

Land Development and Planning Regulations in Lokoja, Nigeria.

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Abstract— *The system of planning regulations and standards in urban areas of many countries located in the Global South has been criticised due to its unrealistic ambitious standards and bureaucratic procedures. Access to formal land and shelter is put out of reach of low-income earners who have little or no choice but to end up living in unintended settlements, illegal, poorly, and haphazardly constructed structures, within the urban centres and sometimes at the urban fringes including poor access to basic infrastructure. This research carried out an assessment of land development and planning regulation in Lokoja, Nigeria by comparing formal and non-formal residential land developments. The study employed qualitative methods of data collection with information drawn from 15 respondents. Results from field measurement and interviews were analysed using ATLAS ti and presented using the descriptive method. Findings from the study revealed that residential land development is non-formal due to exclusion of low-income earners in accessing formal land. The officials involved in the land administration have weak institutional capacity to check and control land development effectively. Furthermore, lack of political will to develop a concise framework that is workable and inclusive limits the ability of major land developers to comply fully with the planning standards and regulations. The study recommends an inclusive land administration system that reflects the characteristics of citizens, especially the low-income earners.*

Keyword— Land Development; Planning Standards; Planning Regulations; Urbanisation.

1 INTRODUCTION

There are several studies on increasing urbanisation in the global south which is of growing concern for sustainable environment and development policies [1]. Nevertheless, despite the high rate of urbanisation, authorities involved have made little efforts to offer this increasing population the essential facilities and infrastructures not to talk of planned land for orderly development. Projections show that the current world population is now at 7.3 billion projected to reach 8.5 billion by 2030, 9.7 billion by 2050 and 11.2 billion by the year 2100 [2]. By 2050, Sub-Saharan Africa annual urbanisation growth rate is expected to be 0.9% with a population growth rate of 2.9% and an added 944 million urban dwellers bringing the total population to 2.4 billion [2]. Nigeria's population is on the increase with the current population put at over 182 million inhabitants.

Land was nationalised in Nigeria in 1978 through the Land Use Act which entrusted all land to governors of each state to be held in trust for the citizens [3]. The main reasons for nationalising land were to make land available to the government at the time and harmonise land ownership in the northern and southern part of the country. Prior to colonisation, the institution of land in Nigeria was simple approach administered through customary regimes. Statutory laws regulating land only became a necessary tool used by the colonial administration to gain access to land and to regulate planning and land use [4]. It did not fully capture the situation, culture, and ideologies of the Nigerian context.

Planning standards refers to the quality of level development should conform within a planning area in terms of building height, road width, building size, roof plans. While regulations described by Payne and Majale "as rule or order of conduct prescribed by an authority by

either requiring or prohibiting certain behaviour" [5]. Regulation is an essential instrument in urban development process and the housing market. Therefore, the regulatory frameworks are necessary to achieve land development in an orderly manner, ease efficient land management, enable the poor access improved housing and credit facility, attract and guide local investment [5]. Planned approaches are more beneficial in land development as evidence shows that non-flexible regulatory system without clear methods for alteration results in obsolete procedures. However, such approach may not be justifiably consistent with emerging opportunities [6]. The authors argued that land use regulations are a necessary tool used by the government when discussing inequalities. Nevertheless, the existing regulations on land use in the global south have not achieved much because of the method of applications and many of the theories on cities functionality stem from American and European context while growth is taking place in developing countries [7]. There is limited research carried out on non-formal land development in Lokoja especially on non-formal residential development. This gap in knowledge needs understanding in terms of compliance with planning standards and regulations by developers. Therefore, the study poses questions as to 'what constitute the administrative procedures for land development and in what ways is land development not conforming to planning regulation in Lokoja?

Urban development in Lokoja city has followed the same path driven by population growth like other emerging economies faced by urbanisation challenges. The total land area of Lokoja is 3,180 sq.km with about 10.31sq.Km built-up areas as at 2005 [8]. The population of Lokoja as at 1991 was 77,519 and has increased to 196,643 in 2006 with a

growth rate of 3.03% [8]. The population was projected to have increased to 246,101 in 2014 by Census Bureau. Thus, urban development outruns planning, resulting in unorganised settlement patterns and land development in the state [9]. The urban area of Lokoja is located 200km south of the Federal Capital Territory (FCT) of Abuja in Nigeria. High demand outpaces land supply in Lokoja, and this may be ascribed to the increase in population, urbanisation, and the proximity to FCT in search of jobs and economic gains. These have put some strain on accommodation and shortage in housing. Demand for land by the residents has caused most landholders to illegally subdivide their plots without formal procedures being followed in line with the provision of the Land Use Act, or town planning regulations. Also, difficult access to formal land supply that matches with the demand.

2 METHODOLOGY

The study used qualitative method of data collection that relies on non-numerical data obtained from primary and secondary sources. It is the suitable method to measure process, perception on real-life situation [10]. Adopting the case study strategy, a non-probability sampling method was chosen and framed using purposive sampling, the respondents were selected based on their knowledge of the situation [11]. This is because the more information a sample holds relevant for the study, the lower number of participants needed [12]. The main source of data was through field measurements, semi-structured interviews with experts on informal sector activities by Skype, telephone conversation (e-interview). Four skilled research assistants were selected among co-workers and friends to aid in keeping appointment dates of scheduled interview with respondents. Pilot survey was carried out to ensure that questions are understood and not duplicated. The e-interview provided unprecedented opportunity with access to potential participants and information that would have been more expensive to reach the offices while going through the bureaucratic application procedures. In addition, State Town Planning Edicts of 1991 was used along with personal observation to keep the chain of evidence. The result was analysed using ATLAS ti with codes assigned and queried to reach the conclusion. The unit of analysis includes eleven land developers and homeowners drawn from Government Residential Area (GRA), which is formal and Adankolo and Lokongoma to represent the non-formal areas, three government officials and one informal sector expert. Thus, a total of 15 respondents was interviewed.

3 RESULTS AND DISCUSSIONS

3.1 The Administrative Procedures

The administrative procedures developers follow to be recognized as legal occupants and the process in Lokoja are constrained by long procedures as shown in Table 2. The interview with an official of the Ministry of Lands revealed that inefficiency arising from poor technical and human capacity contributes to poor administrative procedures for development.

The process begins with a Town Planning Scheme (TPS)

prepared by the Urban Planning Directorate in the Ministry of Lands before land allocation is issued to applicants. The TPS is a layout that defines the various uses within an area that the scheme covers. TPS is used due to the absence of detailed land use plans in Lokoja. The number of plots in a scheme depends on the size of the land that is available. Once the TPS has been prepared, it is then advertised via the media for 2 weeks. Interested applicants obtain a form known as "Land Form 1". The form gives the details of the applicant that is interested in that scheme. Although it is expected that the application will be on for 6 weeks, it may be extended. A meeting is held as stipulated by the Land Use Act (S.2.s. s2) which states that "There shall be established in each State a body to be known as "the Land Use and Allocation Committee (LUAC)" which shall have responsibility for advising the Governor on any matter connected with the management of land". Findings reveal that forms are put together in a box it is then mixed together and drawn randomly for allocation of vacant plots available. In addition, forms are also a revenue generation technique, thus, more forms are sold as against the number of plots available for allocation. Therefore, it is not a guarantee that an applicant will get an allocation. This is known by land developers and applicants. This is supported by one of the government official's respondent during the interview stating that "ordinarily it is supposed to take 3 months maximum but these days we have what we call the administrative bottleneck. The 3 months is already an administrative language. These days it ranges from 3 months to one year and it all depends on the government. However, there are 13 steps at different locations to be followed which further makes the processes cumbersome. Table 2 shows the steps that must be followed in land allocation process. This process as explained by some respondents is not a regular occurrence as it could take several years before a TPS is prepared. This is done at the whims of incumbent land and State Administrators in most cases for political advantage.

3.2: Development Compliance with Planning Regulations

The Kogi State Town Planning Board in combination with the Nigerian Institute of Town Planners Kogi State chapter reviewed the planning standards in 2017, yet, there are no major changes in the draft proposal, rather additional procedures with strict approaches to compliance and enforcement of the standards. The standards are to be enforced with strict measures put in place for violators. It further emphasises on developers to report to the office at each stage and level of development until the completion of development. It seeks a developer to provide site analysis reports, Environmental Impact Assessment Report, Survey plans, and application letter to the General Manager of the Board. Exclusion of the poor is still a major phenomenon that has not been addressed, there is no improvement on the existing standard in the state when compared with the Edict of 1991. However, the result shows that only the formal areas which accommodate the elites and politicians in GRA complied with the minimum regulations in terms of the setback of the buildings, building heights, floor area ratio. Adankolo and part of

Lokongoma do not fully comply with the regulations. Also, reports from Town Planning Board shows that Government Layout within Lokongoma has been grossly encroached upon by the community while individuals have further subdivided their properties for additional residential or commercial buildings.

Evidence from the field measurements shows variations in the level of compliance among the various land developers. From the eleven developers purposively selected, seven did not comply with planning regulations while only 4 followed the regulations in terms of the minimum setbacks to the road, the building height, floor area ratio and total land area coverage. A query from the codes assigned in ATLAS ti shows that the non-formal developers who did not comply with the required standard lowered the official standard in their development (see table 1). The three developers are within the formal area in the GRA while the others are in Lokongoma. From the interviews conducted, it was established by developers who reside in the GRA complied on the basis of avoiding embarrassment from the planning authority and for aesthetics. However, among developers in Lokongoma, there are varied measurements with none among the seven that conformed to the required standards. One of the respondents among the developers stated that "... there are a lot of bottlenecks that individual have to go through and therefore {I} ignore the procedures and do as {I} please..."

Table 1: Residential development regulations of respondents

	Planning Regulation	Official Sizes	Actual Measurement
1	Set back to the side, drive-in, rear, between buildings, between 2 storey buildings	1.8m ¹ / 3m / 3m / 3m / 4.5m.	1.0m / 2.0-2.5m / 1.5m / 1.5m / 2.0m.
2	Building height Storey building/	Lift must be included more than 4 floors.	There is no structure exceeding 4 storey in the study area.
3	Fence	2.4m high	vary between 2-6m high
4	Foundation	Not less than 2m below ground level.	Depending on the soil structure but less than 1.5m in the study area.

¹ m: Meters

The explanation for Table 1 shows the extent of non-compliance essentially in the non-formal areas. Report from ATLAS ti query tool shows that non-compliance according to the developers arose from informal acquisition of fragmented plots of land which hinders compliance to standards, this is as a result of hidden

charges during land allocation by the government that limits access to formal land. In addition, the 2m foundation is seen as a waste of resource by developers who engage in frugal construction design. Since the structures do not exceed 3-4 floors in the areas, hence there is no need to add lift in the development, loss of confidence on the government agencies due to poor monitoring system, land speculation further verified by the respondents from the Ministry of Lands and the Town Planning Development Board responsible for planning regulations and standards in the state. One of the respondents from the lands department stated that "the problem is that once government prepares a layout, the bulk of the land will be allocated among the government officials and their cronies therefore land becomes inaccessible to the ordinary person". The ordinary person will have to be forced to go to the community leaders where they have their money to pay directly and get the land".

Table 2: Basic steps for formal land allocation

Steps involved	Activities	Typical duration/Comment
1	Advertisement by the Ministry	2 weeks
2	Obtain and fill in application form with 4 passports	6 weeks to 1 year or more
3	Submit application form to the ministry of Lands	
4	LUAC ² meets to consider the applications	
5	Informed successful applicants	
6	An offer letter is issued	Within 2 years of the offer
7	Payment of premium upon acceptance	
8	Deeds plan and approval by the ministry	
9	Commissioner of land signs the draft certificates of occupancy	Officially 3 months to 3 years, however, there has been very few C of O allocated between 1996 till date.
10	Submission of draft C of O ³ to the governor for approval	
11	Governor returns the signed and approved C of O	
12	C of O is registered in the register	
13	Notify owners for the collection of approved C of O	

² Land Use Allocation Committee

³ Certificate of Occupancy.

Kogi State Ministry of Lands, 2017

CONCLUSION

Government efforts towards formal development in Lokoja city are largely compromised by the system of governance in place. Finding shows that there are inadequate access to formal land supply as land officials end up sharing plots to themselves when the layout is prepared, furthermore, weak political will and poor enforcement of planning regulations and standards are responsible for irregular and unorganised residential land development. There is exclusion of low-income earners in accessing formal land because of insensitive governance and poor land management procedures. Land supply not within the core urban area and not within the serviced land relegates the poor to seek alternative options.

The state lacks a visionary policy and design tool for a harmonised design pattern and structure. Lack of land use plan also hinders organized residential development. The bureaucratic administrative method of application of planning regulations and planned development has not been able to reduce irregularity and non-formal development in Lokoja. Hence, there is a need for government to respond to the massive failure of land development in the city in order to align with goal 11 of the Sustainable Development Goals which emphasises the need for inclusiveness in cities administration.

Further studies can examine new variables that can be introduced to investigate the political dimension and economic dynamism of unplanned land development which has not been captured in this study.

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