



## A New Approach to Urban Upgrading and Regularisation of Precarious Settlements: The *Bairro Legal* Programme

### 3.1. Tackling Urban Poverty through a Comprehensive Approach

A comprehensive and progressive approach to urban upgrading and tenure regularisation programmes is essential to successfully address the dynamic, “spontaneous” development processes behind the spread of precarious settlements<sup>34</sup>. This philosophy underpins the *Bairro Legal* Programme, a SEHAB initiative launched at the beginning of the new administration to encompass all the department’s upgrading, tenure regularisation and housing actions in poorly served settlements (see Chapter 1, Item 1.4.2).

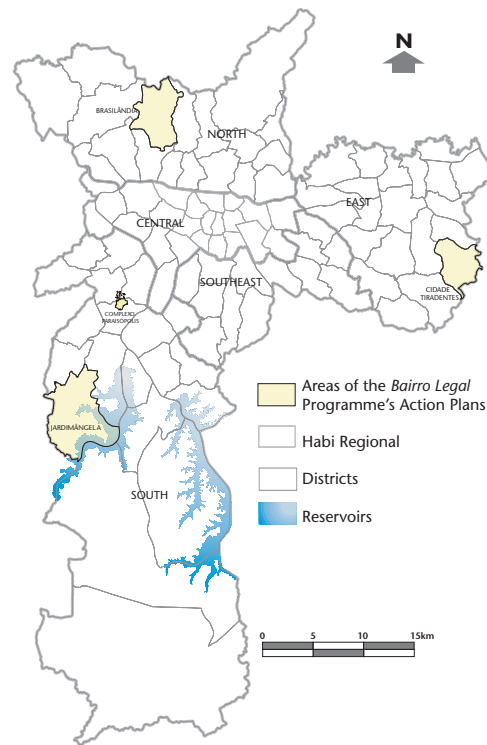
### 3.2. Building Blocks for Scaling up:

#### The *Bairro Legal* TA Project

The *Bairro Legal* Programme represents an important break from the pattern of fragmented and poorly integrated projects that characterised earlier municipal urban development programmes. It points towards a new urban development model that incorporates a complete understanding of the diverse problems affecting the poor in precarious urban settlements and implementation of integrated actions on the local level.

In this sense, one important component of the *Bairro Legal* programme was preparation of integrated local development plans on housing and urban upgrading for low-income areas, characterised by high levels of physical, economic and social exclusion. These plans provide a broad diagnosis of the economic, legal, social, developmental and environmental situation of sections of the city. Furthermore, they offer detailed guidelines for strategic actions to be undertaken in the short, medium and long term with the objective of promoting broad-based development in the areas in question. Through the technical and financial assistance of the Cities Alliance and in partnership with the World Bank, SEHAB recently developed the first three housing and upgrading action plans for the city, under the *Bairro Legal* Technical Assistance Project (TA).

Action plans are to be developed for São Paulo’s 96 districts, in contrast with previous programmes, which targeted only specific informal settlements. These 96 districts are large, heterogeneous areas. The areas chosen to develop the first action plans, as indicated



Map 4: Areas of the *Bairro Legal* Programme’s Housing and Urban Development Action Plans  
Source: SEHAB/HABI

on Map 4, included the districts of Jardim Ângela, Brasilândia, and Cidade Tiradentes, and São Paulo’s second largest *favela*, the Paraisópolis Complex<sup>35</sup>.

A key innovation of the *Bairro Legal* Programme is its holistic approach, whereby urban upgrading and regularisation initiatives are used as the entry point for the implementation of a broad range of social actions. The programme is particularly concerned with the alarming levels of violence and crime in the city of São Paulo. Urban violence was a primary factor in the selection of the areas for the first action plans, particularly the three districts. The TA project focused on understanding the causes of violence and its spatial distribution. It also proposed preventive measures that could contribute to violence and crime reduction in the areas of intervention, in partnership with other key authorities such as the Municipal Public Safety Department. Furthermore, there was an attempt to elicit links and develop synergies between housing and urban development actions and crime and violence prevention.

The *Bairro Legal* TA Project recognised that the districts shared a common problem: the chronic absence of the state. This absence was apparent from the lack of social services, public facilities, and public safety measures, and was in fact considered to be one of the causes of social and economic exclusion in large portions of the city. Communities outside the sphere of state action were condemned to live in a permanent state of exclusion, with rising levels of degradation and urban violence. This is not exclusive to the city of São Paulo. To some degree, most poor settlements in the developing world suffer from the absence of the State.

<sup>34</sup> Imparato and Ruster affirm that an integrated, area-based approach to needs assessment, planning and implementation is required to ensure an efficient use of financial and technical resources, while maximising the community’s willingness to participate. A broad long-term vision of the development of the settlement or area of intervention, rather than the particular requirements of any single type of infrastructure, needs to be the axis and connecting thread of the planning of an urban upgrading project, especially in the case of squatter settlements.  
<sup>35</sup> Heliópolis, São Paulo’s largest *favela*, underwent a municipal social housing intervention through PROVER.

#### 3.2.1. The *Bairro Legal* TA Project’s Outputs

The *Bairro Legal* TA Project generated a series of important outputs:

1. Four housing and urban development action plans for the districts of Jardim Ângela, Brasilândia, Cidade Tiradentes (‘district action plans’) and for the Paraisópolis Complex;
2. Contributions towards a methodology for analysis and prevention of violence through housing and urban development actions;
3. Consolidated methodology for housing and urban development action plans; and
4. A data management unit within SEHAB.

The various TA Project outputs address different sectors and their needs. The district action plans brought valuable contributions and insights to their respective areas. For the municipality as a whole, as well as for specialists and other interest groups, the methodology itself is the most important output. Finally, the data management unit, a result of the TA Project’s capacity-building component, is a critical resource for SEHAB.

### 3.2.1.1. Housing and Urban Action Plans for Jardim Ângela, Brasilândia and Cidade Tiradentes and the Paraisópolis Complex

The districts of Jardim Ângela, Brasilândia, and Cidade Tiradentes are predominantly poor, and are among those with the highest levels of social exclusion and violence. Each of the districts shows a different aspect of the city's housing and urban problems: Jardim Ângela, which spans 3,750 hectares and has 246,000 residents (IBGE 2000), is located in a watersource protection area, near the Guarapiranga reservoir, which is important to the municipality. It has a population density of 66 people per hectare. Considerably smaller, Brasilândia spans 2,100 hectares, but has a population of 247,000 (IBGE 2000) or 117 people per hectare. This district is located on the northern edge of the city in the Cantareira Mountains. Both districts are located in areas unsuitable for housing, but were nevertheless occupied by squatters or informal subdivisions.

In contrast, Cidade Tiradentes is the product of an intervention by the public sector. Built in the 1980s on 1,500 hectares of land, this is one of the several examples of mass housing production in the period. It is the smallest of the three districts, but has the highest population density, 191,000 inhabitants (IBGE 2000) or 127 per hectare. In all three cases, the districts are predominantly residential and offer few opportunities for employment and income generation. In all three – even Cidade Tiradentes – the State is notably absent, as are social services, public facilities, and public safety measures.

The Paraisópolis Complex is smaller than the districts, with an area of approximately 150 hectares and a population of about 45,000 people, representing a high density of 300 inhabitants per hectare. An enclave of poverty and exclusion in the heart of one of the city's most valuable real estate areas, its prime location has not spared the Paraisópolis Complex area from extreme levels of social and physical degradation. As mentioned above, the urban action plan for Paraisópolis Complex was developed before the district action plans and was not incorporated into the district-based methodology due to its much smaller scale. Its action plan was developed with the assistance of Diagonal Urbana, a private consulting firm, and served as the basis for ongoing projects in that area. Its guidelines were also incorporated by the Regional Strategic Development Plan (PDR) of the *Subprefeitura* of Campo Limpo, where the settlement is located.

The three district action plans were simultaneously developed between October 2002 and July 2003. The Housing and Human Settlement Laboratory of the University of São Paulo's Architecture and City Planning School (LABHAB FAUUSP) developed the district action plan for Jardim Ângela, and was also charged with proposing and consolidating the methodology for future initiatives. Two technical assistance organisations, GTA and Usina, provided support to the development of the district action plans for Brasilândia and Cidade Tiradentes, respectively<sup>36</sup>.

Jardim Ângela



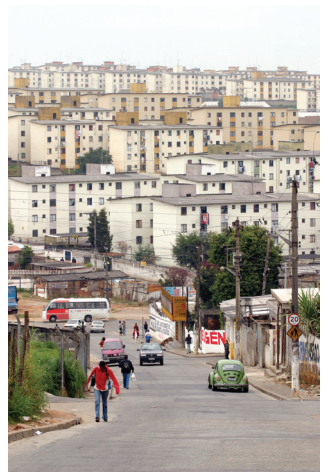
Brasilândia

The housing and urban development action plans provided important tools for improvement of the urban structure of their respective areas, indicating priority actions to be taken at the local level with the ultimate goal of countering the process of social, cultural and urban exclusion. The newly established *Subprefeituras*, which currently have very limited technical and financial capacity at their disposal, used the resources provided by the district action plans to design the local PDRs.

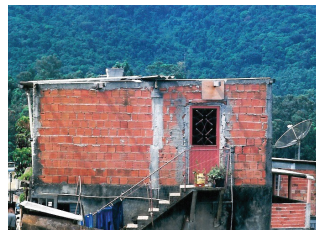
A major success of the planning process was the level of community involvement. In Cidade Tiradentes, in the pre-diagnosis stage, the TA established a participatory process whereby community members were invited to reflect on the problems of day to day life in the community. This approach was mutually beneficial. For the community, it generated great interest in the process—this was not just another series of community meetings where some speak up, most listen, and nothing happens. For the technical team in charge of designing the plan, such cross-sectional discussions—as opposed to sector-specific ones—were essential in defining the basic issues that would guide the planning process<sup>37</sup>. Finally, the district action plans were also successful in moving away from the technical and arcane terminology common in these documents, towards a direct and accessible format for all involved parties. Instead of being a mere description of physical and social features, the plans became a narrative of the districts' main issues and development possibilities. The pre-diagnosis study prepared for Jardim Ângela, for example, could well be used in a high school geography class due to its relevance and simplicity<sup>38</sup>.



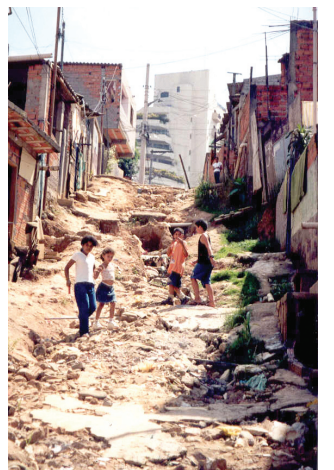
Paraisópolis



Cidade Tiradentes



Brasilândia



Paraisópolis

<sup>36</sup> The 'preliminary' methodology recommends that each district action plan produce a series of documents: a pre-diagnosis, a diagnosis, priorities and guidelines, and the action plan. The first two documents present the most important characteristics of the district and the community. The last two present the action plan including a series of measures to be taken and indicate a management model for implementation of the plan. The design process for the three district action plans was the basis for development of the consolidated methodology, referred to as 'the methodology' in this book.

<sup>37</sup> (Usina 2003a).

<sup>38</sup> (LABHAB FAUUSP 2003b).

### 3.2.1.2. Violence Prevention through Housing and Urban Development Interventions

The *Bairro Legal* TA Project helped to put violence on the urban development agenda, fostering development of a “violence prevention approach,” aimed at analysing and treating this social ill. Some TA outputs proved important for violence prevention policy planning in the districts, including the map of violent deaths within the districts of Brasilândia, Jardim Ângela and Cidade Tiradentes or involving district residents in 2001<sup>39</sup> and a youth leadership programme in Cidade Tiradentes<sup>40</sup>.

#### Violence prevention through youth leadership:



Community participation

Youths are particularly vulnerable to urban violence either as victims or to a lesser degree as perpetrators. Cidade Tiradentes, like the other areas chosen for housing and urban development action plans, has a large youth population that has graduated from high school, but has not yet entered the formal job market. In light of this situation, the TA developed a youth leadership project with a group of 80 adolescents from the district and awardees of the Municipal Work-Scholarship Programme. The youths were trained to be “reporteers” or young reporters, providing coverage on society and life in Cidade Tiradentes.

The reporteers produced inspiring material: a photo exhibit, a newspaper, and a CD (disseminated on local radio stations) on the current and future plans for Cidade Tiradentes from the perspective of its youth. Given the good results, SEHAB and the Labour Department continued this youth outreach effort, directing the reporteers to *Oportunidade Solidária* (Solidarity and Opportunity), another programme targeting community business development. In *Oportunidade Solidária*, small businesses are developed through incubators. With respect to its contribution in violence prevention, the activity set guidelines for aiding youths to enter the job market in a sustainable manner while enhancing their competitiveness vis-à-vis youths from other income groups<sup>41</sup>.

#### Mapping violent deaths:

Mapping violent deaths in the districts was the first step towards developing a methodology for violent crime analysis and mitigation. The results of this study were somewhat compromised by the lack of comprehensive data on other violent crimes, such as domestic violence, traffic accidents and rape. Nevertheless, the work led to important conclusions. For example, perceived violence is not exclusively related to the occurrence of violent acts. In reality, other factors, such as familiarity with the region, play a role in perception of violence. The second conclusion was that the areas with a concentration of victims of violent crimes did not coincide with the areas with a concentration of aggressors. Furthermore, while crime victims were concentrated in the most degraded areas of the districts, the occurrence of violent crime, including homicide, was concentrated in busier and more populated areas—often at bus stops and along major thoroughfares.

<sup>39</sup> The study was prepared by the Laboratório de Economia Social (Social Economy Laboratory) at Pontifícia Universidade Católica (LES PUC-SP), and led by Professor Samuel Kilsztajn.

<sup>40</sup> The project was implemented by the NGO Oficina de Idéias.

<sup>41</sup> (LABHAB FAUUSP 2003e).

### 3.2.1.3. An Approach to Violence Analysis and Prevention through Housing and Urban Development Actions

Based on the georeferenced data, the TA was able to make the following suggestions towards an approach for violence analysis and mitigation:

- Because social conditions are a determinant factor of violence in a community, physical interventions alone will not decrease violence. Such measures should be associated with social assistance and public safety programmes;
- A reduction in physical degradation and housing density in districts, as well as provision of well-kept public spaces should help to curb violence;
- Increasing accessibility within a given district and to other areas of the city, including improvement of public transport, should also help to reduce violent crime<sup>42</sup>;
- Initiatives to control and prevent urban violence should be monitored and assessed through a set of pre-established indicators to gauge the impact of action plans not only on homicides but also on other forms of violence.

In Brazil, implementation of public safety policies is only partially within the purview of municipal government. In fact, it is mostly the state government’s mandate to implement public safety measures. Urban upgrading and housing policies, on the other hand, are mostly a municipal responsibility. The housing and urban development action plans facilitate collaboration among different government levels to reduce urban criminality and violence and improve public safety. At the local government level, this collaboration entails the Municipal Department of Urban Security’s direct involvement in the design, implementation, and monitoring of district action plans. In this context, the Department could play a crucial role by establishing preventive community police patrols through the municipal police. The State Justice and Citizenship Department can deploy several other instruments, including the civil police’s participatory police stations, the military police’s preventive community stations and victim support centres (Mesquita Neto 2003).

<sup>42</sup> According to the Municipal Administration, improvements in public transportation have already been brought about by the new Integrated Transit System, which regulates the use of informal shuttles and mini-buses and renewed the fleet under a new transit strategy.

### 3.2.1.4. Consolidated Methodology for Housing and Urban Development Action Plans

The action plan’s consolidated methodology (referred to here as the methodology), the final product of the *Bairro Legal* TA Project, contains all fundamental guidelines needed to replicate the action plans in São Paulo and other Brazilian cities, including contributions towards a violence prevention approach.

The methodology establishes the action plan’s structural principles, as follows:

- Establishing government presence in the urban periphery;
- Contributing to control and reduction of urban sprawl;
- Direct involvement of the players in charge of implementing development policies<sup>43</sup>;
- Promoting the integration of public policies in a government plan that goes well beyond the purview of SEHAB;
- Focusing on local governance and ensuring the inclusion of all local stakeholders (in this context, local communities should be involved as agents of change and not as passive clients);
- Organising this process into a series of steps in order to ensure progressive construction of the plan with the participation of local players<sup>44</sup>;
- Indicating specific interventions to be implemented and their location in the district<sup>45</sup>; and
- Promoting community participation at all stages.

With respect to implementation arrangements for the action plan, the methodology also makes recommendations:

- Creation of ‘habitat agents’, community members working at the local level to acquaint residents with mechanisms to address housing and urban development issues. Habitat agents also provide a communication channel between communities and the agencies in charge of the programmes;
- Implementation of “antenna offices”, local offices of the *Subprefeitura*, which serve as the local base for implementation of the action plan and controlling its activities;
- Establishment of a specific unit to manage the action plan, constituted by members of the *Subprefeitura*, the central municipal government (particularly SEHAB) and local community representatives, among others.

Finally, regarding physical planning and infrastructure, the TA recommended that the action plans establish:

- Urban development and control programmes aimed at improving the habitat in aspects other than housing and transportation. The scope of the programme includes the creation of public or civic centres, neighbourhood commercial centres, and local structures involving the *Subprefeitura* and the community with the responsibility of controlling urban land use and occupation.

<sup>43</sup> Different political and administrative conditions at the municipal central and local (the *Subprefeitura*) levels will determine who will lead development of specific action plans. If a large number of district action plans are developed simultaneously in São Paulo or in any other city, it will not be possible for a single development agency like SEHAB to bear all the responsibility. In São Paulo, further action plans can be developed either by SEHAB or by the *Subprefeituras*, with SEHAB’s support. In other cities, other types of municipal departments could be in charge of developing and implementing action plans.

<sup>44</sup> The organisation of the three district plans (pre-diagnosis, diagnosis, guidelines and priorities, and action plan proposals) was quite successful and should be maintained. The intermediary documents (pre-diagnosis and guidelines and priorities) make central documents more objective and straightforward. The intermediary documents also help in the collective construction of the main documents.

<sup>45</sup> Recommendations for actions should have specific deadlines and costs. This information is crucial for prioritising actions. Cost information is also needed for the creation of a funding strategy.

- Housing programmes: in most cases, housing interventions will fall under SEHAB’s responsibility. Action plans should outline a strategy for prioritising upgrading and housing development in districts based on the following principles: (i) reverse the process of urban sprawl; (ii) improve urban living conditions, and; (iii) improve housing conditions. In this context, while SEHAB’s housing programmes would distribute local interventions according to its specific programme guidelines, the action plan would identify priorities<sup>46</sup>;
- Sanitation and environmental protection programmes, involving issues related to implementation and upgrading of infrastructure, as well as environmental recovery and protection as cross-cutting themes, should be part of every development intervention;
- Transport and accessibility: Social and economic segregation is not solely explained by spatial segregation, as illustrated by the Paraisópolis Complex, which is located within the city’s central districts but still remains segregated. However, a poor road and transport network undoubtedly contributes to the poverty found in peripheral districts. Residents have few job opportunities in the district and depend on an unreliable transport system to access the job market. The same is true for social services and other public facilities. The housing and urban development action plan must, in this sense, indicate specific measures towards the improvement of transport and accessibility in the district, not only in terms of improvements in roadways with special attention to pedestrians and cyclists, but also the public transport system.

<sup>46</sup> A noteworthy example is the impact the action plan drafted for Cidade Tiradentes had in changing the course of public housing interventions in the area. The action plan’s diagnosis identified that both the municipality, through COHAB, and the state, through the state housing company CDHU, were still replicating the mass construction model for public housing without providing public facilities and in areas that are far from job opportunities, despite indications that this model has led to many of the district’s problems. As a result of the district action plan, SEHAB, COHAB and Cidade Tiradentes’ *Subprefeitura* are discussing the need to change their approach towards upgrading the district, rather than merely building more housing units.

### 3.2.1.5. Developing a Data Management Unit within SEHAB

With a view to consolidating all the information produced by the action plans, the TA created a data management unit (hereafter ‘the unit’) within SEHAB.

The unit has constructed a georeferenced citywide database, building on information available from the action plans, SEHAB departments, and other municipal departments. The database currently has information on existing informal subdivisions, squatter settlements and public facilities in or near them, as well as information related to urban planning, land use, and zoning.

The unit’s creation was the first step toward the systematisation and dissemination of data within SEHAB. Resources are still rather limited and the information is concentrated at the *Prefeitura* level. The *Subprefeituras* will need IT development and capacity-building in order to make use of the instruments being created at the *Prefeitura*.

### 3.3. Conclusion

The *Bairro Legal* TA Project represented an important step towards the development of a comprehensive and sustainable framework for urban upgrading and affordable housing. The Consolidated Methodology for Housing and Urban Development Action Plans presents a broad framework for design of local development plans, which can be adopted as a reference in other contexts. The action plans developed through the *Bairro Legal* TA Project provide a road map for gradual development of their respective areas.

The task facing SEHAB now is to consolidate the use of the action plans as the instrument to guide not only its own actions at the district level, but also those of the *Sub-Prefeituras* and other municipal departments. Local community organisations' ownership of the action plans turns them into a platform for the ongoing process of discussion about local development between public bodies and local organisations.

In this context, there are some challenges to be addressed by SEHAB. A full-fledged strategy to implement the district action plans in a short, medium and long term, is still lacking, as are equally important advances to guarantee institutionalisation of the *Bairro Legal* TA Project's outcomes. The challenge of institutionalisation requires improvements in SEHAB's structure, such as the consolidation of the data management unit and a comprehensive strategy to establish a funding source for urban development and housing action plans in other districts.

The challenges SEHAB faces for consolidation of its broader urban upgrading and regularisation policy are described in the fourth and last chapter of this document.