address the problems with the informal sector, with illegal developments, approving building plans, and so forth. We cannot afford to have a team of planners just working on the master plan otherwise what happens to development control and the other visible problems confronting us today? We know that our plans are old and need to be reviewed but we just don't have the time to concentrate on that.

*(CityPlanner3, 2017)*

This is not just a capacity challenge, but also a management problem. The planners appear to struggle with setting priorities. This is significant in that it paints a gloomy picture about the future of the growing cities of the South. With the urbanization challenges increasing, things can only be expected to deteriorate further (Parnell,

Pieterse, Watson, 2009). Whilst the United Nations (UNFPA, 2007) posits that the response of authorities will determine the future of African cities, clearly, they are demonstrating being 'least able to cope' (Parnell, Pieterse, Watson, 2009:234).

#### **7.4.5 Detachment from Reality**

Planners demonstrated some detachment from reality in imagining the scale of the food retailing in Epworth. Whilst acknowledging that there are different types of retail spaces, they downplayed the scale of the existence of other food retail spaces outside of the planned formal areas. The following responses were given when asked what food spaces exist in Epworth:

There are a few tuck shops and other food markets outside shopping centres but they are not many. We estimate that there are a few at street corners and a few strategic places, but the main sources remain by far the formal shopping centres

*(DevPlanner1, 2017)*

We have the supermarkets, small shops and butcheries

*(ELB2, 2017)*

Some neighbourhood shopping centres, vendors and tuck-shops

*(DPPlanner2, 2017)*

Shopping centres where you find general dealers and supermarkets then a few tuck-shops and vendors

*(CityPlanner3, 2017)*

A common thread in these responses is the failure to acknowledge the significance of the small-scale and mainly informal food markets. This position has two weaknesses: When the scale of the informal food sources is not recognized, the informal sources will continue to be unimportant to the planners and the urban authorities. They will continue to overlook their importance thereby not concentrating on developing ideas on how to manage and accommodate them. The informal sector is a genuine 'response to economic realities' and its role must be recognized and nurtured (Battersby, 2013). A proper consideration of their role in feeding the people

of Epworth would force the planners and other key decision-makers to take a different position on informality.

#### **7.4.6 Public and Environmental Health Concerns**

Some Planners and environmental officials raised health, environment and safety concerns regarding the operation of retail spaces in urban areas. They worry about the environment, safety of traders and the health concerns of the people that buy from these traders. They expressed these concerns based on general planning and environmental principles as well as the planning and environmental laws. Whilst their concerns appear genuine, there is an element of unfairness in the concerns:

A municipal Planner responded,

It is one of the areas that need to be tightly controlled because if there is no control there could be an outbreak of disease. As a result, local authorities have environmental health officers who inspect where food is being sold from

*(ELB3, 2017)*

Another Planner said,

The regulations generally address the setting up of safe retail spaces in urban areas. I'm concerned with the safety of vendors who sell food on the street edges. What if a driver loses control and plunges into those street vendors? We will definitely be blamed as planners.

*(DevPlanner1, 2017)*

An Environmental Management Agency Official said that,

The EMA act mainly focuses on the waste management side of food retailing in towns. At each food retail outlet there should be a proper waste management receptacle, which sorts and separates its waste. Analysis is done on whether the outlets use the much-polluting kaylite or the recyclable khaki paper. Food retail outlets must also be properly licensed to operate. EMA is also concerned about the safety side of food retailing. We prevent food retailers from using dangerous chemicals in food preparation. You find some people use unidentified oils to prepare fresh chips. Some of these chemicals can be hazardous according to the EMA act and hence will be prohibited from use.

An analysis of these concerns also reveals some degree of unfairness and unrealistic expectation. The concern with the potential of the food traders to spread diseases would be fair if the general environment was better-looked after. Only some sections of the Epworth urban settlement enjoy a refuse collection service (ELB2, 2017). To only see the potential for diseases in the food traders is rather unfair. The same goes for the traffic safety concerns for vendors selling food by the road sides. There are hundreds of other livelihood activities taking places on the same road verges. Genuine safety concerns should affect everyone and everything within the said unsafe spaces. It is ironic that in an area with a limited refuse collection service, environmental authorities get stricter with a small food trader. This requirement should be implemented in a manner that considers the reality and capability of the informal traders. The health and hygiene issues with regards to the informal food sector have often been raised (Njaya, 2014; Mukhola, 2007). It is not the need for regulations that is contested. Rather the issue is with the appropriateness of the regulations. With the increasing importance of the small-scale food retail sector (Da Silva et al, 2009), the regulatory framework must be appropriate. As Chen (2012) asserts, the regulations cannot be a strait jacket. Context is critical in coming up with relevant regulations. In Epworth the environmental health expectations are exaggerated, inappropriate, and to some extent unfair. They indicate how much authorities must adapt regulations to suit the local context. Regulations are necessary, but context is what gives them relevance.

#### **7.4.7 'The Planners are lazy'**

Planners in the NGO sector blame the challenges in the retail planning sector to laziness by planners in the public sector who could resolve the conflicts and uncertainties by 'doing their job'. Whilst this view was shared by the two interviewed planners working for NGOs as well as two of the Planners in the academic field, the following interview expressed the strongest view:

Whilst we agree that Zimbabwe's planning legislative framework is based on old planning principles and borrows heavily from the rigid blueprint approaches, this has been made worse by the planners' laziness. I think they just do not want to work. They will always talk about having no resources, but they could achieve so much using their brains and their time, two resources that do not cost money. An example is the use of SI 216 which could see them preparing layouts with corner shops,

additional markets, and other measures to de-criminalize the informal sector. They cannot say the law, or the politics stops them from doing that. But they would rather just sit and watch, it is laziness.

*(NGOPlanner2, 2017)*

Whilst attributing the planning failure to laziness is debatable, the observation that planners could do so much more 'using their brains and their time' is valid. Planners certainly can use a plethora of tools at their disposal to improve the trading environment for the small-scale sector. The corner shops that NGOPlanner2 refers to above were confirmed by a senior public-sector planner as having worked successfully in some areas (DPPlanner1, 2017). The statutory instrument referred to also empowers planning authorities to include small-scale businesses in residential areas such as Epworth (GoZ, 1994).

It is important to question whether planning law serves a useful purpose in a place such as Epworth which is largely informal. Granted that planning regulations are important, should their application in Epworth be similar to the way they are applied in a much more formally-planned environment such as Harare? The convenience currently being enjoyed by Epworth residents could be significantly altered should planning regulations be strictly applied. Evidence in this chapter suggests that planning and regulatory frameworks are important but should be adjusted to suit contextual realities.

## **7.5 Chapter Conclusion**

This chapter sought to examine the way planning laws, regulations, plans and practice affect food retailing in Epworth, Zimbabwe. The chapter reveals that the regulatory framework is to some extent misplaced because it was enacted to regulate a large-scale formal retail sector. The framework did not envisage the existing dominance of the small-scale informal butcheries, grocery dealers, tuck-shops, and market stalls. Most of these food retail facilities cannot meet the technical and legislative requirements for legitimacy. They are therefore forced to operate outside the regulatory framework where they are considered illegal.

The evidence in the chapter shows that people that administer the regulations and the plans generally have negative attitudes towards the small-scale informal food retail markets. They use the plans and the law to criminalize the sector without taking advantage of the clauses that provide accommodating solutions. The officials are also part of the problem. Where some higher-level regulatory frameworks and plans allowed them flexibility to plan for the small-scale sector, they have not done so. Their ideals of a modern city do not include informality.

As other scholars concluded, they appear to further 'regressive and oppressive functions' and continue to act and be viewed as furthering 'projects of elites' (Watson, 2013). More radical academics have described planning as furthering 'social oppression' and 'economic stagnation' (Yiftachel, 1998). The Zimbabwean planners have failed to use 'reformed planning instruments' to improve the operations of these important food retail markets (Watson, 2009). Whilst as with grinding mills and food production radical enforcement action has not been undertaken by authorities, the past behaviour of authorities has proved that the operators should be far from feeling safe (Kamete, 2012; Mpofu, 2010) as authorities can still use the laws should that suit their agenda.

## Chapter 8: Synthesis

### 8.0 Introduction

This chapter revisits and discusses all the thesis findings in the empirical chapters. It examines what the results mean and how they have answered the research questions. This thesis sought to examine whether planning regulations are appropriate to food production processing and retailing using data from Epworth a secondary urban settlement adjacent to Harare in Zimbabwe. Food was the lens through which the regulatory framework was examined. The chapter concludes that there are many planning laws, regulations, policies and other instruments of urban planning governance in Zimbabwe that affect food production processing and retailing. Some of these laws have become inappropriate because amongst other reasons they are old having been enacted a few decades ago and for a different socio-economic-political environment. They have not been adjusted to suit the changing urban context. They now tend to criminalize most activities to do with food production, processing and retailing due to failure to keep pace with the new context.

There are also clauses that are useful and could be used to promote food production, processing and retailing that have not been implemented. If the progressive regulatory tools were being used, most of the areas of conflict could be removed. However, officials appear more inclined to use the punitive clauses and not the malleable clauses that could help promote food production processing and retailing in Zimbabwe.

Whilst all the food system areas of production, processing and retailing are affected by the planning regulatory framework, they are not uniformly affected. As an example, there are less conflicts with food production. Due to the dense form of Epworth, there are very limited open spaces available for off-plot urban food production. This finding constitutes a significant difference from most studies on urban agriculture. The conflicts in production in Epworth are therefore limited to those who may want to keep large numbers of livestock.

The absence of conflict in Epworth food production shows that even in sub-Saharan African urban context where most municipal governments view urban agriculture with 'hostility' (Redwood, 2009), cities without large-scale vacant land for cultivation fit into the urban food production system envisaged by the planning regulatory framework. Such an environment does not provide for residents to go against the laws as well as officials' vision of a good city. Therefore, in Epworth today, whilst the laws remain intact even as the context has vastly changed, conflicts remain minimal. Even where the regulatory framework is out of date, as long as the residents' activities do not conflict the officials' modernist values, the regulatory misfit becomes invisible.

The main question the thesis sought to answer was: To what extent is the planning regulatory framework appropriate to the lived experience? The chapter looks at the findings from each of the food system areas the study examined namely food production, processing and retailing. Conclusions on how the planning practice and its regulations are appropriate to the Epworth lived experience are drawn from the findings on the three areas namely food production processing and retailing.

## **8.1 Revisiting the thesis objectives**

The thesis sought to address the following objectives: Firstly, it sought to examine the planning legislative and regulatory frameworks and the extent to which they engage with food. The thesis also sought to analyse the role and scope of the regulatory framework on food production, processing and retailing in Epworth.

### **8.1.1 Food and the Planning Regulatory Framework**

Most laws that are used in the governance of planning in Zimbabwe have clauses that impact on the three aspects of the food system that were the subject of this inquiry. The spirit of the legislation was the maintenance of well-planned, environmentally-sustainable, healthy cities, driven by a strong modernist influence. The legislative framework also shares one uniform but problematic characteristic, they are stuck in time and are rarely visited for review once enacted. This is shown by the age of the laws. The most recent laws were last reviewed at least 10 years ago. Whilst the laws may have served their purpose back then, so many recent significant socio-



politico-economic developments are not reflected in the legislation. The principal law governing planning, the Regional Town and Country Planning Act: Chapter 29:12 (GoZ, 1996b) was last amended twenty-one years ago, in 1996. This thesis shows that whilst the findings bear similarities with the finding that planning law in Sub-Saharan Africa is largely inappropriate to the lived experience (Berrisford, 2011), in the Zimbabwean case this is exacerbated by the failure to review some of the laws. Laws are important to urban food provisioning and hence they must be a key consideration whenever food security solutions are being sought. They however can only meaningfully and responsively serve their purpose if they are up to date and reflect the changing aspirations of citizens.

### **8.1.2 Food Production in Epworth: A tolerated activity**

In the area of food production, the planning regulatory framework affects Epworth in a different manner from the way studies on urban food production have been framed in Zimbabwe. The findings challenge the almost universal prevalence of conflict in the area of urban food production. Whilst most studies emphasize the conflicts between producers and authorities over use of open spaces that are referred to as off-plot agriculture (Mbiba, 1995; Kutiwa, Devuyt and Boon, 2010; Taru and Basure, 2013), in Epworth such conflicts are very rare. There are very few open spaces still available for cultivation in Epworth. Most people grow on-plot. The thesis however found that authorities do not support urban food production and therefore do not take time to address food issues. The problem with this situation is that innovations that could be introduced by external partners are not being done because there is no policy clarity regarding urban food production. This confirms the assertion that when planners and authorities are indifferent about food matters it is not a neutral issue, rather food security is impacted upon by the indifference (Pothukuchi and Kaufmann, 2000).

The study also exposed the weakness of food production in the contestations for space in urban areas. The rate at which land that used to be available for food production in many parts of Epworth has been lost to housing development shows that shelter is prioritized better than food. As the contestations for land take place in Epworth and food production seems to lose out to other 'urban' land uses, the

legislative and planning framework in the country also envisaged an urban environment where food is produced elsewhere. That is outside urban areas and specifically in rural and farming areas that would then feed urban areas. So, one can conclude that even where land is freely available in Zimbabwean cities, urban food production would not be a widely supported activity.

### **8.1.3 Grinding Mills in Epworth: A necessary illegality**

The third objective sought to investigate the effect of the planning regulatory framework on food processing (grinding mills) in Epworth. Grinding mills are affected by the planning regulatory framework in three ways. Firstly, they are affected from a land use dimension where 90 percent of grinding mills are located outside the permissible zone thereby making them illegal. Secondly, they are affected due to the buildings in which they are situated which do not meet the expected standard requirements of industrial buildings. Thirdly they fail to meet the licensing requirements for all the multiple functions that are performed in these grinding mills. This study attributes all the three problems with grinding mills and the laws to an old and unresponsive legislative framework.

The land use problems are also attributed to a definitional rigidity. As shown in Chapter 6 above, the regulations continue to identify today's compact, non-polluting and near-silent grinding mill in the same group as a large-scale industrial milling plant that produces significant fumes and makes a lot of noise. The large-scale industrial plant is very different from the Epworth mills. The difference of the mills is both in terms of scale and function.

Once the definition of the grinding mill as an industrial use is resolved, the building by-laws requirement would also change. If the more stringent industrial building conditions are removed, meeting licensing requirements would become easier and practical. That it is criminalized because of the anomalous definition is more a problem of the planning authorities than the poor residents who have found a business opportunity and a convenient and affordable means of processing.

The planning and legislative regulatory framework requires a holistic attention in order to make a difference. As shown above, one set of regulations makes it difficult to meet one condition which in turn also makes it impossible to meet another. It will therefore only partially solve the grinding mills problem if the zoning challenge was addressed without the use-group regulations. Resolving the operating environment for the grinding mills requires addressing zoning regulations, use-group regulations, model building by-laws, and licensing regulations. Without taking such an approach, there would still be bottlenecks to the sustainable legitimate operation of grinding mills in Epworth.

#### **8.1.4 Illegal Food Retailing in Epworth**

Objective four sought to analyse the role of the planning regulatory framework on small-scale and informal food retailing in Epworth. Food retailing is affected by the planning regulatory framework at the location level, the licensing level, the buildings compliance, as well as the environmental compliance. Discussing the Epworth food retail findings is just like discussing about informal livelihoods and how authorities respond to them. Except for grocery dealers and butcheries at shopping centres, all the other study subjects were operating in informality. 618 out of 690 food outlets in Epworth were found operating informally and at locations deemed illegal. Because of the anomalous land use location, they also could not comply with licencing and health regulations. There is need for authorities to attend to realize that 'the informal sector is here to stay and is now part of the mainstream urban economy' (Tawodzera, 2010:187). It is therefore important for the regulatory and policy environment to reflect the importance that this sector has attained.

This study exposes the weakness of legitimacy in the food retailing space. Some of the spaces in which food is sold are small, are subject to mobility and are generally regarded as a nuisance as explained by ELB2. Their sheer numbers scare officials as they think of the challenges of managing them. Although the Harare Master Plan could be useful in resolving the legitimacy issues, the officials are taking a selective approach to implementing the clauses. This maintains the illegitimacy and hence the illegality even though there is a planning solution. Maybe the NGO planner who believes the public-sector planners are lazy had a point, just that it goes beyond

laziness, it's also about willingness to accept informality as a new reality of urbanization in the global South. The attitudes and values of planners are the problem in this instance.

## **8.2 Food Production and the Planning Regulatory Framework**

This section revisits the planning regulatory framework in as far as it affects urban food production. The findings of Chapter Five are that in Epworth food production is prevalent and widespread. It is however largely on-plot and small-scale. This fits into the overall intention of the planning regulatory framework which envisaged a largely small-scale urban food production environment that does not play a predominant role in urban food provisioning but only compliments an urban food supply largely supplied by the rural and commercial farming sectors. The law also envisaged an environmentally-sustainable urban food production as articulated by the Environmental Management Act (GoZ, 2003). For these characteristics of urban food production in Epworth, there are limited areas of conflict with planning regulations.

Not all areas are however without conflict. The legislation envisaged a limited urban livestock sector that took a very cautious health approach. The limitations in terms of numbers of poultry to only 25 as well as the banning of other animals such as pigs in the city demonstrates the authorities' health and 'nuisance' concerns (GoZ,1996c). The water regulations' requirements for permits even in Epworth where the municipal water supply is largely unavailable appears rather unreasonable. The findings demonstrate isolated conflicts with livestock producers. The absence of a reliable water supply however means the water challenge retains the potential for conflict with residents.

The other findings also indicate areas where the local government can be more inclusive and could improve its engagement with the citizens. The fact that most residents were not aware of the regulations and there is lack of clarity of the same regulations to other stakeholders point to a problem with the means and processes of engagement. A well-articulated and well-communicated regulatory framework is beneficial for all affected and interested parties. Residents should be fully aware of the parameters as set out by the regulations. The NGOs will also know where they can

support and how they can do so. Epworth food producers could benefit from 'small-space' and 'no-space' urban food production techniques if organizations with the capacity to assist could work with residents (MDP-ESA, 2009). These are methods of growing food for people that live in areas where there are spatial constraints. Residents could be taught to grow food on house verandas and even in used sacks and old buckets. With the ultra-high densities and space limitations in Epworth, these techniques could be introduced by NGOs once the regulatory framework is clarified. That is currently not happening because the policies are absent or unknown as indicated by some planners (NGOPlanner1, 2017).

The findings also show areas of disharmony amongst the officials that administer regulations. Most public officials are hesitant to fully support urban food production, with some maintaining a position that food production is a rural land use. Another challenge with officials is the different interpretations of same regulations influenced by officials' values and vision of urbanity and modernity. This position of reluctance to support and negativity to urban food production resonates with findings from other cities in Africa such as Lilongwe in Malawi, Lusaka in Zambia, and nearby Harare (Mkwambisi, 2010; Rakodi, 1988; Kutiwa et al, 2010; Mutonhodzo, 2012).

### **8.3 Food Processing and the Planning Regulatory Framework**

The findings show that most of the grinding mills in Epworth are operating outside the permissible planning zones. They are therefore considered illegal. Whilst previous studies observed and acknowledged the importance of grinding mills to the urban poor, this study brings out the fact that most of them are operating illegally. This illegality is exacerbated by a definition technicality. An examination of the reasons for this land use conflict exposes the problem of the continued use of land use definitions that incorrectly identifies a grinding mill with a milling factory. In terms of the Harare Master Plan (CoH, 1993) and the use-group regulations (1977), a grinding mill continues to be considered an industrial use. This definition was based on the old notion of a milling plant that was heavy industrial in nature. Due to its scale, noise and pollution levels, it rightfully belonged in the industrial areas, far away from the people. But the study showed a new processing plant being used by the poor people in

Epworth that has completely distinctive characteristics. The grinding mill in Epworth can be described as follows:

- a) It does not emit significant fumes
- b) It is similar to a domestic electricity standby generator
- c) Operates flexible hours
- d) Needs a very small simple building to operate

The grinding mill therefore no longer falls within the broad industrial classification that was envisaged in plans and legislation. There is need for a new definition of today's small-scale grinding mill. It is time that planning governance documents are amended to reflect the new reality.

The thesis also showed the increasing importance of the grinding mill especially for poor communities. Whilst previous studies (Mbiba, 1995; Jayne and Rubey, 1993) noted the shift from formal industrial milling to the increasing use of grinding mills, this study found that the grinding mill has also assumed multiple functions such as maize retailing, milling, stock feed production, and packaging as explained by DevPlanner2 in Chapter 6. Unfortunately, this is seen as a negative development. This of course is one of the weaknesses of the old scientific rational planning if strictly adopted in the traditional blueprint format. Responsive planning today acknowledges that mono-zones are restrictive and unrealistic. For a wholesome and robust life, people live, work, play and pray in the same neighbourhood. This is especially relevant in informal settlements where citizens are known to identify opportunities and create own employment.

The milling and grain sectors were controlled by the state in colonial Rhodesia and the early years of independent Zimbabwe (Jayne and Rubey, 1993). The Grain Marketing Board (GMB) which controlled the sale of maize and the large milling companies still exist today albeit with less control powers. The grinding mill revolution however loosens the authorities' grip and control on grain milling. The failure of the planning authorities to adjust the regulatory framework to reflect the growing influence of this independent grain value chain could be a reluctance to fully let go of what has traditionally been a critical control area for governments in Africa.

The findings also expose a contradiction from the expectation of master and local planning that zones form nodes where uses cluster around whereas the demand-driven emerging patterns in Epworth show a different pattern. The thesis found grinding mills forming linear patterns along major traffic distribution routes. This brings to question the logic of scientific rational planning and how responsive it is to different communities' peculiar needs. That Zimbabwe continues to use the traditional scientific rational planning process in the context of a fast-urbanizing, informality-characterized environment with a weak bureaucracy to drive the governance needs review because it is failing.

#### **8.4 Food Retailing and the Planning Regulatory Framework**

The findings show that food retailing probably creates the most contested spaces with the law and the planning practice. Only 72 out of 690 retail outlets are legal. Ninety percent of Epworth's retail food outlets are illegal! Vanessa Watson's (2009b) assertion that the 'planned city sweeps the poor away' certainly is true if Zimbabwe's planning regulatory framework is applied to Epworth.

The failure of Zimbabwe's planning regulatory framework to consider local context is glaringly exposed in Epworth where the predominant food retail typology remains small-scale and informal. Whereas the other urban settlements in the country have been affected by the 'supermarket revolution' (Drakakis-Smith, 1994; Weatherspoon and Reardon, 2003) in the settlement the small-scale informal food retail typology demonstrates remarkable resilience (Butcher, 1986; Tawodzera, 2013). An attempt by the property giant, Old Mutual, to bring a modern shopping mall to Epworth complete with a large chain supermarket failed. Today the large modern mall remains largely empty having failed to be embraced by this community that depends so much on small-scale food sources.

The failure of the only mall and large chain supermarkets in Epworth and the widespread prevalence of informal and small retail food outlets perhaps is a lesson in what is appropriate for the community in Epworth. Large-scale and modern is not necessarily the preferred in every instance. In this urban settlement, the less fashionable micro scale has been embraced by the residents. Even when they were

given the choice of a large chain supermarket in the neighbourhood, they stuck to small scale outlets. Meanwhile for the planners and policy makers, contextual reality may not be as important as modernity and the creation of a city that they assume brings them status. This is reflective of most post-colonial cities where the leaders imagine cities that do not include informal small-scale livelihoods (Skinner and Watson, 2018).

## **8.5 Planning Law and Practice and Food in Zimbabwe**

Zimbabwe's planning law and practice continues to use remnants of the old British planning law that Britain itself has long since moved away from. Zimbabwe is a former British colony and its planning practice and regulatory framework borrows heavily from the old British practice and law. Like many countries in Africa its planning was shaped by colonialism and education (Watson and Odendaal, 2013; Connell, 2007). The planning law and practice shows the strong western influence. The similarities and common threads across Africa can be explained by McAuslan's (2003) revelation that in the 1940s, the British 'colonial office' drafted a model set of planning law for use across colonial Africa. In most of these countries, the planning system retains 'relics of colonial days'. True to their observation, in Zimbabwe as in other African cities, 'colonial regulatory frameworks have never been amended to take account of contemporary urban pressures' (Parnell, Pieterse, Watson, 2009:238).

In addition to the old archaic laws that are a problem, the plans that are being used by most local governments to drive planning in Zimbabwe are old and out of date. All the urban areas in the Harare Metropolitan province covering Harare, Chitungwiza, Norton, Ruwa, Epworth, including the smaller settlements such as Goromonzi and Mazowe, use the Harare Master Plan (CoH, 1993). Although both planning law and practice expects plans to be reviewed after every 10 years (GoZ, 1996b; DPPlanner1, 2017), the Harare Master Plan has not been reviewed for twenty-five years. That the urban settlements continue to be guided by a plan that was prepared during an era before all the major turning points such as the Economic Structural Adjustment Programme (ESAP), the Fast-Track Land Reform Programme, the economic downturn after the year 2000, and the increasing informality in urban areas, now render the



plan obsolete. Using the old Harare Master Plan to manage today's urban areas is expecting ancient solutions to solve today's challenges that are caused by a set of different factors.

Zimbabwe's planners may still be stuck in the past and detached from accepting the two contextual realities affecting their work, that is, changes that have happened to their economy and the urbanization trends in Africa. With all the evidence of the increasing urban informality and the 'urbanization of poverty', (Beall and Fox, 2007; UN-Habitat, 2003; Parnell and Pieterse, 2014) they remain staunch disciples of modernist blueprint planning guided by visions of 'world class' cities. This finding whilst consistent with literature on the failure of urban planning in the developing world, Zimbabwe's case brings in this world view even in a crisis. For more than a decade the economy has been in recession (Potts, 2008; Tawodzera, 2010; Rogerson, 2016). That the planners have not adjusted to the economic downturn and rising informality seem to be characterized by a sense of exceptionalism that is stopping the planning and governance officials from making connections between these developments to theory and processes taking place elsewhere.

Other tools of governance which are more responsive and appropriate to the lived experience in Zimbabwe and Epworth have not been sufficiently utilized by lower levels of governance. The two declarations on urban agriculture and the Harare Master Plan could be useful in supporting local food production. However, both are not fully implemented. This failure to embrace these useful instruments can only be explained by the planners' perception of food production as a rural land use. Unfortunately, this view ignores the fact that Zimbabwe's urban areas have a high prevalence of urban food production (Drakakis-Smith, 1994; Bowyer-Bower, Tevera, Drakakis-Smith, 1995; Mbiba, 1995; Kutiwa et al, 2010; Taru and Basure, 2013). This also shows that even with appropriate planning tools, if the planners' attitudes and values are not shared with the communities they plan for, conflicts will remain. This thesis shows that the planners' role in influencing planning is as important as the regulatory framework. Both must share the vision and livelihood aspirations of the citizens.

## **8.6 Major themes**

Having revisited the thesis objectives and separately considered the impact of the legislative framework on production, processing and retailing of urban food, this section now discusses four key themes that emerge from the thesis data.

### **8.6.1 Planning Officials and Modernist Values**

The failure of planning professionals to implement the clauses in the master plan that would have removed conflict with the informal sector and in the process allowed the informal traders an opportunity to operate decently exposes a hypocrisy on the part of the officials. They use and abuse their authority to choose the aspects of their practice that are in support of their vision of modernity whilst ignoring those that go against their vision of a modern city. This thesis argues that the planners' actions may be neither deliberate nor intentional. This could be a result of many years of inappropriate and out-of-context planning education and a pervasive modernist view. As observed by some Afrocentric planning theorists and scholars, we need a re-think of planning education for future planners in the global South (Watson and Odendaal, 2013; Duminy et al, 2014). Scholars attribute this to an inappropriate and 'utopian' vision of urbanity (Watson, 2014b; Mbembe and Nuttall, 2004). A continued influence of Western planning values and education exposes the poor and powerless informal trader and threaten the citizens' access to food networks that are local, convenient and affordable to them.

### **8.6.2 Informality is an urban reality**

This thesis adds to literature by providing evidence of the reality of informality as a major driver of African urbanization. With almost 90 percent of all food retail outlets and grinding mills in Epworth being informal, the reality is that the Epworth food system is informal. The data has provided evidence that informality exists in most livelihood activities and forms a significant part of residents' lives. Professionals in the global South must be sensitive to the people's lived experience in the exercise of their official mandate. Cities have become home to many informal livelihoods. Going back to the basics, the planning profession demands that they act in public interest. The question to ask is what public interest and whose public interest? There can no longer be a public interest that ignores the prominent role of informality in a place such as

Epworth. If cities genuinely aspire to be inclusive, then public interest should embrace all interests, including the interests of the poor, the weak, the voiceless, the vulnerable, and the informal.

### **8.6.3 Regulations and Plans against Reality**

Having found that traditional master planning does not best serve the interests of the small-scale informal traders typical of the Epworth food system, this thesis questions the type of planning appropriate for Epworth or similar cities of the global South. This thesis confirms that indeed as observed by Tibaijuka, ‘the planned city sweeps the poor away’ (Watson, 2009). It also exposes the concept of ‘conflicting rationalities’ of the planners and the survival realities of the poor in a rapidly urbanizing African city (Watson, 2003). The authorities’ half-hearted and ill-thought-out engagement with informality is also exposed (Simone, 2000). There is still a lot we must learn from urban informality as Roy (2005) proposes. This thesis draws lessons from the way rational planning has inappropriately addressed urbanization needs of contemporary Sub-Saharan Africa. It also draws lessons from the way authorities in many cities have failed to harness the opportunities presented by the informal traders.

The thesis argues that planning presents an important opportunity to address the needs of the citizens as well as the traders. It only calls for a new planning professional who facilitates for an orderly, healthy, functional city that is informed by its context. There is need for new planning regulations that will still recognize the need for order and public health. However, this must be defined by the local context and reality. For example, water for washing hands in a bucket with a tap serves the same purpose as a municipal water tap connected to a reticulated network. Regulations must reflect the fact that there is no municipal water supply in some parts of Epworth so small players should be given alternative health measures that allow them to operate without overburdening them or making compliance impossible.

### **8.6.4 Context is a key consideration**

Governments and communities must objectively and honestly address the question of what type of laws we need in fast-growing cities which are largely characterized by informality. The study found that there are many laws that were

enacted envisioning a formal and large business environment. These laws now impose unrealistic demands on the small-scale informal sector. Several laws (GoZ, 1996c; GoZ, 1976; GoZ, 2003; GoZ, 2002) have provisions that the informal food traders cannot comply with.

This thesis however is not advocating for the food sector to operate without regulations. Rather it argues that we need a new relevant appropriate and context-specific regulatory framework. Laws are important because they regulate the operators by guaranteeing cleanliness and public health among other issues. But they need not apply uniformly on all sectors, instead specific context matters. Even laws and by-laws enacted for nearby Harare cannot be appropriate for Epworth. It has been demonstrated that the regulations were enacted for a different socio-economic context. There is need for a new set of regulations that fully consider today's rapidly growing cities in a manner that ensures balance between the needs of the population whilst ensuring order, safety, amenity and public interest. These need not be framed in the traditional modernist fashion but consider today's realities and aspirations. In today's planning in Zimbabwe and the global South, there is 'need for fresh voices' and 'new ideas, that change the status quo' (Parnell, Pieterse and Watson, 2009:234).

## **8.7 Chapter Conclusion**

This chapter has consolidated findings on how the planning regulatory framework affects all the three food system components of production, processing and retailing. Whilst all of them are to varying degrees affected by the regulatory framework, food production is the least affected because the production types and scale fit into what the laws and plans envisaged. With few open spaces cultivation, there are no opportunities for people to go against officials' modernist values of what a city should look like. There are however many conflicts with maize milling and food retailing which have all become informal and fail to conform with what the regulatory framework and planning practice envisaged. The failure of the authorities to adapt the laws and the plans to the changing urban context over time has worsened the situation. The chapter argues that by coming up with relevant context-specific regulations and plans, solutions could be found to these and other urbanization challenges in cities of the global South.

## **Chapter 9: Thesis Conclusions and Contributions to Knowledge**

### **9.0 Introduction**

This chapter draws conclusions from the study and shares the new knowledge that the thesis contributes to the existing body of knowledge. It also identifies areas for further research. The thesis examined the appropriateness of urban planning practices legislative and regulatory frameworks to food production, processing and retailing in fast growing human settlements in Africa. Food is a basic need and looking at how the planning legislation and practice is appropriate to the lived experience of residents is important in examining the appropriateness of contemporary urban planning and governance in urban settlements of the global South. Debates on the relevance and appropriateness of rational scientific planning as adopted from its origins in the west are on-going.

Before drawing conclusions, the thesis objectives are briefly revisited. In responding to the first objective the thesis found that through several laws, by-laws, policies and plans, the legislative framework does engage with food. As for the second objective, food production in Epworth is affected differently from many similar environments in the global South since its production typology and scale fits into what the legislative framework and urban officials envisaged. Food processing and retailing however have increasingly become informal thereby challenging both the laws and officials' modernist values and therefore are largely deemed illegal.

The planning profession has been identified as important to helping address the many challenges associated with urbanization in the global South (Tibaijuka, 2006; UNECA, 2015). This thesis provides evidence of what planners are doing and how that fits into the expectations. It argues that unless there are major changes in addressing the values, tools and training of planners, that expectation is misplaced.

## **9.1 Conclusions**

The thesis draws the following conclusions which are grouped in three clusters. The first cluster looks at conclusions that have to do with the legislative framework. The second cluster of conclusions center around the planning professionals in Zimbabwe and their impact on urban food systems governance. Thirdly the thesis draws lessons from normative theories of planning to the Epworth challenges. Each of these are discussed in more detail in the following sections.

### **9.1.1 The Legislative Framework**

#### **9.1.1.1 Planning Regulations and Legislation Affects Food**

Urban planning and its governance tools have a profound impact on food. Pothukuchi and Kaufmann (2000) who first extensively studied the relationship between food systems and the planning profession in America found planners to be 'strangers' to the food system with negative impacts. This thesis found most laws to contain clauses that significantly affect the efficiency and sustainability of food production processing and retailing in Zimbabwe.

The urban governance laws, physical planning laws, environmental laws, health laws, and licensing laws all contain important and far-reaching clauses. Similarly, all plans and policies contain clauses that affect food in several ways. Different plans that are used to manage the urban settlement of Epworth also impact on food systems operation. Unfortunately, officials suggest that little or no effort is made to link these laws, plans, and other governance tools directly and progressively to food. In many instances their consequences on food systems are not deliberate.

#### **9.1.1.2 Inadequacies in the laws**

Whilst most laws, policies and plans impact on food production, processing and retailing, this thesis exposes the inadequacies inherent in these tools. MacAuslan (2003) reveals how in the 1940s most former British colonies received a similar draft planning law which they adopted almost as proposed. It is common knowledge that all these countries have peculiar urbanization drivers. They also exist in different cultural and socio-economic environments. Local context was not adequately considered. Whilst there are country urbanization differences, there are also city differences.

Harare and Epworth are different in terms of the urban form as well as socio-economic characteristics. Planning regulations must be customized to the local context so that they can be locally relevant.

That the planning laws in most countries in Sub-Saharan Africa were enacted from a different context and therefore irrelevant in many ways was exposed in the work of Berrisford (2011) and Skinner and Watson, (2018). This thesis builds on that work and demonstrates that this contextual misfit of legislation can also happen in a very localized way. Epworth is geographically very close to Harare and they are governed by identical or very similar planning and legislative frameworks. But the two have distinct differences such as scale and socio-economic environments (Chatiza and Mlalazi, 2009; Chirisa, 2012; Dialogue on Shelter, 2012). They also differ in terms of how they originated and developed over time. Whilst the context of planning laws imposed on colonial Africa differed with the countries of origin and has largely failed, thereby demonstrating the importance of context, equal consideration is important even within country or different urban contexts.

#### **9.1.1.3 Old and Outdated Laws**

This thesis also exposes the fact that Zimbabwe's planning laws are old and out of date. Almost all the laws were enacted before the country's majority rule in 1980 and the newest laws were last reviewed more than fifteen years ago. Even those laws shown as 1980s and 1990s legislation, are in fact all way older than that. Most of these are cosmetically-revised versions of much earlier laws (see Figure 4.1). Although there is a recently approved constitution that guarantees freedom and democracy, there is a problem in that the old laws have not been amended in harmony with the 2013 Constitution.

Meanwhile there have been many socio-economic changes that have taken place that should have caused the laws to be reviewed or repealed completely. A quick review of the country's history shows numerous significant developments that should have forced the revision of old laws or enactment of new laws. There was an economic structural adjustment programme in the early 1990s, a fast-track land reform exercise at the turn of the century, Operation Murambatsvina/Restore Order in 2005, and an economic melt-down over the past decade (Tawodzera, 2010; Potts, 2008). All these

events have significantly altered the economy of the country's urban areas including survival strategies. The new survival strategies cannot be managed using the existing old laws. That the old laws remain in place leaves the country with an outdated set of laws that are failing to respond appropriately to today's urbanization demands.

#### **9.1.1.4 Laws and Plans Envisaged a Formal Economy**

Whilst there are a number of works that have illustrated the problems in the informal economy in Zimbabwe, (see Kutiwa et al, 2010; Crush et al, 2015; Rogerson, 2016) they all overlook the fact that laws that are in place mainly envisaged a formal large-scale economy hence the many conflicts. Over the years the structure of the economy has shifted, and the economy has become mainly small-scale and informal (Potts, 2008). The change in the scope and scale of the economy required a corresponding change in the regulatory framework.

Changes in the grain milling industry illustrate this fact clearly. There has been a grinding mills revolution in Epworth. The data collected show an exponential increase in the number of grinding mills operating in Epworth. Whereas there were 85 grinding mills in the whole of Greater Harare (Harare, Chitungwiza and Epworth) in 1993 (Mbiba, 1995), this study found 90 grinding mills in Epworth alone. This growth is significant if consideration is made that of the three urban areas, Epworth is by far the smallest. However, the laws governing the operation of the milling of maize remain the same. The context has changed but laws remain unchanged. When the context changes, laws must also change, otherwise urban management conflicts increase.

#### **9.1.1.5 Progressive Tools Are Not Utilized**

This thesis further concludes that progressive laws, plans and policies have not been implemented in Epworth. There are useful clauses that sought to promote employment creation, food production, and informal sector development. These have not been implemented. Implementation of these clauses would have had two useful impacts; they would have removed conflict and uncertainty in the informal food sector as well as promoted innovation and sustainable growth (City of Harare, 1993). Studies in Durban as well as other work by the International Labour Organization proves that when informal work is supported, and uncertainty is removed, innovation and growth occurs (ILO, 2015; Skinner and Watson, 2018). Whilst informality is the defacto mode



of urbanization in Epworth and significant areas of Harare, authorities remain blind to this fact that has been proved elsewhere (Roy, 2005). Unfortunately, planners and urban managers have been lethargic in using the progressive clauses that exist in the same plans that they use to criminalize informality. The same applies to the two policies on urban agriculture. If they had been incorporated in the urban plans, even the few areas of conflict in urban food production would be removed (Toriro, 2018). More importantly incorporating the declarations would increase production by encouraging investment and innovation.

## **9.1.2 Planning Professionals and Urban Food in Zimbabwe**

### **9.1.2.1 Planners and a Modernist Vision of Urbanity**

Most of Zimbabwe's planners also exhibit a common trait attributed to planners in the global South, they are blind to the context in which they operate. Planners may be stuck in a past when the livelihoods of most urban residents were based on the availability of formal employment. Today, 'informal work forms a dominant element in urban economies in many parts of the world' especially in Zimbabwe (Skinner and Watson, 2018:150). The informal economy has become a significant part the new economy and planners must accept this reality. To continue to be driven by a modernist vision of urbanity in many parts of the global South including Zimbabwe is to miss reality.

This thesis shows that most of Zimbabwe's planners continue to see urbanity in Western terms. This vision of urbanity may explain their blindness to useful clauses in the existing legislation and plans. Their conceptualization of a city which translates to how they practice their profession may be guided by a misplaced notion of what is a city influenced by 'world cities' such as Dubai or Hong Kong. But this is Epworth, a Zimbabwean urban settlement inhabited by poor residents fighting for survival in poverty and informality. This is the reality that should be reflected in planning practice.

### **9.1.2.2 Detachment of Planners from Urbanization Debates**

Planners in Zimbabwe have been affected by the country's political and economic isolation. Since the year 2000 when the country embarked on the fast-track land reform programme and differed with several international development partners, the country got isolated from the global community. The planners displayed a

detachment and distance in terms of their engagement with current urbanization discourses. In the interviews, there was little or no reference to rapid urbanization, increasing informality, concerns with feeding cities and other current topical planning and developmental issues. The professionals demonstrate some isolation from the global and regional planning discourses that are shaping the profession. This reinforces their continued belief in approaches that are being criticized for failing in many areas.

The country isolation has also affected the planning profession in a negative way. Zimbabwean planners have lagged behind. This has equally negative consequences on the urban residents who depend on the decisions of these planners. This finding resonates with Rogerson's observation that based on the manner in which planners have reacted to informality in the country, he foresaw a 'bleak' future for people involved in informal work in Zimbabwe (Rogerson, 2016).

#### **9.1.2.3 Obsession with a Rational Planning Approach**

It can also be concluded that the continued use of old planning models such as the traditional master planning which emphasizes use of mono-zones contributes to a failure to solve today's urbanization challenges. The reality of multiple-livelihood informality-driven urban areas such as Epworth is that there are hardly any urban spaces where there is one use. People survive on many different livelihoods which are all different in terms of land use meaning that a responsive planning strategy must accommodate multiple uses in every zone. Further still, this questions the approach of zoning in land use planning. A question arises whether in an environment such as Epworth there is still need for defined zones. It may be more practical to consider mixed-uses with appropriate conditions.

#### **9.1.2.4 Planners: 'Food is not our responsibility'**

This thesis proves that the perception of planners that they have nothing to do with urban food provisioning is universal. Whilst Potthukuchi and Kaufmann (2000) found this prevalent in the USA, this thesis shows that most planners in Zimbabwe also believe it is not their mandate to plan for urban food. This thinking is problematic because it leads to the preparation of plans in which the food system is not considered leading to the creation of food insensitive settlements. As already indicated above,

when planners ignore food systems in planning, the consequences are not neutral, they are negative. This thesis demonstrates how the majority of food system components in Epworth are rendered illegal by a planning practice and planners who still think they have nothing to do with food. Planning affects food systems therefore planners must be food literate and engage food systems in planning.

### **9.1.3 Planners and Informal Livelihoods: Strange Bedfellows**

Planners in Zimbabwe are in a state of denial regarding their lived informal reality. To them it cannot be what they see. Even when the evidence is clear that ninety percent of the Epworth food system is informal, the planners would rather tell themselves it is temporary and inconsequential, so they will do nothing about it, it will be alright. It is not what they want to see. It is akin to cognitive dissonance. Their modernist perceptions are so ingrained that they find it difficult to accept the reality of informality around them. They would rather see and wish for what they desire, beautiful master plan-guided world class cities.

### **9.1.4 Relevance of Planning Theories**

Planning practice can borrow useful lessons from planning theory. In trying to address what are the best approaches for engagement and decision-making in planning, the communicative, just city and co-production theories can help (Watson, 2002; Fainstein, 2009; Watson, 2014a). The Epworth case study shows that there is need for more flexible and inclusive approaches to planning if planning is going to help solve contemporary urbanization problems. The three normative planning theories discussed in Chapter 2 can help authorities in citizen engagement. The communicative theory is useful in understanding the need for engagement and debate as a means to find the best way forward. There appears to be minimal public engagement in the planning and management of Epworth. This in turn has led to a failure to fully-appreciate the reality of Epworth. Oftentimes without realizing it, authorities have promoted decisions and practices that threaten the food system in Epworth. A consideration of distributive justice as articulated by Fainsten (2009 and 2010) could also help leaders address the residents' concerns better.

Another theory that could be useful in Epworth is the co-production theory as it has been developed through the work of the slum dwellers initiatives in South America. As the Epworth Local Board is trying to 'formalize' re-plan and regularize the settlement, there are opportunities in engagement and working together. There is need to debate and include everyone including food systems. Currently there are draft regularization plans that have been commissioned by the authorities with minimal stakeholder engagement. These plans do not include the informal livelihoods and food systems. Officials also indicated that there are challenges with funding of the formalization project. Considering the well-documented low-income status of Epworth residents (Potts, 2011; GoZ, 2012; Tawodzera, 2013), there is need for innovation in financing the project. A practical approach requires citizen contribution facilitated by authorities. Co-production is probably the best approach since both the authorities and citizens need to work together. Considering the citizens' capability and the inability of authorities to fund the project, there is need to proceed slowly in a manner that keeps the regularization costs affordable to the majority residents. The use of the co-production approaches has been successful in similar circumstances in South America and could be useful in Epworth.

This thesis concludes that inappropriate planning laws, policies and plans are a threat to urban food security. The findings show that if the existing regulatory framework is strictly applied to the existing food production processing and retailing spaces, most of them would be closed. This would leave most people without reasonable access to food hence exposing them to food insecurity.

Another conclusion this thesis draws is that whilst planners are critically important to the establishment of sustainable food systems, they not only do not realize that, but in some instances, are the negative forces to urban food provisioning. Whilst most planners do not believe they have a role to play in food provisioning many of them are also directly and indirectly working against a functional and sustainable or improved urban food system.

Significantly, modernist planners in the global South constitute a major threat to most poor residents' livelihoods when they don't consider reality. Their blindness to their contextual reality is dangerous to the resident beneficiaries of their planning

decisions. Unfortunately, they ignore useful provisions in the plans and laws that could help the small-scale and informal actors. If only they could use the positive tools at their disposal so many conflicts could be resolved, and livelihoods improved.

## **9.2 Thesis Contributions to Knowledge**

This thesis contributes to knowledge on urban food systems planning broadly, as well as planning theory. It brings together and shows linkages between the two important areas that are generally treated as unrelated—the areas of urban planning and food systems. The two are related and cannot be considered in isolation of the other. Planning affects everything that has a spatial dimension and should be in public interest. Food is a basic need and is therefore in public interest. The thesis shows how a lack of focus on the food systems-planning regulations link leads to unresponsive settlements that threaten their food systems without realizing it.

The thesis brings a spatial dimension to the debates on urban food systems. Whilst there has been considerable knowledge generated on urban food security and the drivers of urban food insecurity such as poverty, this thesis identifies spatial planning's rigidity and planning professionals' obsession with modernity as another important driver of both poverty and food insecurity in the global South. Roy (2009) identified planning as a driver of informality due to some of its elitist values that serve to push some residents to 'illegal' areas. Inappropriate and unresponsive planning is a major threat to sustainable food systems in poor communities. When planners suffer refuse to accept hard facts and reality regarding the nature of food systems and livelihoods around them, settlements can become food insecure and potentially unsustainable.

The thesis exposes how in a fast-urbanizing environment where there are so many other changes occurring, the regulatory framework can be one of the biggest hurdles to innovation and promotion of sustainable livelihoods. Whilst there is a lot of existing literature on the inappropriateness of adopted western planning legislation (Watson, 2009; Kamete, 2012;2013), this thesis provides evidence of how the failure to be responsive to urbanization changes can make laws that were useful and relevant in the past to become unreasonable and inappropriate over time. This thesis shows

that in Zimbabwe laws that worked when the economy was formal and urbanization rates were low, can no longer work in a rapidly urbanizing and informalizing economy. Potts observed that urban residents of Zimbabwe transformed from being some of the best looked after by the state with functional urban services in the early 1980s to surviving under some of the most difficult conditions after the year 2000 (Potts, 2011). Yet the legislative and regulatory framework governing the management of urban areas remains unchanged.

Whilst the thesis findings confirm the planners' obsession with modernity, it exposes the multiple layers of admiration for modernity, all of which find currency in the misplaced conceptualization of 'order, amenity, beauty' and what is 'world class'. Whilst the planners in the region admire 'global cities' (Watson, 2014b; Pieterse, 2013; Parnell et al, 2009) central government and Harare City Council admire 'world class cities' in the west, and the urban managers in Epworth aspire for their own city to be like Harare. The admiration and aspiration for modernity is relative and occurs in layers.

The thesis also exposes the fact that failure to re-define the changing characteristics of land uses and compatible use-groups can create a sense of illegality where it should be non-existent. Whilst existing literature shows the general inappropriateness of planning law and rational scientific planning in many jurisdictions in Africa (Kamete, 2009 and 2012; Watson, 2012; Yiftachel, 2006), this thesis goes on to show that over time, the appropriateness can change. The continued definition of a grinding mill as an industrial use demonstrates this phenomenon. This definition arises from the old notion of milling which was industrial and large-scale. The Epworth grinding mill is small-scale and uses equipment that can be defined as domestic. The engine driving the grinding mills is similar in size and sound with today's domestic stand-by electricity generator. Yet the regulations continue to define it as industrial. This becomes the source of the illegality.

This thesis further exposes the contradictions between what practice envisages and what emerges because of the people's practical needs as demanded by their lived reality in a poor city. Whilst the Zimbabwean planning authorities, influenced by blueprint planning envisage segregated land use patterns, the lived experience is

shaping its own patterns in Epworth. Food retail systems are not only at shopping centres as envisaged by planners, but they form their own needs-based patterns in residential areas and along busy communication lines. Similarly, where norms such as operating hours are legislated, the most-used facilities operate odd hours to the convenience of residents. The contradictions can only be addressed by planners and policymakers who respond to residents needs and come up with new responsive innovative solutions.

Whilst there is existing literature on the problems of planners arising from the negative influences of Western planning values (Watson, 2014; Kamete, 2012; Skinner and Watson, 2018), the existence of these in a country with stark realities of poverty and informality as is the case of Zimbabwean planners is confounding. Maybe the impact of modernity on planners can be so pervasive that even with planning documents and policies that contain progressive and appropriate clauses, they only choose to implement the elitist clauses that cannot solve their peculiar urbanization challenges. That is what their eyes have been trained to see because of the influence of their notion of good and orderly development.

Whilst planning education has been identified as one key to bridging the gap between ingrained utopian western views and the reality of urbanization in the global South today, this thesis brings evidence of how negative prevailing positions are affecting urban food systems and urban livelihoods. In supporting the calls for a revamp of the planning curriculum for the planning schools in the global South, this thesis provides evidence why such move is not only relevant but is long overdue. Planning that fails to consider context does not benefit anyone, it only creates more enforcement work for planners, and suffering on the residents whose livelihoods get threatened by such planning. This is not good for the planners as well since they spend so much negative energy pursuing non-existent problems.

Lastly it would add value to make some recommendations: To address the problems of old plans and laws, governments must take governance tools as living documents. They must periodically review them in line with contemporary challenges and aspirations. In doing the periodic reviews, context must be considered so that plans and regulations are relevant locally. The thesis has proved that the planning

regulatory framework affects food systems in many and profound ways. This calls for a new approach to planning. The planning curriculum must include food systems planning in the same manner that it does with housing and other areas that affect people's day-to-day lives. Planners as professionals must realize that food systems planning is important to the settlements they plan and their planning impacts on food systems efficiency and sustainability. They must begin to engage with the subject and consider it in all their plans.

### **9.3 Areas for Further Research**

This thesis identified the following areas for further research.

It is confounding that despite the glaringly compelling reasons for legislative review in Zimbabwe's urban environment, it has not happened. Future research should therefore focus on why are the laws not being reviewed? Laws examined showed that where changes were made over time, these were very minor and cosmetic when the socio-economic context has changed significantly. Why does it appear like there is reluctance to amend the laws to suit the new context?

The impact of the grinding mill revolution must also be understood in the context of the existing formal large-scale milling industry. Unfortunately, it was beyond the scope and resource-capacity of this study to unpack that. What has been the impact of this massive rise in the numbers and importance of the small-scale informal grinding mill to grain processing in the formal milling and retail sectors?



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## Annexures

**Annexure 1: Ethical Clearance from the Faculty of Science**



# UNIVERSITY OF CAPE TOWN

IYUNIVESITHI YASEKAPA • UNIVERSITEIT VAN KAAPSTAD

## Faculty of Science

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19 June 2017

Percy Toriro  
Department of Environment and Geographical Sciences

***Food production, processing and retailing through the lens of planning and regulations in Zimbabwe:  
Evidence from Epworth***

Percy Toriro

I am pleased to inform you that the Faculty of Science Research Ethics Committee has approved the abovenamed application for research ethics clearance, subject to the conditions listed below.

- Implement the measures described in your application to ensure that the process of your research is ethically sound; and
- Uphold ethical principles throughout all stages of the research, responding appropriately to unanticipated issues: please contact me if you need advice on ethical issues that arise.

Your approval code is: **FSREC 36 – 2017**

I wish you success in your research.

Yours sincerely

**Prof Timm Hoffman**  
Chair: Faculty of Science Research Ethics Committee

**Cc: Dr Jane Battersby (Supervisor)**

## Annexure 2 Introductory Letter to Key Informants

### DEPARTMENT OF ENVIRONMENTAL & GEOGRAPHICAL SCIENCES



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### **REQUEST FOR INTERVIEWS: PHD RESEARCH: FOOD PRODUCTION, PROCESSING & RETAILING THROUGH THE LENS OF SPATIAL PLANNING & REGULATIONS IN ZIMBABWE**

To Whom it May Concern

Dear Sir

You have been identified by Mr Percy Toriro who is a doctoral student with University of Cape Town as a potential key informant in his study. The survey involves interviewing professionals and policy makers involved in decision-making and the management of settlements to get their understanding and interpretation of regulations that impact on the production, processing and retailing of food in Epworth.

This study will contribute immensely to a better understanding of urban food systems leading to more appropriate environmental, planning and policy recommendations. Without your valuable contribution, I am unable to fully understand the urban food systems and the study would be incomplete. Where a research assistant has approached you, please contact Percy Toriro on 0772331891 for any clarifications.

If you agree to participate, please kindly sign the attached 'Informed Voluntary Consent' to show that the ethics' requirements for the institution have been fully explained to you.

Thank you for your assistance

**Percy Toriro (PhD Student: University of Cape**

## Annexure 3: Copy of the Informed Voluntary Consent



### DEPARTMENT OF ENVIRONMENTAL & GEOGRAPHICAL SCIENCES

UNIVERSITY OF CAPE TOWN  
PRIVATE BAG X3  
RONDEBOSCH 7701  
SOUTH AFRICA

RESEARCHER: Percy Toriro  
TELEPHONE: +27-21-6502873  
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URL: www.egs.uct.ac.za

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### Informed Voluntary Consent to Participate in Research Study (Key Informants)

**Project Title:** Food Production, Processing and Retailing through the lens of Planning and Regulations in Zimbabwe: Evidence from Epworth

**Invitation to participate, and benefits:** You are invited to participate in a research study conducted with Key Informants regarding the food system in Epworth. The study aim is to develop a better understanding of how planning laws, regulations, and policies affect the production, processing and retailing of food in Epworth, Harare. I believe that your experience would be a valuable source of information, and hope that by participating you may gain useful knowledge.

**Procedures:** During this study, you will be asked to provide your opinions regarding whether planning regulations affect food production, processing and retailing in Epworth. You will also be asked about your understanding of your institutional role in enacting these regulations.

**Risks:** There are no potentially harmful risks related to your participation in this study.

**Disclaimer/Withdrawal:** Your participation is completely voluntary; you may refuse to participate, and you may withdraw at any time without having to state a reason and without any prejudice or penalty against you. Should you choose to withdraw, the researcher commits not to use any of the information you have provided without your signed consent. Note that the researcher may also withdraw you from the study at any time.

**Confidentiality:** Within the thesis, a pseudonym will be provided. However, due to your position and expertise, it may be possible for readers knowledgeable of the local context to identify you.

**What signing this form means:**

By signing this consent form, you agree to participate in this research study. The aim, procedures to be used, as well as the potential risks and benefits of your participation have been explained verbally to you in detail, using this form. Refusal to participate in or withdrawal from this study at any time will have no effect on you in any way. You are free to contact me, to ask questions or request further information, at any time during this research.



I agree to participate in this research (tick one box)

Yes  No \_\_\_\_\_ (Initials)

\_\_\_\_\_  
Name of Participant

\_\_\_\_\_  
Signature of Participant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name of Researcher

\_\_\_\_\_  
Signature of Researcher

\_\_\_\_\_  
Date

## Annexure 4: Introductory Letter and Questionnaire for the Food Production Survey Participants

### DEPARTMENT OF ENVIRONMENTAL & GEOGRAPHICAL SCIENCES



UNIVERSITY OF CAPE TOWN  
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RESEARCHER: Percy Toriro  
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### Questionnaire for Epworth food producers

**My name is.....** I am inviting you to participate in a research study conducted with Epworth food producers regarding the food system in Epworth. The study aim is to develop a better understanding of how planning laws, regulations, and policies affect the production of food in Epworth, Harare. I believe that your experience would be a valuable source of information, and hope that by participating you will help in gathering useful knowledge.

As outlined in the voluntary informed consent letter, your participation is voluntary. You are free to stop your participation at any stage. However, should you choose to stop the interview before it is completed, your views will not be used in this study.

**Project Title:** Food Production, Processing and Retailing through the lens of Planning and Regulations in Zimbabwe: Evidence from Epworth

1. Food types and where you produce including land ownership
  - a. Do you grow leaf vegetables? Where do you grow it? Who owns the land?
  - b. Do you grow maize? Where do you grow it? Who owns the land?
  - c. Do you grow any fruits? What type? Where? Who owns the land?
  - d. Do you keep any poultry or animals? How many? Where? Whose land?
2. Motive for Food Production
  - a. Vegetables: Do you Eat only? Eat and sell? Sell only?
  - b. If you grow maize: Do you eat only? Eat and Sell? Sell only?
  - c. If you produce fruits: Do you eat only? Eat and Sell? Sell only?
  - d. If you keep animals: Do you eat only? Eat and Sell? Sell only?
3. The Law, Planning and Food
  - a. Are there laws that affect the growing of food?

- b. Has ELB or any government agency ever come to you to talk about regulations on growing food?
- c. Have you ever been stopped from growing anything in Epworth?
- d. Have you ever been stopped from keeping any animals in Epworth? If yes, by who? Why?
- e. Do you see the law in Zimbabwe as constraining or facilitating food production?
- f. Is there any department in ELB that supports food production?
- g. Is there land available for food production in Epworth?
- h. Do you think food production should be permitted in Epworth?

4. Food Production

- a. Is there any urban agriculture in Epworth?
- b. If yes, probe for typologies
- c. If no ask why?
- d. If land was made available would you grow? More? Keep animals
- e. If regulations permitted what else would you do?

5. Any comments or anything you would want to share on food production and planning regulations in Epworth?

## Annexure 5: List of Key Informants Pseudonyms<sup>23</sup>

Occupation and Organization	Date Interviewed	Pseudonym in Thesis
Planning Officer, Department of Physical Planning	21 June 2017 also 29 December 2017	DPPlanner1
Town Planner, Department of Physical Planning	20 June 2017	DPPlanner2
Town Planner, City of Harare	22 June 2017	CityPlanner1
Town Planner, City of Harare	21 June 2017	CityPlanner2
Town Planner, City of Harare	21 June 2017	CityPlanner3
Town Planner, City of Harare	22 June 2017	CityPlanner4
Councillor Environmental Management Committee	10 July 2017	Policymaker
Planner, Development Agency	10 July 2017	DevPlanner1
Planner, Development Agency	18 July 2017	DevPlanner2
Planner, NGO	18 July 2017	NGOPlanner1
Development Practitioner, NGO	24 July 2017	NGOPlanner2
Lecturer Department of Rural and Urban Planning (DRUP), University of Zimbabwe (UZ)	7 July 2017	UniPlanner1
Lecturer, DRUP, UZ	11 July 2017	UniPlanner2
Lecturer, DRUP, UZ	13 July 2017	UniPlanner3
Epworth Local Board Official	27 June 2017 and 6 July 2017	ELB1
Epworth Local Board Official	22 June 2017 and 3 August 2017	ELB2
Epworth Local Board Official	22 June 2017	ELB3
Councillor, ELB	22 June 2017	ELB4
Official Environmental Agency	12 July 2017	Nature
Planner, Zimbabwe Institute of Regional and Urban Planners (ZIRUP)	5 July 2017	ZIRUPlanner
Zimbabwe National Water Authority Official	5 July 2017	Water
Ministry of Health Official	25 July 2017	Inspector

Names were removed from the table after examination to protect respondents' anonymity

## **Annexure 6: Interview Guide Sample ELB Officials**

### **Epworth Local Board (Secretary, Engineer, Building Inspector)**

1. Institutional Arrangement (For Secretary Only)
  - a. Get an understanding of the skills within Epworth
  - b. How the council is governed...see organogram
  - c. Relate the skills and the organization to capacity to manage food
2. Mandate of council
  - a. What is the mandate of your council?
  - b. If food is not mentioned, probe if the official thinks food is their responsibility
  - c. If they say yes, ask for what they are actually doing or have done
  - d. If they say no, ask who they think should handle food issues
3. The Law Planning and Food
  - a. Ask which laws they administer that have to do with food in their area
  - b. Ask what other laws they know that impact food, but which may be administered by other bodies
  - c. Do they see the law as constraining or facilitating food production? Processing? Retailing?
  - d. Do their plans have anything to do with food? What?
4. Food Production
  - a. Is there any urban agriculture in Epworth?
  - b. If yes, probe for typologies
  - c. If no, ask why?
  - d. Does council have a problem with people growing (vegetables at home? Maize? Chickens? Fruits?) What is acceptable?
  - e. Do you think there should be space for food production in plans?
5. Food Processing (Grinding Mills)
  - a. Are there grinding mills in Epworth? Probe for estimate numbers
  - b. Are they all allowed/legal? How do they get licensed?
  - c. Do they pay any fees?
  - d. Where are they located?
  - e. What is the council's position on grinding mills?

6. Food Retailing

- a. Where is food sold from in Epworth? (Check for ideal/expected locations)
- b. Are there different types of food stores in Epworth?
- c. Are all the retailers licensed or do they pay?
- d. Any problems with the retailers?
- e. What do the by-laws or regulations say about food retailing?

## **Annexure 7: Interview Guide Sample Government Planning Official**

### **Department of Physical Planning (Director, Strategic Planning, Development Control)**

1. Institutional Arrangement
  - a. Who does the planning for Epworth?
  - b. What skills to do day-to-day planning exist in the local authority?
  - c. Does the Local Board manage food issues?
2. Mandate of council
  - a. What is the mandate of the local board?
  - b. If food is not mentioned, probe if the official thinks food is their responsibility
  - c. If they say yes, ask for what they should actually be doing or have done
  - d. If they say no, ask who they think should handle food issues
3. The Law, Planning and Food
  - a. Ask which laws administer food in Epworth or cities in general
  - b. Ask what other laws they know that impact food but which may be administered by other bodies
  - c. Do they see the law in Zimbabwe as constraining or facilitating food production? Processing? Retailing?
  - d. Do their plans have anything to do with food? What?
4. Food Production
  - a. Is there any urban agriculture in Epworth?
  - b. If yes, probe for typologies
  - c. If no ask why?
  - d. Does DPP have a problem with people growing (vegetables at home? Maize? Keeping Chickens/Small animals? Fruits?)
  - e. Do you think there should be space for food production in plans?
5. Food Processing (Grinding Mills)
  - a. Are there grinding mills in Epworth? Any idea on numbers?
  - b. Are they all allowed/legal? How do they get licensed?
  - c. Do they pay any fees?
  - d. Where are they located?
  - e. What is DPP's position on grinding mills in towns?
6. Food Retailing
  - a. Where is food sold from in Epworth? (Check for ideal/expected locations)
  - b. What types of food retailing spaces exist in Epworth?

- c. Are all the retailers licensed or do they pay?
- d. Any problems with the retailing spaces in Epworth or towns?
- e. What does the regulations/Act say about food retailing?



## Annexure 8: The Food Production Survey Tool

### DEPARTMENT OF ENVIRONMENTAL & GEOGRAPHICAL SCIENCES



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### Questionnaire for Epworth food producers

**My name is.....** I am inviting you to participate in a research study conducted with Epworth food producers regarding the food system in Epworth. The study aim is to develop a better understanding of how planning laws, regulations, and policies affect the production of food in Epworth, Harare. I believe that your experience would be a valuable source of information, and hope that by participating you will help in gathering useful knowledge.

As outlined in the voluntary informed consent letter, your participation is voluntary. You are free to stop your participation at any stage. However, should you choose to stop the interview before it is completed, your views will not be used in this study.

**Project Title:** Food Production, Processing and Retailing through the lens of Planning and Regulations in Zimbabwe: Evidence from Epworth

1. Food types and where you produce including land ownership
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  - b. Do you grow maize? Where do you grow it? Who owns the land?
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  - d. Do you keep any poultry or animals? How many? Where? Whose land?
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  - a. Vegetables: Do you Eat only? Eat and sell? Sell only?
  - b. If you grow maize: Do you eat only? Eat and Sell? Sell only?
  - c. If you produce fruits: Do you eat only? Eat and Sell? Sell only?
  - d. If you keep animals: Do you eat only? Eat and Sell? Sell only?
3. The Law, Planning and Food
  - a. Are there laws that affect the growing of food?

- b. Has ELB or any government agency ever come to you to talk about regulations on growing food?
- c. Have you ever been stopped from growing anything in Epworth?
- d. Have you ever been stopped from keeping any animals in Epworth? If yes, by who? Why?
- e. Do you see the law in Zimbabwe as constraining or facilitating food production?
- f. Is there any department in ELB that supports food production?
- g. Is there land available for food production in Epworth?
- h. Do you think food production should be permitted in Epworth?

4. Food Production

- a. Is there any urban agriculture in Epworth?
- b. If yes, probe for typologies
- c. If no ask why?
- d. If land was made available would you grow? More? Keep animals
- e. If regulations permitted what else would you do?

5. Any comments or anything you would want to share on food production and planning regulations in Epworth?

## **Annexure 9: The Grinding Mills Survey Guide**

1. As you enter Epworth ask for the nearest grinding mill
2. At the grinding mill enter location coordinates
3. Introduce yourself and the survey purpose to operator
4. Ask if you can take pictures
5. Observe what other activities go on at the grinding mill (Maize sales or other services)
6. Ask operator if they are authorized to operate by the board
7. Ask for any laws/licensing that they are supposed to comply with
8. Are if there are any constraints they face
9. Ask where the nearest next grinding mill is

Thank the operator and indicate you may return if there is more information you require

## **Annexure 10: The Retail Survey Guide**

1. Access the ONAI website
2. Use log-in access to the Epworth CUP data set
3. Go to the retail data set
4. Isolate location data for grocery dealers, market stalls, butcheries, and tuck shops
5. Use coordinates to map each attribute
6. Clean the data for outliers such as sites outside Epworth
7. Create maps for each attribute separately
8. Create composite maps which combine attributes
9. Analyze and draw conclusions