

## IMPROVING URBAN LAND USE PLANNING AND MANAGEMENT IN NIGERIA: THE CASE OF AKURE

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### Abstract

This paper examines urban land use planning and management practices in Akure, Nigeria with the aim of identifying how to improve it and achieve sustainable city development in the country. It highlights land use planning and management policies and regulations in the city. It further discusses the implications of uncoordinated land use management in context of developing world cities and suggests how to improve the present inefficient practices. The paper draws on a systematic survey of land use mechanisms and activities, departments and agencies of government responsible for land use planning and management as well as individuals involved in land use activities including land owners in the study area. The paper revealed that land use management in the city has been wholly concerned with the granting of statutory right of occupancy and approval of plans to use land for different purposes, without adequate monitoring of its outcomes. It also shows that land management and control tools are either not available or weakly implemented and disjointed and uncoordinated since several organizations and agencies are involved without a coordinating agency or an overall land use plan within which effective land use management can be undertaken. It suggests a reorganization of urban land use planning and management machinery in the area and institutionalization of Local Planning Authority as indispensable to achieving sustainable land use planning and management in the city.

**Keywords:** urban, land use, planning

### 1. Introduction

Land is required for various uses in both the urban and rural areas of all society. It is a major factor of production and a vital element in the socio-economic development of any country or society (FMH&UD, 2006). Thus, as nations grew in size and rural areas become urban centres and urban centres become large metropolitan areas, there is always increased competition as well as demand for land for different purposes. This requires adequate planning and control to ensure harmonious development and functional efficiency of these uses and settlements. To achieve this fundamental and acceptable

activity, layouts of various land uses such as residential, commercial, industrial, open spaces and recreation, circulation and institutional uses among others are undertaken to standardize and control physical developments and ensure harmonious growth. To ensure adequate provision of these uses and meet the needs of users of urban facilities and services land allocation and space standards are specified in the literature. Furthermore, as the population of the world becomes more urbanized and cities grow, urban planning becomes more critical (Smith and Engel, 2006). According to Oyesiku (1997), the forms and patterns of distribution of structures in general to promote the good health, accessibility, convenience and harmonious land use in environment are a function, to a considerable extent, of the rights and methods of dealing with land.

Thus, effective urban land control and management particularly in areas with rapid urban sprawl such as Nigeria is crucial to tackling growing land use problems such as slum formation, rising costs of land, accessibility to urban land for land housing, incompatible use, flooding, overcrowding and congestion among others for the purpose of achieving sustainable city development and ensure the safety and health of the people. Thus, great attention has been paid by researchers, professionals and decision makers to the urban land planning and management problems and the design of policies to combat it. In Nigeria, a number of policies that impinge on urban land management has been articulated and implemented. These include the Land use Act of 1978, urban Development Policy of 1992, Urban and Regional Planning Act 1992 as well as the Housing and urban development policy of 2002. Similarly, land use planning and control measures have been introduced to improve urban land use planning and urban development. Despite the existence of these laws and policies, urban land use management problems still persist in Nigeria. Consequently, there is need for a better understanding of the problems and also to articulate how to improve the existing ineffective land use planning and control methods in the city.

It is against the above background that this article seeks to examine land use management practices in Akure, Nigeria with a view to determining its effectiveness as well as suggests feasible solutions to improve it.

## 2. Conceptual Framework and Relevant Literature

A convenient starting point for discussing land polices, land use management systems and sustainable development is to attempt the definition of the essential concepts. Land has been defined by Lloyd

(1962), and the Concise Oxford Dictionary. as a delineable area encompassing all attributes of the biosphere immediately above or below the earth's terrestrial surface, including the soil, terrain, surface hydrology, the near-surface climate, sediments and associated groundwater reserve, the biological resources, and the human settlement pattern and infrastructure resulting from human activity. Land is required for various uses in both the urban and rural areas of all society. As nations grew in size and rural areas become urban centres and urban centres become large metropolitan areas, there is always increased competition as well as demand for land for different purposes. This requires adequate planning and control to ensure harmonious development and functional efficiency of these uses and settlements.

Conceptually, the Von Ludwig Bettalanffy's (1971) General System Theory provides an appropriate framework for comparing the mutual interdependence of land policies, sustainable development and integrated land use management systems. Akin to the General Systems theory where everything affects everything else are the trans-boundary effects of local and regional policies on land and allied resources, which today have assumed remarkable currency. Consequently, local policies are no longer viewed in their isolationist context, but within the broader framework of constraints and opportunities afforded by the 21<sup>st</sup> century information technology. As a common factor and denominator in the framing and execution of the social and economic policies of nations, Raticliffe (1976), was of the view that the allocation, use and management of land should be done to guarantee access and equity, which the Land Use Act (1978), aimed to achieve in Nigeria. In particular, population increases arising from uncontrolled natural births and rural-urban migration, and a growing commercial sense, have combined to re-orientates the traditional communal land holding status of the Nigerian lands (Ola, 1983).

Irrespective of the varying attributes of land, it is imperative that policies be directed towards land to provide the cross-cutting for streamlining and aligning all the countervailing forces affecting its disbursement and management. From the planning perspective, land represents a mosaic that ought to be regulated to ensure conformity and balance of the built environment (Bailey, 1975; Raticliffe, 1976). However, the general inefficiency associated with majority of the developing countries' land policies, and the absence of secure tenure, adequate land management capacity, among others, have been cited by Bernstein (1994), Hardoy and Sattlerwaite (1989), as serious problems precipitating existing land crises in these countries. Inappropriate instruments and weak institutional structures are among the cavalcade of problems plaguing the commodity. However, the existence of crises in the

Nigerian land market is paradoxical, if not an anathema, judging from the whopping 913,072.64s kms of land that lay to be shared among the estimated 140 million Nigerians (neglecting the hills, rivers, swamps, and other uninhabitable areas). Nonetheless, the existence of crises in the Nigerian land market could be traced to the following factors according to Bernstein (1994); rapid and uncontrolled migration, natural increase and urbanization, existing socio-cultural cleavages, lack of secure tenure, Inadequate information, Inappropriate and inefficient land policies and instruments, weak institutional structures and Lack of land management capacity, among other factors.

In Nigeria, there is still strong adherent to the conventional land use planning approach. Most major cities including Lagos, Kaduna, Port Harcourt, Onitsha, Enugu, Aba and some in other parts of Niger Delta region have been developing with the conventional land use approach (Jiboye, 2005). This has generated diverse urban problems manifesting in the form of deterioration of cities into slums, pollution, congestion, unsanitary condition and epidemics. Nigeria cities are reputed to be the dirtiest, most unsanitary, least aesthetically pleasing and dangerously unsafe for living (Agboola 2002). They are characterized by non-functioning infrastructure facilities, most poorly governed, intensively dotted with illegal structures while physical growth and development of the cities had not been properly managed or controlled (Aluko 2000). According to Falade (2003), land use plans for most cities often seek to make life better for the masses living in cities as a major goal, but the reality of the case is that these lofty and laudable goals are never achieved. (Falade, 2003) . Thus people in urban areas wallow not only in abject poverty, but they also do not live in planned urban areas, which are "orderly safe, convenient and healthy living environment" that is promised as the gains of land use planning (Falade, 2003; Baba, 2003).

### 3. The Study Area and Methods

Akure is a traditional Nigeria city and like other traditional Yoruba towns in the country, it existed long before the advent of British colonial rule. The city is located within Ondo State in the South Western part of Nigeria. It lies approximately on latitude  $7^{\circ} 15'$  North of the Equator and longitude  $5^{\circ} 15'$  East of the Greenwich Meridian. Akure is a medium- sized urban centre and became the provincial headquarter of Ondo province in 1939. It also became the capital city of Ondo State and a Local Government headquarters in 1976. The city's morphology has changed over time to assume its present status with its attendant land use problems, as experienced in similar medium sized urban centres in

Nigeria. Akure is located approximately 700 kilometers South West of Abuja, the Federal Capital of Nigeria and about 350 kilometers to Lagos the former capital of Nigeria. It is located within the tropical rain forest region of Nigeria where rainfall is high throughout the year. The population of the city grew from 38,852 in 1952 to 71,106 in 1963. Its population was estimated to be 112,850 in 1980 (DHV, 1985); 144,544 in 1987, 148,880 in 1988, 153,347 in 1989 and 157,947 in 1990 (Ondo State of Nigeria, 1990). The 1991 national population census however, put the population of Akure at 239,124 and its estimated population in 1996 was 269,207 (NPC, 1996). At present the city is estimated to have over 350,000 people.

The paper draws on a systematic survey of land use mechanisms and activities, departments and agencies of government responsible for land management as well as individuals involved in land use activities including land owners in the study area. In addition, other relevant materials and data were sourced from published sources such as the Akure master plan (1980-2000), Revised Akure Master plan (1998), journal articles, newspaper, textbooks and internet among others.

#### **4. Urban Land Use Planning Policies and Control in Akure**

Prior to the promulgation of the land use Decree 1978, there was absence of proper land use policy and existence of the mainly customary land tenure in Nigeria ( Umezuruike, 1989;1). The land use decree was instituted to achieve a number of objectives prominent among them was to solve the problems of lack of immediate availability of land for use when required by all concerned; curb the activities of land speculators. In sum the law was designed to remove bitter controversies associated with land use in the country, streamline and simplify the management and ownership of land, assist the citizenry, irrespective of his social status to realize his ambition and aspiration of owning land, and to enable the Government to bring under control the use to which land can be put in all parts of the country and thus facilitates planning and zoning programmes for particular use

There were no coherent and comprehensive land policies for Nigeria before the Land Use Act of 1978. the entrance of the Land Use Act on to the Nigerian land scene was essentially to remove the obvious serious inequality and insecurity associated with the land tenure system (Ola, 1984), and to facilitate an arrangement that would revolutionize in the country.

Under the land tenure system of the pre-colonial regime, fragments of individual, but greater communal interest existed in land. Government and individuals approached communities for land for farming, housing or planning services etc., with all the socio-cultural implications.

With respect to strategic Town Planning services, such as the preparation, implementation and management of planning schemes, the Town Planning Ordinance gave the planning authorities the power to expropriate lands for the preparation of planning schemes, (and to compensate for the expropriation), and wide powers too, to regulate the manner and type of developments on the schemes in order to ensure that lands are used and developed in the best planning principles. Under the colonial regime, the all-encompassing Township Ordinance (No.29) of 1917 was mainly concerned with broad principles of municipal responsibility such as public health, sanitation and development control (Adeniyi, 1981). Even the immediate post-colonial regional governments, of the West, East and North which adopted versions of the 1946 Town and Country Planning Ordinance of Britain, greater need was felt for use rather than ownership of lands, as greater attention was paid to such issues as health, sanitation and development control in the major and subordinate cities.

### **5. Land Use Planning and Control in Akure**

All the three tiers of government – federal, state and local – are involved in land management in Nigeria in most cases through their agencies. This section will be concerned with identifying and discussing agents of land administration and management in Akure. The responsibility for controlling and managing land in Akure rests on Ministry of Works Lands and Housing. The task is undertaken by three departments of lands services, Urban and Regional planning and Surveying. Investigations revealed that there is within the ministry land use and allocation committee created by the land use act for the purpose of allocating lands to desiring members of the public. This committee as found from the field is not in existence in Ondo state, Therefore, the responsibility of allocating land is now being discharged by the Commissioner for Works on behalf of the Governor. Field investigations shows that the three departments mentioned above performed different functions in land administration and land management. Land Services is headed by a Director and the department is responsible for managing government land and estates, acquire land for public use and land allocation. It should be noted that the activity of the department in the area of land allocation is limited to government land which account for less than 10 percent of urban land use in Akure. However, the department is responsible for issuing

certificate of occupancy to land owners and users. It is also responsible for land acquisition for public use.

Formal land use planning and management in Nigeria began in 1863 with the enactment of the Town Improvement Ordinance by the colonial government (Federal Government of Nigeria, 1863). The ordinance was meant to control development and urban sanitation in Lagos, then the federal capital of Nigeria. However, modern planning could be said to begin in the country in 1946 when the Nigerian town and Country Ordinance was enacted. . Western Region where Akure was located enacted its own Town and Country Planning law that forms chapter 123 of the laws of Western Nigeria. This law among other provisions established Town Planning Authorities (TPAs), which were to control and guide the orderly development of the settlements within their jurisdiction by approving proposals for physical development and the preparation of development schemes and land use plans (Olujimi, 1993). In March 1979, as a result of the poor staffing situation and non-availability of a staff pension scheme, Ondo State government abolished the APAS including Akure Area Planning Authority. In its place, a unified town planning control system was adopted which centred all town planning activities in the Town Planning Division of the Ministry of Lands and Housing. Following the centralisation of planning in Ondo State in 1979, the responsibility of planning Akure was taken over by the state government and the Town Planning Division (now Department of Urban and Regional Planning) of the Ministry of Works and Housing. As a result of the need to guide and control development of the city as a state capital and to also cope with the rapid growth of the city, a private planning consultant was commissioned by the state government to prepare a master plan for the city. The plan that covers the period 1980 – 2000 was completed in 1983. Examination of the plan did not revealed evidence of involvement or consultation with stakeholders at all the various stages of articulating the plan. Surveys using questionnaire were employed to collect data on the socio economic characteristics of residents of the city that were used to project and make provision to meet the needs of people in the city. A review of the process adopted in the preparation of the plan by the consultant shows that the public were not involved or consulted on the components and provisions of the master plan. Table 1 shows the responses of respondents on their awareness about Akure master plan. Analysis of the table shows that majority of the sampled population are unaware of existence of Akure master plan. The implication of this result is that individuals that are unaware of plan that is supposed to guide development around them give credence to the finding that the residents were not consulted.

TABLE 1: RESPONDENTS AWARENESS OF EXISTENCE OF AKURE MASTER PLAN

S/No	Awareness	Frequency	Percentage
1	Aware	243	19.2
2	Not Aware	1007	79.5
3	Others	16	1.3
	Total	1266	100

Source: Authour's Field survey, 2006

Beside the preparation of master plan for the city, another major instrument for planning in the city is the use of layout, where parcels of land are divided into plots of various sizes and for different uses such as residential, industrial, commercial, public and semi public uses. In this regard, members of the public particularly families are required to submit their proposed layout plans to the Area Urban and Regional planning Office for planning approval. Investigations revealed that to date a total of 641 residential layout plans have been processed and approved in Akure by members of the public as against 20 by public and semi public organizations in the town. Approved layout plans are required before planning permissions are granted to developer to commence physical development. The process of approval of layout start with submission of proposed subdivision plan. The plan is scrutinized by officers of AURPO to determine conformity of the plan with planning requirements and standards. Where a plan falls short of planning standards it is returned to the promoter for necessary corrections and amendment. When the promoters have compiled with all requirements, such layout plans are accepted and recommended by the Area Urban and Regional Planning Officer to the Director of Urban and Regional Planning at the state ministry of Works, Lands and Housing for approval.

Another area in which the planning office functions in the city, is the area known as 'Protest and Petition'. In this case, any member of the public that is disturbed by his neighbour is allowed to report to the planning office, where an officer of the ministry is deployed to investigate and report to the office for final settlement.

Besides the above, the Department also carries out development control where the city according to the Area Planning Officer, the city is divided into six zones and Zonal inspectors are appointed to go round their zones daily to identify and stopped contravention. This activity according to the ministry is



hampered by inadequate facilities such as motor vehicles and motorcycles. At present the Area Officer does not have vehicle of any kind. Development control is being carried out, when, aggrieved individuals comes forward to report contravention. Field investigations shows that besides the master plan prepared for the city in 1980, the various residential layout prepared by families and pockets of projects going on in the city, no concert efforts have been made to imbibe and incorporate new planning initiatives and approaches to practice in the city . Consequently, planning activity is still restricted to approval of plans and control of physical development that is not effective.

The major initiative to urban planning in Ondo state was the enactment of the urban and regional planning edict of 1999. This edict patterned after the 1992 Urban and Regional Planning Act that seeks to create state urban and regional board and local planning authority at the state and local government level respectively in the state. This law purports to transfer city planning to the local government council. Members of the Board and Authorities are to consist of professionals including Town Planners, Engineers, Land surveys, Architects, Estate Surveyors, Builders, and Lawyers among others.

Empirical investigations and observations of urban dynamics in Akure indicate that at moment urban planning has very little influence over the process of land management in the city, changes in land use patterns are the result of a series of ad hoc solutions. For instance Ondo state is one of the 13 beneficiary states in Nigeria under the World Bank Assisted Community Based Urban development project. Thus, two communities: Oke Aro?Eyinke and Irowo/Odopetu were identified in Akure to benefit from the project. Under the project infrastructure and municipal services such roads, water supply, and waste management scheme were upgraded and provided in the selected communities, However, this project were carried out outside the formal land use planning and management system, They are carried out by committees under the Governors office.

## **6. Constraints to Effective Land Planning and Management in Akure**

Having discussed land use planning and management systems in Akure, it is evident that land use management is ineffective and uncoordinated in the city. A number of factors are responsible for this state of affairs. These constraints are briefly discussed as follows.

### ***Non Adoption and Utilization of Modern Planning Approaches.***

Following the leading of the international community, a number of concepts and approaches that emphasized citizen participation in decision-making have been devised and adopted. Field investigations show that, these new approaches and methodologies have not been incorporated into land use planning and management in the city. As shown by Aribigbola and Ebehikhalu, (2006), the basis of planning in Akure is the traditional master plan approach that emphasizes the utilization of the professional expertise of planners to determine and articulate physical development plan for the city. Therefore; non-adoption and incorporation of the new approaches are a major constraint that needs to be surmounted to ensure better management of land in the city.

### ***Outdated and Outmoded land use Planning Policies, Laws and Regulations***

Land use and management in Nigeria is still based on the land use Act of 1978. This law was mainly concerned with use and allocation of land in the country. The Urban and Regional planning Act of 1992 that was meant to improve planning activity in Nigeria did not contain any provision to promote and enhance public participation in planning decision. Besides, sixteen years after the enactment of the law, it is yet to be implemented. Planning in Akure and most towns in Nigeria is still based on the 1946 Act which itself was based on the 1932 Town and Country Planning Act in United Kingdom. Thus, one of the major constraints to effective and efficient land management in Akure is the absence of upto date and dynamic laws and regulation to guide and control land use activity and management. The land use act mainly deals with allocation and acquisition and confirmation of title on owners, it does not indicate the vital aspect of management which is the control of development on the land.

### ***Inadequate Manpower***

Closely associated with the above constraints is inadequacy of qualified planning personnel to manage land use in the city. The Akure Area urban planning office is saddled with the responsibility of carrying out the planning of Akure that has an estimated population of over 350,000 and a total area of 30 square kilometers (Ministry of Lands & Housing, 2000). Table 2 shows the total number of staff of the Area Planning Office to be 14. Out of this number, majority (86percent) are non-professionals. Only 14 Percent are registered town planners by Town Planners Registration Council of Nigeria (TOPREC). Table 2 also shows the qualifications of staff of the Area Office. An examination of the table shows that

significant proportion of the staff of the office had only school certificate and below and that no staff have higher qualification above the Full professional diploma in Town Planning.

TABLE 2: STAFF OF AKURE AREA URBAN AND REGIONAL PLANNING BY CATEGORY

S/No	Category of Staff	Number of Staff	Percentage
1	Registered Planner	2	14
2	Sub Professional	2	14
3	Town Planning Assistant	6	43
4	Others	4	29
	Total	14	100

Source: Area Urban and Regional Planning Office, Akure, 2005.

#### ***Poor and Inadequate Funding***

Another major constraint to effective land control is poor and inadequate funding of planning activity in Ondo State. A close observation of the State's government budget for current and last financial year shows that no financial allocation was made directly to land use and city planning. This activity did not feature at all directly in the budget proposals for the periods. The only allocation indirectly to land use management covers staff salaries and other emoluments. In such a situation, it becomes difficult to initiate plans and development schemes to organize land use and land management and undertake other essential planning tasks germane to land management. This explains why the last master plan was prepared for the city in 1980. Field investigations also show that in the last 10 years no physical development schemes have been initiated and executed by government and government agencies. As a result of poor funding, essential facilities required to undertake planning activity are not available. Thus, the activity of the Department has been restricted to the approval of layout and building plans prepared by families, communities and individuals as well as granting statutory rights of occupancy to owners of lands

#### ***Inadequate Institutional Framework for land management***

As indicated earlier, the Department of Urban and Regional Planning of the State Ministry of works and Housing Undertakes the planning of the city. Other agencies that are involved in planning activity in the

city include Capital and Urban Development Authority that was recently merged with the State's Housing Corporation. The Housing Corporation has three housing estates established and controlled by them without reference to the Department of Urban and Regional Planning. The Department of Urban and Regional Planning of Federal Ministry of Housing and Urban Development also controls the physical development activities on federal land and federal government housing estates in the State. Akure South local government has also been involved in planning in its own area of jurisdiction. These various agencies carry out planning tasks without proper reference to each other. Investigation reveals lack of coordination of their activities.

### **7. Improving land use Planning and Management in Akure**

Having elaborated on planning process and practice in Akure and found that it is lacking in current initiatives and modern methods and approaches, it also become incumbent to identify how to improve urban planning in the city to make it innovative and responsive to modern trend and approaches.. This is essential because development of most urban areas is influenced, to some extent by processes of urban policy and urban planning; and since urban policies and planning are dynamic activities whose formulation and interpretation is a continuing process, there is a need to invigorate planning machinery and activity in Akure to incorporate and integrate new planning paradigm into planning of the city and to introduce measures to guarantee public participation in planning.

In 1999, the Ondo State government enacted the state's version of the 1992 National Urban and Regional Planning Law. The 1992 National planning law assigned responsibilities to all the three tiers of government and created National planning Board at the federal level, Planning Board at state level and Planning Authorities at the local government level. The laws make planning a local government affair, the tier of government that is closer to the people. Unfortunately, several years after their enactment, they are yet to be implemented. Although the laws did not make public participation mandatory, they provided improvement over existing planning law since they involve more persons and professions in planning activity at all levels. In addition they also make publication of proposed project mandatory for people to react to. The existence of these laws is a step to increasing public participation.

At present local people have little involvement in policy formulation and decision-making and their needs and view are rarely considered. Drawing on the experience of other countries, policymakers should develop appropriate mechanisms to involve local people in land use planning and decision-

making about the use and management of land and forest resources. Traditional institutions, which have close relationships with local people, should be involved in managing resources and government agencies should work together with those institutions. Moreover, the policy formulation process should be made participatory.

Finally, emphasis should also be given to translating policies into action. There are many good policies in Nigeria but they are not being implemented. For example, the urban and Regional planning law created Planning agencies at federal, State and local levels, but this has not yet been translated into action. Likewise, the Land Commission established in 2001 to address land issue is not yet functioning. In order to remove the gaps between policies and practice provision should be made for participatory monitoring and evaluation of the policies, along with room for necessary adjustments.

## 8. Conclusion

The paper shows that land planning and control tools are either not available or weakly implemented. Besides the paper found land use activity to be disjointed and uncoordinated since several organizations and agencies are involved in land use without a coordinating agencies or an overall land use plan within which effective land use control can be undertaken. The paper concludes that for land use management to be effective, there is the need for an integrated land use approach. The present approach of disjointed and uncoordinated land use practices cannot be expected to provide the desired outcome of sustainable city development. Thus, for land use management to flourish and more importantly to create convenient and conducive environment for present and future generations, there is the need for a more fundamental rethinking of land use control mechanism, policy and action. Land use management in Ondo State should be decentralized and new legislation that would reflect current global thinking and approach to more humane and environmental friendly approach of sustainable development need to be embraced and instituted in the city and country as a whole.

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