



Urban Development Policies in Nigeria: Planning, Housing, and Land Policy

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Abstract

Nigeria's cities, as elsewhere in Sub-Saharan Africa, lack adequate infrastructure for housing, sanitation, water, and open space amenities. Much of this is due to the absence of land planning statutes that encompass the evolving functions and responsibilities of urban areas, as numerous Nigerian research studies have documented. This paper reviews the status of urban planning in Nigeria and calls for a revision of existing planning statutes to take into account the growth in demand for urban infrastructure services. This article is reproduced with permission from *Urban Law and Policy*, 8, 1986. This article is a revision of a paper presented at the World Congress on Land Policy 1986 held July 7-11, in London, England, sponsored by the Lincoln Institute of Land Policy, the International Center for Land Policy Studies and the Urban Land Institute, chaired by Frank Schnidman, Senior Fellow of the Lincoln Institute.

1. Introduction

Nigeria is the most urbanized and largest country in population in black sub-Saharan Africa. In its last official census in 1963, its population was 55.6 million. In 1973, it was estimated to be 79.7 million; in 1983, 90 million, and in 1986, close to 106 Million. All of this population resides in a land area roughly equal to California and Arizona combined. Urban areas represent less than 10% of the land area of the country, yet accommodate 28% of the total population. The urban growth rate is 3 to 5 times greater than the rural growth rate [1]. In the federal capital city of Lagos alone, an annual growth rate of 15% is registered, with its population doubling every 10 years. In 1963, Lagos had a population of 1 million and in 1986 its population is close to 4 million. Throughout the country, the annual urban growth rate is estimated to be between 6 and 10%. This increasing urbanization is producing the need for urban and regional planners in Nigeria to develop policies which can control and manage urban development. This paper discusses how various Nigerian urban planners and geographers analyze three major policy areas which directly relate to attempts to control urban development: planning, housing and land policy

2. Planning Policy

The Nigerian Town and Country Planning Ordinance of 1946 constitutes the legislative basis for all laws and regulations governing urban and regional planning up to the present. The Act was designed to promote order in urban development by establishing planning authorities which could control urban growth and was modeled on the British Town and Country Planning Acts of 1932. The Nigerian Ordinance empowered local planning authorities to initiate urban plans "coordinating and facilitating the construction of public utility services, transport, communications, and other public services as well as conserving and developing the resources of the area concerned" [2]. Generally, it is considered to be an ineffective tool for controlling national urban development.

Some Nigerian writers assert that the Ordinance constitutes a drawback to rational urban development since it "restricts the activities of a planning authority simply to estate development and building control." The noted Nigerian urbanist Mabogunje states that, "the Ordinance limits planning to providing a physically attractive layout with architecturally well-designed houses, but does not give planning authorities sufficient powers to implement major plans" ([3], pp. 10-11). Yet, other Nigerian writers have commented that "the legislative objectives of the law range beyond physical planning... and beyond the undertaking of improvement works." Adeniyi believes that "the Ordinance empowers the Federal Government to intervene and promote urban and

regional planning in specific states" ([4] p. 37). Yet while disagreement exists over the provisions of the Act, generally all the commentators would agree that few, if any, major urban and regional plans have been carried out under its auspices.

Reasons given for the ineffectiveness of the major planning Ordinance are:

- (1) that the national government stresses economic planning and downplays physical planning generally;
- (2) that local planning authorities are subject to excessive political interference in matters relating to development control;
- (3) that funding is inadequate to implement local planning schemes;
- (4) that there is a lack of a well-trained planning workforce at all governmental levels - federal, state and local; and that there is little coordination between planning levels: "instead there is usually competition between the local political authority and the local planning authorities [4].

On this last point, Nigerian geographer Ajaegbu discovered in a study of planning and Development in Jos, Nigeria, that five principal government agencies influenced urban development in that city, but lacked overall coordination and integration in result. In fact, all of the following influenced urban development in Jos: the Local Authority, the Water Board, the Town Council, and the State Ministry of Works. Hence, Ajaegbu agrees with urban planner Braimah that the proliferation of agencies responsible for urban development produce independence of action, unresolved responsibilities, and a woeful lack of coordination in urban development planning [5].

Another area of lack of coordination is the inherent conflict between planning policy and national economic policy. After Nigeria gained independence in 1960 it engaged in a policy of import substitution and manufacturing development. In order to establish factories, it was necessary to import raw materials, hence, the reliance on ports as manufacturing centers as the cost of locating close to ports was considerably less than locating inland.

The government encouraged this development through incentives such as income tax relief, exemptions from payment of customs on raw materials or machinery used in manufacturing, the so called "approved user's scheme," the provision for accelerated depreciation of capital assets, and a special duty placed on imported manufactured goods which competed with locally manufactured goods. These measures tended to concentrate industry in Lagos, as it garnered 40% of total industrial employment and over 50% of the

industrial wages and salaries of Nigeria ([6], p. 12). In effect, Nigerian economic policy after independence tended to reinforce the existing dominance of the older urban centers.

Attempts on the part of the national government to balance urban growth and maintain a distribution of urban places of different sizes was perhaps a motivation for decentralizing the administrative structure of the country by creating 12 states in 1967 and eventually to the present 19 states in 1976. In each one of the new states, the capital city has become a major growth pole for the area. Yet, some writers believe that although this policy has produced significant growth in the state capitals, it might have discouraged the development of secondary or tertiary cities in each of the state regions. ([7], p. 10).

Another reflection of urban growth concentration is what Ajaegbu sees as the creation of four industrial-urban conurbations in Nigeria: the Lagos-Ibadan conurbation, the Kano-Kaduna-Zaria-Jos conurbation, the Benin-Sapele-Warri conurbation, and the Port Harcourt-Aba-Onitsha-Enugu conurbation. According to Ajaegbu, "in spite of the spread and decentralization of urban centers of the various grades, we are beginning to witness, with industrialization and urbanization, the merging of some closely located and sprawling urban centers with their urban areas, in those parts of the country that are most favored for industry and by population movements ([8], pp. 56-57).

One of the major reasons why regional imbalance is so prevalent in Nigeria is due, according to various Nigerian writers, to the lack of a national urban policy. In the National Development Plans of the 1970's, little attention was given to urban and regional planning. In fact, in the Nigerian Constitution of 1979 there is no mention of the role of the Federal Government in urban and regional planning. But that is not difficult to comprehend since the Nigerian Constitution of 1979 was modeled on the United States Constitution, which also neglects the federal relationship to cities.

Generally, the Nigerian government has chosen to treat urban and regional planning as an appendage of economic planning, using national expenditures for infrastructure as the means to control economic growth and hence urban development. It has extended its role in urban regional planning to some extent by providing funds for the creation of urban master plans, but the Federal Government has never become involved in implementing any of these master plans ([1], pp. 28, 29). Brimah believes that by creating a national urban policy through a national urban and regional plan document, it would provide a general framework for the distribution and size of urban centers, and relate the urbanization process to general national development goals by highlighting the specific development roles of cities (5).

When discussing national planning policy, one major area where the federal government did take the initiative was in the building of a new national capital in Abuja. A planned national capital which was designed to accommodate 1.6 million people by the year 2000: the planning of Abuja represents both the dream of creating a city which follows the best principles of planning, emphasizing sector and neighborhood development, and the folly of undertaking such an immense project in an area without any established infrastructure and without trained manpower to carry out its construction.

There is a consensus among Nigerian writers that the idea of moving the capital away from Lagos to an area of Nigeria where no one ethnic group dominated, was positive. Lagos, as the Aguda Panel had stated, has its limitations: it possessed little land for growth; was located in a swampy and unhealthy area; was the home territory of one ethnic group; was too large and congested; and provided the dual functions of a state capital and federal capital. It was an appealing idea to move the federal capital to the center of the country: in an area claimed by no one group; where the climate was healthy and there was adequate land for development; and where the new federal capital could stimulate an economically lagging middle region. But, as many writers have pointed out, an urban policy directed toward national pride and unity seemingly became a bottomless pit of expenditure. While Nigeria does have something to show for its expenditure of billions of naira, it has not measured up to expectations [9].

3. Housing Policy

The production of housing in Nigeria is primarily a function of the private market. Approximately 90% of urban housing is produced by private developers. Due to housing demand created by rural-to-urban migration, which accounts for 65% of urban population growth, the fixed supply of urban land, and the inflation of rental and housing ownership costs, Nigerian analysts have focused on three major reasons for the inadequate housing supply: [10-12].

- (a) The shortage of qualified and experienced tradesmen has made it impossible for the Nigerian building industry to meet the demand for housing. This lack of qualified tradesmen can be traced to the collapse of the apprenticeship system due to increased affluence produced by the oil boom, which has directed the attention of young people away from the skilled manual trades, and toward more education as the means of upward mobility. Professor Agbola believes that the lack of prestige for technical education, the lack of competent teachers in technical education, and the

- decline of the apprenticeship system all have produced a poorly performing construction sector, where winning a contract and mobilization fees became the key to wealth, not housing production.
- (b) Another serious constraint to the expansion of housing is the difficulty of acquiring land for new construction. This had been one of the main causes for the rapid increase of rents in urban areas. It is now estimated that over 25% of new construction costs are attributable to land costs. The Land-Use Decree of 1978 and the subsequent Land Use Act of 1980 were produced to make it possible for urban land to be put into building production more quickly. By taking ownership control away from the traditional owners, the extended family, and indigenous community and placing it with the state governors and the state Land Allocation Committees, the Land Use Act was supposed to break up traditional ownership control and produce a more efficient land system. While the law exists, in fact, it has yet to be effectively implemented by the authorities.
 - (c) Public housing has not been able to produce enough housing to meet the housing demands of Nigerians. From 1979 to 1983, public housing had designated a goal of 200,000 new housing units. Only 37,650 housing units, or 19%, were actually built. Also, public housing is too expensive for low-income groups. Approximately 70% of the population cannot afford public housing, so public housing becomes a housing solution for the elite, and not the common man. Secondly, public housing is generally built on the urban periphery, usually in an isolated location, away from the jobs in the center.

Nigerian housing analysts have generally posited four solutions for the production of more housing:

- (1) Make housing policy a part of urban and regional planning policy by reducing the cost of housing by encouraging development of smaller and medium-sized cities. In these smaller cities, land costs would be less significant and hence would lower the overall costs of housing.
- (2) Recognize that housing policy should be more than the creation of new housing units but part of a policy of environmental improvement, i.e. solid waste collection, sewage disposal, electricity, and water supply. To accomplish this, a greater emphasis on site and services must be

encouraged. Through a site and services policy the state provides development services such as roads, water, and sewage infrastructure, while house construction remains in private hands. Through state mortgage or other credit provision strategies, home ownership could be encouraged. As Professor Umeh states: "the basic need of the low-income is a plot of land to build a simple shelter which he can gradually improve upon as his income status allows, and if the local authorities can provide such land with access roads, water and electricity supplies, the owner may obtain a small loan to build a basic shelter." [13].

- (3) New housing must be built with the tropical climate of Nigeria in mind. According to Professor Sule, it might be more practical to build houses with thatched roofs and mud walls from an environmental and economic perspective than to build with corrugated iron roofs and large amounts of glass [14].
- (4) Finally, Professor Awotona, in a study of Idi-Araba, a Lagos housing project of 10,000 people which is designated a slum, finds that the migrants have not been pushed out of the rural areas, but have been lured to Lagos by better jobs. While the rural areas could meet the income requirements of the migrants to satisfy their rising expectations, nevertheless Awotona finds they opted to leave their home area and live in Lagos due to the expectation of higher paying jobs. While a large majority indicated a dissatisfaction with their housing environment and 43% criticized government for not improving their housing conditions, there was little radical political activism evident in the population. When Awotona asked his sample survey which of the following six housing policies they preferred: government housing, self-help programs, credit facilities for home ownership, housing cooperatives, rent controls, or housing rehabilitation programs, they selected housing rehabilitation programs. Hence, Awotona concludes that the chief role of government in housing would be to provide serviced urban land with adequate environmental and community facilities, and a supply of sufficient financial support to enable the low-income people themselves to upgrade their self-constructed shelter [15].

4. Land Policy

Land policy in Nigeria is intricately tied to urban planning and development. Land policy has had a significant impact over housing production; the ability of urban areas to

expand into rural areas; and the ability to use land more effectively. All previous land policy up until the Land Use Decree of 1978 and the subsequent Land Use Law of 1980 was restricted to specific areas, mainly North and South.

In traditional society, land was not owned by any individual but was vested in the group, which might be the extended family, the village or the community. Land assignment was on a freehold basis by the community Chief. During the colonial period, individual ownership was introduced, particularly in Lagos, and hence, two different forms of land ownership emerged: individual and communal land tenure.

With the Land Use Decree of 1978, individual ownership was disallowed, and the state governor replaced the chief, family head or emir as the controlling force behind the land. This was done in theory at least so that land acquisition by government would be made easier for urban expansion: so that ethnicity would be less of a factor in land ownership in urban areas as indigenous groups often controlled land in the older urban areas; to encourage the non-indigenous population in the city greater accessibility to land, and to curtail land speculation by limiting the amount of land owned by individuals.

The Decree provided that Land Allocation Committees which would be created which would dispense the land through the granting of Certificates of Occupancy. While the Land Use Decree sought in theory to break up large land holdings, and hence facilitate the transfer of land for housing development and to encourage rehabilitation of older indigenous areas in prime commercial locations in city centers, in reality, it has not accomplished these ends. The traditional authorities still exert influence over the land and generally refuse to relinquish their control over it, and the Decree has not stopped land speculation or land hoarding. While the Decree looks good on paper, Professor Okolocha states that the powerful have manipulated the system: the state lacks the will to implement it; and generally the principles have not been upheld [16].

In conclusion, the attempts to control and manage urban growth constitute a major theme in Nigerian development. The Nigerian urban planners and geographers discussed in this paper believe that the following policies would establish an agenda for planned and orderly urban growth within a framework of social justice:

- (1) the need for coordination of urban planning between various levels of government and between agencies of government;
- (2) the creation of a national urban plan which would relate economic planning to regional balance and physical planning;

- (3) the need to encourage the development of small and medium-sized cities as a way to reduce regional inequalities and the trend toward primary dominance;
- (4) the need to encourage more indigenous housing designs which utilize local building materials, mesh with cultural traditions, and adhere to the environmental restraints of a tropical climate;
- (5) to utilize a site and services policy whereby government provides physical infrastructure services to low-income housing residents who rehabilitate or improve existing housing rather than rely exclusively on public housing;
- (6) to enforce the existing Land Use Decree of 1978 (Land Use Act of 1980) which would facilitate the alienation of land for development, would reduce the restrictions of traditional ownership which inhibits urban rehabilitation, and peripheral urban development and produce a more efficient land system.

Notes

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