POLICY IMPLEMENTATION OF GOVERNMENT REGULATION NUMBER 12 OF 2021 ON HOUSING AND SETTLEMENT AREA MANAGEMENT

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Keyword	Abstract
Policy Implementation, Government Regulations, Housing, Bungo Regency	*Government Regulation Number 12 of 2021 on housing and settlement area management, Article 17, paragraph 5 explains that the technical standards for implementing housing construction must be met, which consist of standard facilities, infrastructure, and utilities to make housing development livable.* *This research aims to determine the implementation of Government Regulation Number 12 of 2021 on managing housing and settlement areas in the Bungo Regency. The research method was a descriptive method with a qualitative approach. The research population consisted of the Housing and Settlement Areas (Perkim) Office of Bungo Regency, the developer, and the people living in the housing, with a total sample of 11 people using incidental and purposive samplings.* *The research results revealed that the implementation of housing and settlement areas in the Bungo Regency had been carried out by related parties, in this case, the Bungo Regency housing and settlement service and the developer. However, they have not been optimal yet because the implementation of housing development was still related to providing facilities, infrastructure, and utilities that had not been fulfilled. It was because there was still a lack of public knowledge regarding technical standards for housing management, irresponsible or indifferent attitudes from developers after many people lived in the housing area, and a lack of socialization and application of sanctions for developers who violated housing development regulations.*

INTRODUCTION

Having a place to live is, indeed, the primary right and need for the survival of every human being. The dwelling should have a good, healthy, and safe living environment. A good environment will significantly impact survival, including social and security.

According to Law Number 1 of 2011, Article 1, paragraph 2, housing is a collection of houses in urban and rural settlements equipped with infrastructure, facilities, and public utilities due to efforts to fulfill livable housing. Housing management is the government's task to fulfill community rights related to livable housing. In fulfilling housing rights, another task for the government is to design regional spatial management, such as spatial use planning, spatial management, monitoring, and development of spatial facilities.

Law Number 1 of 2011, Article 1, paragraph 2, concluded that it is mandatory for housing to fulfill three things listed, namely infrastructure, facilities, and public utilities. In the housing sector, Bungo Regency is managed by the Department of Housing and Settlement Areas, which has a special section dealing with housing issues, i.e., the Housing and Cemetery Section. In the Bungo Regency Regional Regulation Number 14 of 2014 concerning plans for the construction

and development of housing and settlement areas, Article 35, paragraph 1 (a), housing development includes the construction of houses, infrastructure, facilities, and public utilities. The public facilities can be realized by the government (in this case, the Department of Housing and Settlement Areas), individuals, or groups (developers), or it can also be a collaboration between local governments and settlement area developers.

Government Regulation Number 12 of 2021 on housing and settlement area management, Article 17, paragraph 5, explains that infrastructure standards at least include a road network, rainwater drainage or drainage, sewerage and sanitation, and landfills. Then, Article 17, paragraph 6, also explains that standard facilities at least cover green open spaces and public facilities. The intended public facilities in the facility standard are houses of worship, sports venues, signboards, and children's playgrounds. Furthermore, public utility standards are stated in Article 17, paragraph 7 of Government Regulation Number 12 of 2021, that at least electricity networks are available.

According to data from the Department of Housing and Settlement Areas related to housing in Bungo Regency in 2009-2020, there were 76 housing units with around 58 housing developers and 9,641 housing units being built. Based on the results of initial observations of the 76 housing estates, there were still many housing estates that did not meet the standard of public housing facilities, i.e., infrastructure, facilities, and public utilities, such as the Bungo City Residence housing, Keyla 1 housing, Persada Indah housing, and Sungai Buluh Indah housing. Based on field observations, several problems could be classified as follows: there were still housings that did not meet public housing facility standards; the attitude of developers who were perfunctory to the fulfillment of public housing facilities; there was a lack of socialization, evaluation, and enforcement of sanctions related to the fulfillment of public housing facilities by the relevant agencies.

Based on the problems above, the author made a research problem formula, including how to implement Government Regulation Number 12 of 2021 on housing and settlement area management in the Bungo Regency and what obstacles were faced in implementing this regulation.

Theoretical Framework

The research results by Patawari et al. (2020) showed no provision for public facilities in the house sale and purchase agreement, but there were rules governing public facilities. Meanwhile, research conducted by Himan et al. (2018) reported that environmental conditions in settlements still had facilities and infrastructure that did not meet the Minimum Service Standards (SPM).

Policy Implementation

Warwick in Purwanto (2015) defines implementation as an agreement. The implementer must continuously associate with environments, relations, and stakeholders. Administration and organizational strengthening must also be considered as a reinforcement and background, but the primary key to successful implementation is swiftness in overcoming obstacles. One matter that must be considered and no less critical is adjustment within the organization, attempting to put yourself in a neutral position. Implementation is channeling a policy set to targets to achieve the specified goals optimally. Implementation objectives are expected to be effective for the target group.

According to Van Meter and Van Horn in Syahruddin (2017), policy implementation is an activity carried out by individuals, governments, or private organizations whose actions have been regulated in a policy to achieve goals. In this case, it can be concluded that policy implementation relates to three things: first, policy actors carry out activities in implementing public policy; second, some goals are things to be realized or achieved; third, the outcomes of implementing the policy.

Policy Implementation Approach

The policy implementation approach contains a perspective on how the implementation of the policy is carried out. There are three approaches, including top-down, bottom-up, and hybrid.

1. The top-down approach is oriented, implying that the implementation of policies comes from the government and is centralized. This approach is also called a centralized approach, which assumes that the central government must carry out decisions from the central government and must be carried out by the government and agencies at all levels, especially at the lowest level. This approach assesses the obedience of the lower levels of government in carrying out decisions made by the central government.

2. This bottom-up approach arises because of the process of the top-down approach. The protest assumes that the problem must be resolved from its roots, i.e., the lower level of government, which is then conveyed to the lower level of government. This bottom-up approach seeks to explore what the lower-level community demands, to be conveyed to the top-level government through the people's representatives to discuss and find solutions.

3. This hybrid approach appears to accommodate the shortcomings of the two approaches above. The hybrid approach is a collaboration between top-down and bottom-up approaches. This approach is oriented that policymakers can utilize available resources for a policy and must be able to determine who is authorized to carry out policies and determine target groups.

Policy Implementation Model

Policy implementation is implementing a policy that policymakers established and agreed upon. In implementing a policy, a model is needed to support the success of implementation by Edward III.

The implementation model initiated by George Edward III has four indicators (Agustino, 2017):

1. Communication

Communication is an indicator because it is considered significant in implementing policies. In carrying out a policy, it is necessary to communicate between policy actors. Communication must be carried out in implementing policies, such as communication about the main tasks and functions of institutions that become implementing policies' actors. Communication must be accurate, consistent, and precise.

There are three things in measuring the success of the communication variable, such as:

a) Transmission: a good communication distribution will also lead to good implementation. Most distribution of communication is frequently misunderstood or miscommunication. It occurs because the communication conveyed has passed through several levels; thus, the communication that has been conveyed can be damaged.

b) Clarity: the communication delivered and received by the implementers must be clear and not have multiple interpreters; hence, it becomes confusing. Sometimes unclear information is not an obstacle in implementation, but clarity is needed to achieve the desired and consistent goals.

c) Consistency: communications given and received must be consistent, not confusing the implementer in their duties.

2. Resources

Resources are related to the process of policy implementation. George C. Edward III in Agustino (2017) states that there are four elements of resources:

a) Staff are also called human resources (HR). It often happens that the failure of implementation is caused by human resource problems, both from the inaccuracy of the numbers and the lack of competence of the human resources. Aligning the number of staff with the needs of the implementer cannot determine the success of an implementation.

However, it also requires competent human resources who are placed according to their expertise.

b) Information in the resource indicator is divided into two pieces of information regarding the main tasks and functions, which contains information on the attitude of the executors toward the rules and regulations that have been set.

c) Authority is the right or legality for implementers to carry out policies. If the implementer is not authorized, the implementation process can fail. However, in other contexts, granting authority to implementers is frequently misused for personal gain.

d) Facilities, implementers may have employees or staff in executing an implementation. Nevertheless, it needs support in the form of facilities, especially physical facilities such as facilities and infrastructure, to support the implementation well.

3. Disposition

The disposition or the implementers' attitude is also an essential factor. In implementing, implementers should understand their primary duties and functions and must be capable in their field. It is essential to avoid failure or irregularities in the implementation process. Three things need to be considered in the disposition variable, according to Edward II in Agustino (2017), are:

a) The Effect, disposition effect is, indeed, significant because this effect often causes problems in the implementation process. Policy implementers who carry out their duties are not based on what has been determined by high officials which will certainly cause obstacles in the implementation process. Therefore, the selection of policy implementers must be for people who have contributed to the policies being implemented and have views for the people's welfare.

b) Bureaucratic arrangements relate to selecting appropriate staff with educational backgrounds, abilities, and capabilities in the required field. This bureaucratic arrangement is also related to creating a good public service system and evaluating staff at work.

c) Incentive; Edward states that to overcome various implementer problems, it is necessary to manipulate compensation. Increasing incentives implies that it can improve the performance of staff and implementers with benchmarks for meeting personal needs.

4. Bureaucratic Structure

The bureaucracy structure is the order or level of the implementers' organization or bureaucracy. Even though implementation has implementers that match the expertise and the accuracy of the staff needed, and the implementers have a high sense of love for the country, a policy will still fail due to a weak bureaucratic structure. Complex policies require the coordination of many parties; thus, inconduciveness often occurs, which causes resources to be ineffective and unmotivated. Authorized bureaucracy should support the implementation by applying good cooperation.

RESULTS AND DISCUSSION

One of the implementations of Government Regulations is Government Regulation Number 12 of 2021 on housing and settlement area management, especially in Bungo Regency, referring to the George C. Edward III Implementation model with four indicators: communication, resources, disposition, and bureaucratic structure.

1. Communication

In carrying out housing implementation related to facilities, infrastructure, and utilities as supporting equipment to become a livable place to live in; communication applied by stakeholders is through socialization activities by inviting all related parties, including developers who also inform development implementation related to the provision of housing facilities and infrastructure and utilities. However, based on observations in the field, the communication made through invitations for the socialization of housing

administration has not run optimally because not all developers can attend the socialization of these activities.

2. Resources

Resources are related to the ability of the workforce or designated staff to carry out their job duties and responsibilities, which are supported by information, facilities and infrastructure, and utilities that assist the resources owned by the Perkim Office of Bungo Regency to implement Government Regulation Number 12 of 2021 on housing and settlement area management; on the other side, assisting the implementation of housing development activities in the implementation of housing construction that is livable and must be completed.

Based on the results of the interviews above, it can be explained that the implementations of housing are considered from the indicators of human resources; human resources or staff were needed in implementing housing development by building working groups (Pokja) because there were still developers who have not provided the facilities so far. The complete infrastructure and utilities needed to become appropriate or livable housing.

3. Disposition

The disposition or attitude of policy implementers is an essential factor in the approach to implementing a policy; they must not only find out what will be done but also be able to implement it. Hence, in practice, it is not biased to avoid failures and irregularities in the housing development implementation process because policy implementers who carry out their duties are not based on the stipulated matters, besides that disposition relates to the selection of staff according to educational background, abilities, and capabilities in the fields required in bureaucratic arrangements. It also relates to creating a public service system and the incentives provided to improve the performance of housing development planning implementers.

Based on the results of interviews with the implementation of the housing development plan, considered from the disposition indicators of the Perkim Office of Bungo Regency as an internal party, they have responded the developer that cannot fulfill the provision of facilities, infrastructure, and utilities needed and have promised the people who occupied the housing by giving a warning. However, heretofore, there are developers as external parties who do not respond to the warnings given by the Perkim Office of Bungo Regency; hence, housing is still found with damaged access roads, poor drainage, unavailable public facilities, and unavailability of green open spaces and street lighting which has an impact on housing that looks slum and can be at risk of flooding during the rainy season if not addressed immediately.

4. Bureaucratic Structure

Considering the indicators in implementation, some implementers match the expertise and accuracy of the staff needed, but a policy will fail because of a weak bureaucratic structure that is given authority to support the implementation of housing development by applying good cooperation.

Based on the results of interviews, it could be explained that the implementation of the housing development plan according to the indicators of the bureaucratic structure of the Perkim Office of Bungo Regency, has placed people whose skills and were expected to have responsibilities based on their positions in the bureaucratic structure, which helped carry out housing development to construction housing until it was completed. However, the bureaucratic structure was only a formality in the field; thus, the need for facilities, infrastructure, and utilities to support housing facilities was still unfulfilled. It indicated that implementing housing development was a form of government regulation Number 12 of 2021 on housing and settlement area management in Bungo Regency has not run optimally.

Furthermore, the development implementation standards technically required facilities and infrastructure for housing development in Bungo Regency. Therefore, the researchers also collected information through interviews, which the results are as follows:

1. Facilities

   Facilities, in this case, are related to the implementation of housing development and facilities provided by the developer for people who live in settlement areas to support the implementation of livable housing, such as the availability of green open spaces and public facilities.

   Based on the results of the interviews, it can be explained that in the implementation of the housing development, after the housing development permit was issued, there were still developers who built housing not follow the plan that had been agreed upon by the developer with the Perkim Office of the Bungo Regency. There were still developers who, in carrying out housing development, did not provide facilities in the form of green open spaces and public facilities for community worship who lived in the housing.

2. Infrastructure

   In the implementation of housing development, there is a requirement that must be fulfilled by the developer; thus, the permit for housing construction is provided with the central infrastructure; hence, it becomes a settlement environment that meets specific standards for the need for a decent, healthy, safe, and comfortable place to live by providing a road network, rainwater drainage, clean water for consumption, sewage or sanitation, and garbage disposal.

   Based on the results of the interviews, most of the housing developers have complied with the infrastructure for housing development. Nevertheless, there were still access roads that were not in line with the housing development plans made previously with the Perkim Office of the Bungo Regency.

3. Utilities

   In planning settlement housing construction, utilities are completeness that supports settlement environmental services, such as the availability of electricity networks. Based on the results of interviews, the developer has implemented all housing development utilities as a supporter of the implementation of livable housing development to make people want to become residents and live in the settlement area. However, it differed from the electricity network in the form of street lights that were not operating. Whereas facilities, infrastructure, and utilities were still not operating optimally because it was still found that housing or developers in the implementation of housing development did not have SOPs that had been agreed upon with the Perkim Office of Bungo Regency, such as the unavailability of green open spaces, access roads that were still damaged, and electricity networks for lighting street lamps that had not been provided or could not be operated.

CONCLUSION

The implementation of Government Regulation Number 12 of 2012 on housing and settlement area management in Bungo Regency has been carried out by related parties; in this case, the Housing and Settlement Areas Office of Bungo Regency and the Developer. However, it was not optimal because the implementation of housing development was still related to providing facilities, infrastructure, and utilities, which have not been fulfilled because there were still housing or developers carrying out developments that were not in line with the plan for implementing housing development that has been agreed upon with the Perkim Office of Bungo

Regency, such as the unavailability of green open space, road access that was still intact, and electricity network for street light lighting which has not been provided or not operational.

REFERENCES

Agustino, L. (2017). Dasar-dasar Kebijakan Publik. Bandung: Alfabeta.

Arikunto, S. (2014). Prosedur Penelitian suatu pendekatan praktik. Bandung: Rineka Cipta.

Gunawan. (2013). Metode Penelitian Kualitatif Teori dan Praktik. Jakarta: Bumi Aksara.

Hilman. (2018). Analisis Ketersediaan Prasarana dan sarana pemukiman nelayan Kleurahan Lakologou Kecamatan Lokalokuna. Jurnal Perencanaan Wilayah.

Patawari. (2020). Implementasi penyediaan fasilitas umum, Fasilitas sosial Dalam Rangka Pembangunan Perumahan di Kawasan Pemukiman. 80-88.

Purwanto. (2015). Implementasi Kebijakan Publik. Yogyakarta: Grava Media.

Sugiyono. (2014). Metode Penelitian Administrasi. Bandung: Alfabeta.

Syahrudin. (2017). Implementasi kebijakan Publik Konsep, Teori & Studi Kasus. Bandung: Bumi Aksara.

Undang-Undang Dasar Republik Indonesia Tahun 1945

Undang-Undang Nomor 1 Tahun 2011 Tentang Perumahan dan Kawasan Pemukiman

Udang-Undang No 39 Tahun 1999 Tentang Hak Asasi Manusia

Peraturan Pemerintah Nomor 1 2 Tahun 2021 Tentang Penyelenggaraan Perumahan Dan Kawasan Pemukiman

Peraturan Daerah Kabupaten Bungo Nomor 14 Tahun 2014 Tentang Rencana Pembangunan dan Pengembangan Perumahan Dan Kawasan Permukiman.