

# Incorporating informality into urban and regional planning education curriculum in Nigeria

Leke Oduwaye & Oluwafemi Olajide

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## Abstract

To achieve sustainable development in any society the educational system must be responsive to the dynamics of that society. This article discusses issues on the level of training on informality in African planning schools with emphasis on the Lagos, Nigeria situation. The article reviews the concept of informality, the challenges, the quantum of training in planning schools curricula on issues relating to the informal sector, legislative tools available to tackle the phenomena, among others. The article concludes that there is currently inadequate training and paucity of legislation to guide the integration of the informal sector into the urban system in the study area. In the light of these findings, the need for responsive planning education curriculum in Africa is imperative. There is the need to teach on issues concerning the sporadic emergence of the informal sector in the African urban landscape. This is one of the major consequences of 21<sup>st</sup>-century African urban growth. Unfortunately, African planning schools curricula are based on standards of developed countries; thus formal training on planning solutions for the informal sector are not well entrenched, nor adequate planning regulations provided to integrate the informal sector into land use. To achieve a sustainable city landscape this article recommends the need to introduce courses such as informality, community engagement, social mobilisation, participatory planning, among others, in planning curricular. This will go a long way in improving the skills of planners towards resolving the challenges posed by the sporadic phenomena of the informal sector in Nigerian cities.

## INSLUITING VAN INFORMALITEIT IN STADS- EN STREEKBEPLANNING ONDERRIGKURRIKULUM IN NIGERIË

Om volhoubare ontwikkeling in enige gemeenskap te bereik moet die onderrigstelsel reageer op die dinamika van die gemeenskap. Hierdie artikel bespreek probleme oor die vlak van onderrig op informaliteit in beplanningskole in Afrika met die klem op die situasie in Lagos, Nigerië. Die artikel ondersoek die konsep van informaliteit, die uitdagings, die omvang van opleiding in beplanningskolekurrikula oor ander probleme rakende die informele sektor asook beskikbare wetlike hulpmiddels om die uitdaging aan te pak. Ten slotte dui die artikel aan dat daar tans onvoldoende opleiding en gebrek aan wetgewing is om die integrasie van die informele sektor na die stedelike stelsel in die studiegebied te lei. Gesien in die lig van hierdie bevindinge is die behoefte aan responsiewe beplanningsonderrigkurrikula in Afrika noodsaaklik. Daar is 'n behoefte om onderrig te gee oor probleme rakende die sporadiese verskyning van die informele sektor in die Afrika stedelike landskap. Hierdie is een van die belangrikste gevolge van stedelike groei in Afrika van die 21ste eeu. Ongelukkig is beplanningskole in Afrika se kurrikula gebaseer op ontwikkelende lande se standaarde en dus is formele opleiding oor beplanningoplossings in die informele sektor nie goed gevestig nie en is daar ook nie voldoende beplanningsregulasies verskaf om die informele sektor in grondgebruik te integreer nie. Om 'n volhoubare staatslandskap te behaal, beveel hierdie artikel aan dat die behoefte om kursusse soos informaliteit, gemeenskapbetrokkenheid, sosiale mobilisasie en deelnemende beplanning in beplanningskurrikula opgeneem moet word. Dit sal baie help om die vaardighede van beplanners in die oplossing van uitdagings wat deur die sporadiese verskynsels van die informele sektor in Nigeriese stede veroorsaak is, op te los.

## HO KENYELETSA HO HLOKA BOTSITSO KA HARE HO KHARIKHULAMO YA MORALO WA THUTO WA PHALLELO YA BATHO HO YA DIBAKENG T SA METSE YA DITOROPO ESITANA LE MABATOWA

Ho fihlella le ho atleha ho boloka ntshetsopele setjhabeng sefe kapa sefe mokgwa wa thuto o tlamehile ho ba le dikarabo diphetohong tsa setjhaba seo. Pampiri ena e

buwa ka ditaba tse boemong ba thupelo ya ho hloka botsitso moralong wa dikolo ho la Afrika ho toboketswa haholo maemong a motse wa Lagos ho la Nigeria. Pampiri ena e tadima hape mohopolo wa ho hloka botsitso, diphepetso, boholo ba thupelo moralong wa dikolo wa kharikhulamo ditabeng tse amanang le lefapha la ho hloka botsitso, disebediswa tse teng ho tadimana le mathata a jwalo. Pampiri ena e qetella ka ho re ho na le thupelo e sa lekanang esitana le kgaello ya molao ho tataisa kopanyo ya lefapha le hloka botsitso mokgweng wa phallelo ya batho metseng ya ditropeo lekaleng la boithuto. Tabeng ena ya diphihlelo tsena ho hlokeha kharikhulamo ya moralo wa thuto e ka fanang ka karabelo ho tsona ke ntho ya bohlokwahadi. Ho a hlokeha ho ruta ka ditaba tse mabapi le ho ropoha mona le mane ha lefapha la tse hloka botsitso mmampeng wa phallelo ya batho dibakeng tsa metse ya ditropeo ho la Afrika. Ntho ena ke mathata a maholo a kgolo ya dinaha tsa mongwahakgolo wa bo21 dibakeng tsa metse ya ditropeo. Ka bomadimabe dikharikhulamo tsa moralo wa dikolo wa Afrika di theilwe hodima maemo a dinaha tse hlabolohileng kapa tse tswetseng pele, ke ka hona thupelo e hlophisitsweng le e tsitsitseng ditharolong tsa moralo mabapi le lefapha le hloka botsitso, di sa hokahannngwa, kapa hona ho fana ka melao e lekaneng ya moralo ho kopanya lefapha le hloka botsitso tsebebedisong ya lefatshe kapa naha. Ho atleha ho boloka mmapa kapa sebopeho sa motse wa ditropeo pampiri ena e kgothaletswa tlhokeho ya ho fana ka dithuto tse kang ho hloka botsitso, tsebebedisano le baahi, tsebebedisano le batho ka kahisano, moralo wa kenela hara tse ding kharikhulamong ya moralo. Ntho ena e tla thusa haholo ho ntlafatseng mahlale a baradi malebana le rarolla diphepetso tse thakgolwang ke mathata a itjhalang mona le mane a lefapha le hloka botsitso metseng ya ditropeo ya naha ya Nigeria.

## 1. INTRODUCTION

In most African countries, land defines the social, economic and political relations in society, especially in urban areas. It provides the basis upon which planners predicate their strategies of development (Wanjala, 2002). In many cities of the global South, urban land can either be obtained formally or informally, and the informal sector provides more land to land seekers (including the majority of the poor) than the formal sector. Nevertheless, the mechanisms of the informal land sector are usually ignored and

Prof. Leke Oduwaye, Department of Urban and Regional Planning, Faculty of Environmental Sciences, University of Lagos, Akoka, Lagos, Nigeria. Phone: 234-8026833667, email: <leodwa@yahoo.com; aodwaye@unilag.edu.ng>

Mr Oluwafemi Olajide, Department of Urban and Regional Planning, Faculty of Environmental Sciences, University of Lagos, Akoka, Lagos, Nigeria. Phone: 234-8026833667, email: <olajideao@yahoo.com>

are hardly understood and documented (Mabogunje, 1992).

The informal sector encompasses a wide range of areas such as environmental, spatial, economic, and social, covering business activities, employment, markets, settlements, and neighbourhoods. Most urban households in African countries live in informal settlements and work in the informal economy due to their often exclusion from the formal systems of land management and economic activities. Larger percentages of new employment and housing are produced informally, a trend that is pronounced in sub-Saharan Africa and particularly in Nigeria (Nkurunziza, 2007: 512, 525).

With the transformation due to globalisation, which has further impoverished poor African cities, the situation is now more severe. For example, the emergence of informal land use in Nigeria's landscape has been overwhelming, but unfortunately there is neither adequate training nor planning laws and regulations with provisions on how to tolerate the scenario and incorporate such development into the larger urban development plan. The existing planning and related land-use policies and regulations failed to envisage the magnitude of informal land use in the urban landscape in Nigeria; thus, planning policies are not proactive. Those engaged in such activities are considered social evils, resulting in total neglect and the adoption of eviction measures.

Similar to the case of Nigeria is the Western Cape Province of South Africa where a similar situation persists. Even though plans have the force of law, they are, to a large extent, ignored in the poorer parts of the city where the use of land changes informally and frequently (Watson, 2010). In Tanzania, the conventional urban planning was introduced with racial segregation building codes in 1912, whereby the European, Asian and African areas were designated separately (Nnkya & Lupala, 2010). This approach was repealed and replaced by the Urban Planning Act of 2009 in order to make planning responsive to the socio-economic, physical and political environment of Tanzania.

More severe is that buildings, especially those for commercial purposes, are placed on very high rent/lease. In a situation where prospective users are not capable of paying such high rent, they erect or organise substandard structures in which they can transact their business such as selling points, office spaces, and

so on. The type of development that emerged through the process narrated above is usually not in conformity with operative planning standards and regulations; thus, they are termed informal development and the activities taking place in them are also classified as such.

Since larger percentages of the population live in informal settlements and are employed extensively in the informal economy, their activities influence the socio-economic and physical development of cities which is of particular interest to the planning profession. Higher planning education curricula in many African countries were based on templates drawn from their colonial governments. Thus, teaching in these courses is not well disposed to insights into informality. In addition, early planning schools in Nigeria started at the polytechnic levels with strong emphasis on planning and design, thus lacking in-depth theoretical analysis of factors influencing planning. Therefore, planners must be well trained to confront such a challenge. This article therefore presents a case for the inclusion of informality in urban and regional planning programmes/curricula.

## 2. EMERGENCE OF INFORMALITY IN NIGERIAN CITIES

Informal is anything that is conducted without formality or ceremony. Informality means the manifestation of informal processes in physical and social development. The term 'informality' has lately been used to describe the process of informal residential developments, any activities that affect land use, land values or physical arbitrary growth within third-world cities. It is used to denote social and economic processes that shape, or manifest in the built environment. In general, informality can cover two broad areas of human endeavour – settlements development and economic activities. Thus, informality could be viewed from both a settlements (informal settlement) and an economic perspective (informal economic sector). Informality is associated with the mass of the working poor whose productivity is much lower than that in the modern urban sector from which most of them are excluded.

The development of informal land use - the evolution of what are now described as informal settlements - was blamed in the 1970s on the tendency of the private land market to marginalise the poor (Turner, 1980). Informal land use, according to the World Bank (2006), constitutes

an expression of poor urbanisation and poverty of city dwellers as well as failed policies, bad governance, corruption, inappropriate regulations, and dysfunctional land markets. Furthermore, according to Yapi-Diahou (1994: 11-15), informal (settlement) land use originated from difficult problems of housing, immigration rate, politics, physical planning, landlessness, land tenure system, and employment, especially in the urban areas. In particular, they originate from the existing gap between the number of formal/regular land supply and the need.

More importantly is the consequence of globalisation of trade and investment on developing countries. The global forces that impact upon African cities have their origin in the historical relationships between the continent and the world economic system (Rakodi, 1997). Cities in Africa are relatively weak and unable to compete favourably with cities in developed countries in terms of productivity and foreign exchange capabilities. As a result, indigenous people are unable to operate on a large scale and their industrial capacity is substantially weakened, forcing entrepreneurial migration to the service sector of importation of consumer products and small-scale retail sales. This situation is rather compounded by globalisation due to the weak economic base and technology of African cities. For cities in Africa, their development and land-use planning must shift from managerialism to entrepreneurship, which views cities as products that must be marketed. African cities generally are not at comparative advantage to investors, thus they will be more alienated and impoverished. Planning should intervene, mediate and harmonise diverse interests for African cities to be attractive to investment.

Land in the formal market remains too expensive for the urban poor. Government allocations are slow and bureaucratic, and the land allocated for shelter is considered insufficient. Recent empirical observations in nine African countries, according to Mattingly & Durand-Lasserre (2004: 11), provide evidence that informal land systems are effective enough, in terms of the quantity delivered, to be an alternative to formal urban land delivery systems. They are less bureaucratic and more flexible than formal systems. They are more effective in reaching poor people. However, their viability, liveability and sustainability raise a series of questions as the system produces poorly planned

areas with insufficient basic services, as has been experienced in Nigeria.

Nigeria is one of the most rapidly urbanising countries in Africa and the challenges that come with this, especially in the supply of adequate land for basic services, housing and other uses, are major challenges that government faces (FMH & UD, 2003: 53-62). In order to make land available to all categories of Nigerians, government promulgated the Land Use Act of 1978, which seeks to nationalise the land tenure system in the country, and entrusts the administration in the hands of the government. Despite this effort, the informal sector remains the dominant provider of urban land and housing in Nigeria as only about 20% to 40% of the physical development in Nigerian cities is carried out with formal government approval (FMH & UD, 2003: 53-62). The weaknesses of government planning controls, and the haphazard developments associated with the informal sector have created disorderly and unhealthy urban environments (Nwaka, 2005: 5).

The Nigerian informal sector is the largest and arguably the most dynamic in sub-Saharan Africa. In the two groups mentioned earlier, urban informality exists in Nigerian cities and is characterised by unprecedented urbanisation coupled with the failure of the government to adequately provide for the basic needs of the disadvantaged groups (poor) of society. In Lagos, the rapid growth of informality was part of an unprecedented urbanisation process fuelled mainly by rural-urban migration. For instance, the population of Nigeria in 1921 was 18.63 million out of which 1.345 million were in urban areas. By 1952, 3.237 million people representing 10.6% of the country's population were in cities. By 2002, about 48% of the country's 150 million people lived in cities (FOS, 2004). The driving force for fast growth is due to migration into cities in search of better standards of living as more of the youth are receiving more formal education in high schools and universities. The growth in city population occasioned an increase in the demand for urban land for different purposes as well as an increase in demand for employment. The increase in demand was accompanied by increases in land prices, rental prices, inadequate formal land supply, shortage of formal employments, and poverty. The influx of population from outside the city coupled with a reduction in affordable housing and employment opportunities, especially from the formal sector, created acute

unemployment and housing shortage coupled with housing prices increasing beyond the reach of the poor majority. As a result of this, the poor are left with no other option but to occupy any available land, especially outside the formal system, which is mostly located in vulnerable areas of the city. Vacant government lands were also victims of this process. In a way, informal land occupation is a spatial manifestation of poverty. In Nigeria urban land is vested by the Nigerian Land Use Act (1978) on the State Government (Nigeria, 1987a). The State Government is the custodian of land with the power of allocation and revocation on behalf of the public. Generally, it takes a long time and considerable cost to complete land purchase transactions and to attain land-use planning permits. Therefore, due to the urgent need for housing, the effect of this is that urban land-use growth continues in cities without formal purchase and land-use permits from government, but in most instances purchases are done from the indigenous land-owning families, which of course are not acceptable by law. The situation is, therefore, one of a continuous struggle between legislative bottlenecks, market forces and need, shaping land use without standards. Currently, Lagos' urban agglomeration is characterised by the significant presence of the urban poor who are mostly accommodated in informal settlements and engaged in the informal economic sector, with a growing poverty profile.

In Lagos, informal settlements have multiplied over the years and the living conditions of the poor are worsening. Environmental decline, as well as inadequate basic services and infrastructure in informal settlements across the city hit the poor hardest. Informal settlements, which range in size from clusters of shacks to entire districts, are scattered across the city. The number of informal settlements and the population in the Lagos Metropolis are increasing at a very fast pace. As far back as 1984, 42 settlements were identified as blighted (Lagos State Government, 2004). This number increased to about 100 in 2004 (Lagos State Government, 2004). Nubi & Omirin's (2006) study revealed that over 70% of the built-up areas of the Lagos Metropolis are blighted. Although, at present, there is no accurate data on the exact number of such settlements and their population, there are indications that there are over 200 such settlements in the city.

Informal settlements in Lagos are located on both private and government land without access to basic services. A large part of the population of Lagos is spread across informal settlements located in vulnerable areas such as swamps, canal setbacks, rail line setbacks, and marginal land, among others, deprived of basic infrastructural services. Despite the importance of the informal sector, the operators are considered social evils. These make them more vulnerable to threats of eviction, ejection and demolition.

Since the informal sector is capable of providing services, products and economic activities that the government cannot provide with the limited resources available, incorporating informality is essential in overcoming its undesirable side effects. Incorporating informality is a win-win situation, with those in informality benefiting from inclusion in government services, credit and government orders and with governments benefiting from informally produced services, products, housing and land. Thus incorporating informality into long-term planning is essential. This will be easily achieved if it is entrenched into planners' training right from school so that the concept of informality is entrenched into the formal planning of cities in Nigeria. Based on this, there is the need to include informality in the curricula of planning education. This is discussed in the following section of this article in addition to background information on planning education curricula in Nigeria.

### 3. PLANNING EDUCATION CURRICULUM IN NIGERIA

To achieve sustainable human settlements, the need for appropriate and adequate land-use planning is inevitable. This requires the need for inclusive formal training. In order to achieve this, planning education in Nigeria made a series of attempts, and has gone through remarkable historical evolution. Planning education in Nigeria is currently on the threshold of another phase, as it is now evident that the skills of the planner require new knowledge in order to make the professional planner more relevant to the needs of the environment, on the one hand, and to create more job opportunities, on the other. Thus, the need to expand planners' training to include areas hitherto referred to as peripheral to planning, which are of major concern to this paper, should as a matter of contemporary need be the core of planning education. This is critical as it is evident

from field experience that the public is ever more willing to invest in planning activities. However, planners will have to be comprehensive in training to deal with these requirements in order to reap the full gains of public demand, rather than referring such services to other allied professionals. The implications of this are that it is now pertinent for the planner to respond to these new demands. This will require the advancement of the scope of indigenous planning education by incorporating these new challenges into planning training.

The indigenous and early Nigerian planners were trained exclusively overseas. The majority of them were first-degree architects who later obtained postgraduate qualifications as post-graduate diplomas or master's degrees in planning in Britain and the United States of America and later in Canada and Australia. The locally trained planners started at the subprofessional level at the then Technical College, now the Polytechnic Ibadan in 1961 which was attached to the Civil Engineering Department until 1968; the programme was aimed at the Intermediate Examination level of the Royal Town Planning Institute, Britain. The Polytechnic Ibadan programme later developed into the Ordinary National Diploma (OND) and the Higher National Diploma (HND) programmes and recently the Full Professional Diploma (FPD) which is a registrable qualification with the Nigerian Institute of Town Planners. The core of the Polytechnic Ibadan programme, which later became the prototype for most polytechnic programmes in Nigeria, has been physical planning and design courses with strong studio-based courses. Other planning-related courses such as building construction, valuation, management, transportation and administration are peripheral with less emphasis when compared with design-based courses such as layout planning, structure plans, urban renewal, urban design and landscape design.

In 1972, the Yaba College of Technology and the Kaduna Polytechnic joined the Ibadan Polytechnic and since then many polytechnics have established planning programmes. The Lagos State University recently introduced Diploma and Postgraduate Diploma programmes in planning but both programmes are not aimed at producing registrable graduates with the Nigerian Institute of Town Planners (NITP), rather the graduates are to complete the educational requirements by the NITP through advanced studies of master's degree.

By the middle of 1972, new schools of planning emerged in Nigeria, with the Ahmadu Bello University, Zaria (ABU) and the University of Lagos (UNILAG). These schools, probably because they are in the university system, broadened the view and scope of planning education in the country. The programmes of ABU and UNILAG diligently subscribe to the interdisciplinary approach to planning; thus many courses were offered to the students outside the department in allied disciplines.

The ABU and UNILAG programmes strongly emphasised the comprehensiveness of planning and analytical methods, which hitherto were not emphasised in earlier schools. The UNILAG programme went into eclipse after about four years of existence before it was resuscitated in 1997. The first set of the new five-year B.Sc. UNILAG programme was produced by 2003. Presently, ABU and UNILAG programmes have a strong design emphasis, especially at the undergraduate level, while the postgraduate programmes concentrate more on research and policies. All these programmes currently comply with the NITP requirements and are fully accredited by the NITP at both undergraduate and graduate levels.

In 1981, the University of Ibadan planning programme emerged in response to growing social consciousness and advance in methodology of the issues posed by the environment. The Ibadan programme started in the Department of Geography and appears to have rejected the design approach in favour of policy planning. Many graduates from the planning schools established following the University of Ibadan programme such as Obafemi Awolowo University (1977), University of Nigeria (1982), Federal University of Technology Akure (1985) and University of Lagos (1997) appear set to combine the skill of analysis with that of a designer-planner. However, one of the areas lacking in all the programmes is the present reality of urban development, i.e. urban informality, which is the result of the unprecedented urbanisation and inability of the economy and governments at local, state and national levels to adequately provide formal jobs for their citizens. This is an area which all schools will need to include in their curricula if planners are to be relevant, take their appropriate place in the built environment and be capable of addressing Africa urban challenges due to urban informality. In addition, the peculiarity of the planning system in Nigeria is that it is a process

driven by the government through her agencies; thus, planning decision-making is a top-bottom approach. Planners in government agencies often create a myth around the process to the extent that the public most often cannot easily comprehend the planning process. Therefore, there is an urgent need for community and stakeholders to become involved and to engage in the planning process in order to resolve planning challenges. These are discussed below.

#### 4. DETERMINANTS OF URBAN LAND-USE STRUCTURE IN NIGERIA

Most of the factors influencing urban land use are similar everywhere, but the level and intensity of the factors vary in magnitude from one urban centre to another. In Nigeria, the following six factors influence urban land-use structure, namely social, cultural, economic, environmental, infrastructure and institutional. This has been confirmed by various studies such as Olaore (1991) on Kaduna; Morenikeji (1997) on Minna; Okewole (1998) on Bodija; Adindu & Ogbonna (1998) on Owerri; Adedibu, Opeloye & Ibrahim (1998) on Ilorin; Okeke (2000) on Enugu; Onyebueke (2000) on Enugu; Olayiwola (2000) on urban areas in Osun State, and Oduwaye (2007; 2008) on metropolitan Lagos, Nigeria.

Socio-economic factors influencing urban land use can be viewed from the sociological, geographical and economic perspectives. Sociologists believe that human psychology is the key to the process; structure and pattern of urban land use, and other specific social factors influencing land use such as quality of neighbourhood, security, prestige, taste and ethnicity. The geographer emphasises factors such as relief, elevation, climate, location and geology. The economist suggests that the economies, which are to be obtained from using a particular piece of land, for example from its accessibility and centrality, influence land use. The economist also considers the issue of scarcity, demand, nature of use, agglomeration economies, expected revenue, speculation and intervening opportunists. The cultural factors that influence land use include ethnic origin, religion and tradition. Rapoport (1977) noted that individual aspiration to achieve culturally derived satisfaction also affects land use.

The following environmental factors influence land use: the nature of the environment, climate, soil, topography, drainage and quality of water bodies. For example, topography affects amenity ranking, although this could vary from family to family depending on their composition and preference. Topography could have a bearing on land use through its effects on development cost. In addition, the nature of existing land uses such as seaport, airport, institutions and business areas, which generate employment, increase the demand for land and therefore property value. Critical to urban land use is also the level of infrastructural facilities in different parts of the city (Litchfield, 1956). Basically, the following facilities are critical in determining urban land use: access road, good drainage, electricity, public water supply and telephone. Land values will be high in areas where these facilities are adequately available.

## 5. THE ROLE OF PLANNING LEGISLATION AND AGENCIES IN LAND-USE PLANNING AND MANAGEMENT

Institutional factors that influence land-use planning and management in urban areas in Nigeria include master planning, zoning regulations, rent laws, land acquisition policies, and sources of titles which include letters of land allocation and certificates of occupancy. Other sources of land ownership are family sources, leasehold and gifts. The type of ownership source of landed property influences its use. A landed property with a certificate of occupancy will attract higher value and use than one without a certificate of occupancy. Planning laws always specify what the land may be used for or it may stipulate that it must be let to a 'sitting tenant' at a specific rent (Olaore, 1991).

Between 1980 and the present, enacted legislations influencing land-use planning and management in metropolitan Lagos include, among others, regulations for town planning and land-use, housing and property development, traffic and transportation, urban renewal, pollution and environmental, recreation, and, rent.

Under the town planning and land-use regulations, Land Use Decree No. 6 of 1978 is arguably the most powerful (Nigeria, 1978b). The decree vested all land to belong to the state governor. Under the decree, all land is to be held in trust on behalf of the people and administered for the use and common benefit of all Nigerians. Unfortunately,

the aim of the decree has not been significantly achieved as state ownership of land has kept a large portion of the land off the market; the rate of demand for land could not be matched by the rate of government allocation of land. The people had to result to informal means of acquiring and developing land as rapid population growth increased the demand for land. This has also created a situation of dualism in land management that is formal and informal, while the informal is considered as abnormal in all aspects. Other town planning legislation influencing land-use planning and management in metropolitan Lagos is the Town and Country Planning Act (188 of 1986), which made provision for the establishment of a planning commission and a planning authority (Nigeria, 1986a). The planning commission is expected to formulate policies on town-planning activities and physical development plans such as the master plans, district plans, outline plans, regional plans and development schemes. The planning authority is expected to prepare comprehensive regional plans, re-development plans and development control.

The Town and Country Planning (Building Plan) Regulations Cap. 188 of 1986 made it mandatory for any developer intending to carry out any development to apply to the town-planning authority for approval of the building plan (Nigeria, 1986b). The Act succeeded in the establishment of building plan standards and in educating the general public on the need for a planning permit. The Town and Country Planning Regulations Cap. 188 in 1990 (governing conditions for the development of estates by private developers) states that all development on government land by private developers should comply with the provisions of this Act, and that the developer of such scheme(s) will be issued with certificates of occupancy in addition to specific agreements between such developers and the government. The legislation was enacted to empower developers to acquire large tracts of land for development. The positive results of the law manifested in the creation of many residential estates such as Victoria Garden City (VGC), Chevron Estate, Oniru Estate and Crown Estate.

The Nigeria Urban and Regional Planning Decree of 1992 and the Lagos State Urban and Regional Planning Board Edict No. 2 of 1998 (Nigeria, 1992; Nigeria, 1998) made provisions for planning at all levels of government, which is

responsible for initiating, preparing and implementing a specific class of physical development plans. They provide for the national urban and regional planning commission at federal level, state urban and regional planning board and local planning authorities. The decree was a milestone in town planning in Nigeria after the previous Town and Country Planning Act of 1946. The Lagos State Urban and Regional Planning Board and Local Planning Board Edict No. 2 of 1998 emanate from the Federal Planning Act of 1992. This edict provides for the establishment of Lagos State Urban and Regional Planning Board and Local Planning Authorities. Despite some teething problems, it has recorded significant success. Unfortunately, there has been a lack of full autonomy, and too many local planning authorities have hampered the ability to implement enforcement orders. For example, within a local government area of jurisdiction, there are instances of multiple ownership of the same piece of land by different levels of government (federal, state and local). In such cases, prospective private developers will have to purchase and obtain multiple land-use planning permits from multiple agencies at different levels of government. This is common in Lagos, Abuja and Port Harcourt. Inadequate working tools and interdepartmental conflict at the local planning authority level have also prevented progress.

The second category of land-use laws operative in metropolitan Lagos is classified under housing and property development legislation. The New Town Development Authority Act (135 of 1983) was enacted to establish the Lagos State New Town Development Authority (NTDA) (Nigeria, 1983). The basic functions of the NTDA are to develop, hold, manage, sell, lease or let landed properties, dwelling houses, offices, commercial homes and industrial buildings to persons or companies. The NTDA has succeeded in creating many residential and industrial estates in metropolitan Lagos. The Neighbourhood Improvement Charge Act (36 of 1986) made provisions for the levying of improvement charges on private estates, and on developed or undeveloped properties or land in the state (Nigeria, 1986c). Improvement charges in the area are levied if the government, at public expense, had provided infrastructure facilities by any of its agencies in a neighbourhood or if the quality of a neighbourhood has been improved. Unfortunately, this law has failed to achieve a significant impact.

The Lagos State Development and Property Corporation (LSDPC) Act (20 of 1990) was enacted to act as commercial developers and estate managers and agents in respect of landed property, dwelling houses, shopping centres, offices and industrial buildings in residential and industrial estates (Nigeria, 1990). It has the power to develop and acquire landed properties. The corporation has made a significant impact, but the high cost of construction has significantly affected its capacity to deliver properties, especially residential apartments.

The third category of laws influencing land use in metropolitan Lagos is classified as traffic and transportation regulations. The Lagos State Transport Corporation Act (104 of 1997) was enacted to provide an efficient, economic and integrated modern system of public inland transport facilities (Nigeria, 1997). The corporation set up under this law was unable to sustain its initial accomplishments. The Lagos Parking Authority Cap. 95 of 1980 provides for a parking authority to develop truck terminals, horizontal high-rises and off-street parking spaces, and charge fees on private commercial parks (Nigeria, 1980). Little has been achieved, however, as parking remains one of the major circulation land-use problems in metropolitan Lagos.

The fourth category of laws influencing land-use decisions in metropolitan Lagos is the Lagos State Urban Renewal Board Cap. 106 of 1991 which was enacted to create a board whose basic functions include continuous identification and study of areas and the drawing up of schemes for areas due for urban renewal (Nigeria, 1991). The board is also responsible for resettlement schemes. About 70 areas have so far been identified in metropolitan Lagos, with efforts already initiated to provide infrastructure and facilities in 5 of them.

Pollution and general environmental regulations constitute the fifth category of laws influencing land-use planning and management in metropolitan Lagos. The Environmental Pollution Control Cap. 46 of 1989 was enacted to provide guidelines for the control and protection of the environment (Nigeria, 1989). The major focus of the law is industrial land use, as it concentrates on the treatment and management of waste generation by the process of manufacturing, and storage of chemicals in residential and commercial areas. Manufacturers are expected to pay pollution discharge fees. Despite this

provision, manufacturing industries still discharge untreated wastes into drainage channels. In addition, the law has not been able to address the problems of noise and atmospheric pollution in Lagos.

The Lagos State Waste Management Authority Cap. 107 of 1991 provides for the establishment of the Lagos Waste Management Authority with the responsibility to remove, collect and dispose of domestic, commercial and industrial wastes, clear and maintain public drainage facilities, clean streets, as well as to remove and dispose of abandoned and/or dead animals from public areas (Nigeria, 1991). The recent registration of the private sector participation in waste management has significantly supported the appreciable effort of the waste management agency.

Rent and land-use charge regulation is another category. This law elicited emotions and confrontation. The 1996 Lagos State Rent Edit has recorded little or no success. To resolve the challenge arising from the rent edit, the Lagos State Land Use Charge Act 11 of 2001 was enacted with the aim of achieving a single property charge in lieu of tenement rates, ground rent and neighbourhood improvement charges (Nigeria, 2001). Many interested groups have opposed this and its implementation has generated many court cases against the government. From the array of legislation on various aspects of land-use planning it is expected that this will manifest in good quality environment and efficient land use in Nigeria's urban centres. However, this has not been the case due to a lack of synergy among agencies implementing these legislations.

It should be noted that one major factor has led to the failure of these laws, namely lack of consultation with the majority in the informal settlements and those working in the informal sector concerning the process and the implementation. The policies are not tailored towards land-use planning and management of the informal settlements because informal settlements are considered abnormal. In addition, the planners who formulate the policies and regulations do not even understand the working of the informal sector, let alone formulate policies, which could integrate such development into the formal sector.

## 6. CONCLUSION

Informality is a phenomenon which was not created by the planner, but which has to be managed through his competence. This article identified a major gap in the nature of the contemporary urban development challenge and the training required by the urban planners to resolve the challenge. The current educational training of planners and planning legislation are not adequate to respond to the challenges posed by informality. Furthermore, it is important to note that traditional planning practices are inadequate to resolve the present pace of urban change in Africa. Therefore, planning education should not be viewed as planning education for the 20<sup>th</sup> century, which in many African countries such as Nigeria was fashioned after colonial governments' planning education and was never efficiently restructured to accommodate current challenges, one of which being informality.

With the current pace of urbanisation in Africa, unending global financial downturn, and the poor state of African countries' financial strength, a situation where the end is not in sight, there is a need to study the situation of African informality from a comprehensive perspective covering spatial, social, economic, cultural and environmental views as well as legislative constraints. To transform the African urban landscape and equip the cities to compete favourably with cities in developed countries, there is the need for a pragmatic approach that should be derived from the socio-economic realities of Africa while making the best use of available modern globally acceptable technologies. Therefore, the curricula in African planning schools should include, among others, community engagement, social mobilisation, and participatory planning. The need to review laws relating to land use and access to land is also pertinent. In addition, urban and regional planning programmes/curricula should contain course(s) on informality to cover issues such as the concept of informality, types of informality, causes of informality, benefits and challenges of informality, global trends, relationship between informality and income, effects of informality on land-use planning standards, sources of funding of informal economic activities, trading groups and associations, government policies affecting informality, and case studies. However, at the Association of African Planning Schools level, it will be necessary to inform relevant town planning

professional bodies, and the Vice Chancellors of universities offering urban and regional planning courses about the need to include informality in their course contents.

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