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The Land Use Act and the Nigerian Housing Sector

*Dr. Yusuf Yahaya**

I. Introduction

The Nigerian Land use Act of 1978 abolished the existing land tenure systems and replaced them with a uniform Land Administration system across the Country. Prior to the Act, there were three land tenure systems. They were the customary which was essentially based on the customs and traditions of the various communities with the Chief, community or family head holding the land in trust for family or community use; the non-customary, based on the received English Law (operational mainly in the then Lagos Colony) which vested the land on the British Crown but also allowed for either freeholding or lease holding with tenured occupancy; and special native-favoured system of Northern Nigeria which put the land under the control of the Governor for the use and benefit of the Natives of the Region. All the existing tenure systems encouraged land holding without an obligation to develop them, fragmentation and uncoordinated alienation, hoarding speculatively for value appreciation and without precise documentation.

The Land Use Act was therefore designed to achieve the following objectives (Salami, 2014);

- i. Make land easily accessible to all Nigerians
- ii. Prevent speculative purchases of communal land
- iii. Streamline and simplify the management and ownership of land
- iv. Make land available to government at all levels for development
- v. Provide the system of Government administration of rights that will improve tenure security

If these objectives were achieved by the Act ultimately, the questions to be addressed is whether the challenges posed by the Land use Act for housing and the overall investment in property development were operation-induced or perpetrated by the provisions therein.

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II. Highlight of the Provision of The Land Use Act

- i. The Act vests all urban lands comprised in the territory of each State (except those vested in the Federal Government or its Agencies) solely in the Governor to hold in trust for the people and allocate to individuals and organisations for residential among other uses.
- ii. The Governor's task is supposed to be carried out with aid of an advisory Land Use and Allocation Committee (LUAC). The LUAC is also to advise on matters related to resettlement of persons affected by title revocation as well as determine dispute arising from amount of compensation payable for improvement on land.
- iii. The Act also vests in the Chairman of the Local Government all land that are not within urban areas (i.e. rural) to hold in trust for the people. The Chairman is to be assisted by a Land Allocation Advisory Committee (LAAC), which has responsibility for advising the Local Government on any matter connected with management of land.
- iv. The Land under the control and management of the Governor shall be administered, where the land tenure law of former Northern Nigeria applies, in accordance with the provisions of that Law (Northern Law); but in every other case, in accordance with the provisions of the State Land Law applicable in respect of the State Land or land tenure Law, as the case may be, with modifications as would bring those Laws into conformity with this Act.
- v. It provides that the Governor shall have right to grant Statutory Right of Occupancy to any person on all Lands (urban and rural) for all purposes. That grant may include easement, appurtenance and demand for rentals (at specified intervals) as well as revision of same, therewith.
- vi. The Governor also has right to impose penal rent for breach of conditions related to subsequent transactions on allocated lands (i.e. sale in part or whole, mortgage, transfer, sublease or bequest) without Governor's prior approval.
- vii. He is empowered to waive any of the conditions attached to the Statutory Right of Occupancy in certain special circumstances or extend the time required of any holder of a Statutory Right of Occupancy to perform any of the conditions attached therewith.

- viii. It provides for Local Government Chairman to grant Customary Right of Occupancy to any person or organisation over non-urban lands for agricultural (maximum 500 hectares), grazing (maximum 5000 hectares), residential and other purposes. This right he has exclusively against all persons except the Governor.
- ix. That the Governor reserves the right to grant Certificate of Occupancy at prescribed fees (including for unexhausted improvement) and rent on both urban and non-urban lands and application for same.
- x. He also has right to grant license to any person to enter unencumbered land (not above 400 Hectares and under other specified conditions) and remove or retract therefrom construction materials such as stones, gravel, clay for building or manufacture of building materials for a specified period.
- xi. That he is also vested with the Right to waive or reduce the rent on Statutory Right of Occupancy in public interest.
- xii. Also granted is a Right to charge penal rent for breach of any covenant attached to Statutory Right of Occupancy for a year; or increase such rent daily or revoke the title if unremitted after the period.
- xiii. Alienation by assignment, mortgage, transfer of possession, sublease of a Customary Right of Occupancy in cases where property is to be sold by or under the Order of any Court, shall be with the consent of the Governor but if otherwise, (not through Court process) by the consent of appropriate Local Government.
- xiv. Alienation, in any form, of a Statutory Right of Occupancy is only valid by the consent of the Governor.
- xv. It shall be lawful for the Governor to revoke a Right of Occupancy (Statutory or Customary) with adequate notices for overriding public interest.
- xvi. The holder or occupier of a property that is subject to revocation is entitled to compensation to the tune of the value at the date of revocation of their unexhausted improvement, crops or economic trees.
- xvii. Where a revocation affects a residential building, a discretionary compensation can be in the form of resettlement (i.e. reasonable alternative accommodation).
- xviii. There is transitional provision to ensure that any titleholder is made to comply with the provisions of the Act as it affects his property, not cheated in the process nor is government denied its own right.

- xix. Provides that the Governor shall designate part of the area of the territory of the State as Urban area.
- xx. That no person is entitled to an allocation of any land for residential purpose in excess of half a hectare.
- xxi. All land already in use before and after the Land Use Decree can be acquired by the Government for overriding public interest through revocation of Right of Occupancy.
- xxii. Revocation on Right of Occupancy will be carried out whenever an occupier commits a breach of some of the terms and conditions specified in the Certificate of Occupancy.
- xxiii. Alienation of part or whole of any land title granted to an Occupier through assignment, mortgage, sub-lease and transfer of possession, without the consent of the Governor, is considered an offense, which may result to revocation of Right of Occupancy.
- xxiv. All unused or vacant land, apart from farmlands under fallow from the date of the Decree, belongs to the State Government as against any person or community.

With the foregoing highlights of the provisions of the Land use Act, there is no gain-saying the fact that it has far-reaching enabling yet restrictive implications for housing in Nigeria, given the desire of Government to make unimpeded impact in the Sector, the fluid and pervading right to shelter for all persons (with the population dynamics in Nigeria) against the limited outlets for actualising these provisions of the Law.

III. Housing in Nigeria

Housing has been identified World-wide as one of the basic necessities of life. It is required for the survival of man by providing shelter, refuge, comfort, security and dignity, while it is expected to be functional, attractive and identifiable within a neighbourhood setting, enabling of family needs, aspirations and preferences. For sustainability, housing is also supposed to be energy efficient and resource-conserving to enhance quality of life (National Housing Policy, 2012). As an economic good, it is a source of prosperity, a yardstick for measuring the wealth of a Nation and a critical factor in its socio-economic fabric required for sustainable development while as an industry, it stimulates the National economy (Onibokun, 1983) through employment generation and value addition to resources.

It is the desire of all Nations to provide for her citizenry adequate housing that is healthy, safe, accessible physically, affordable and provided with adequate utilities, community facilities and services. In spite of several measures taken over the years by various Administrations in Nigeria and the immense contribution of the private sector in the housing process, available conflicting statistics all indicate several areas of shortfalls. With a housing deficit estimated at about 18 million (up from 17million in 2012 when it was estimated that the Country required 700,000 units annually compared to less than 100,000 currently being developed according to the National Bureau of Statistics), attempt at disaggregating the shortfall along housing types, points to a grimmer picture (see Table 1).

Table 1: Estimates of Housing Types Required to Meet Nigeria's Housing Shortfalls

| House Types | 1980 | 1990 | 2000 | 2010 | 2020 |
|--------------|------------------|------------------|-------------------|-------------------|-------------------|
| Single Rooms | 2,285,290 | 3,903,605 | 6,358,563 | 9,874,653 | 14,616,900 |
| Bungalow | 1,258,695 | 2,150,033 | 3,502,177 | 5,438,774 | 8,050,714 |
| Flats | 732,007 | 1,250,373 | 2,036,727 | 3,162,975 | 4,681,976 |
| Duplex | 187,465 | 320,217 | 521,217 | 810,030 | 1,199,042 |
| Total | 4,463,458 | 7,624,230 | 12,419,068 | 19,286,433 | 28,548,633 |

Source: Onibokun et al, p. 173.

III.1 Rates of Housing Provision

Current figures of the rate of development of housing aggregated from the various housing programmes are difficult to get. However, the overall rate of investment in housing is low – accounting for only about 6.4 per cent of GDP in 2018 largely due to high interest rate and long maturity period of mortgage loans.

III.2 Occupancy Ratio

Given the high rate of growth of population and urbanisation (2.62 per cent and 4.23 per cent for 2018-Worldometre and Wikipedia respectively), high rate of household formation (of 4.2 in Ibadan and 2.6 in Onitsha, 1995), the rate of housing supply is too slow to catch up with the pace so much so that the Occupancy Ratio is relatively high in major cities where 2-4 persons per room is common. A household survey in Ikeja, Lagos in 2017 (Enisan G. 2017 p.6) recorded as high as above 6 persons per room among 16.7 per cent of the households.

III.3 Housing Price to Income Ratio

Given the high rate of housing demand to available supply, the price of available ones are very high. The ratio of average housing price to average household annual income was between 6.81 to 1 and 10 to 1 in an Urban Indicators Study in 1995. It was worse for individual cities-e.g. Lagos (50:1), Ibadan (33:1) and Kano (25:1). This situation has worsened, given the higher figures for housing shortages since then.

III.4 Rent to Income Ratio

Also, due to the gap between housing demand and supply, a household survey indicated that annual rent consumed 33.3 per cent of the income of households in Lagos, 13.5 per cent of those in Ibadan and 40 per cent of those in Onitsha (UNDP, 1999). While the rents were increasing, incomes were relatively static. Efforts made to control rent through Rent Control Edicts were unsuccessful.

III.5 General Housing Quality and Adequacy

Due to the high rate of rural-urban migration in the face of relatively high natural increase of population in urban areas as occasioned by improved health over the years, the floor area per person in urban areas is quite low – estimated at between 2.76 and 8.9 square metre per person. This is suggestive of overcrowding. Factors adduced for these housing situations are low disposable income with a Gross National Income of \$2,450 in 2016. With 80 per cent of Nigerians living below the poverty line of \$2 per day (i.e. 152 million out of about 190 million population – AfDB, 2018), the number of families with disposable incomes and amount so disposed are too low. It is only if the Land Use Act or any scheme that affects housing enhances low rental housing provision that the hope of cancelling the backlog of shortfall can be actualised.

III.6 Ubiquity of Completed Unoccupied Homes

Even in the face of serious housing shortages, there are many completed houses that are left unoccupied for years in serviced areas of the cities. The concentration of such unoccupied properties in the larger Cities like Lagos and Abuja where affordability of house prices and rents are expected to be relatively high and the dominance of high-income properties among the lot of such unoccupied properties, suggest that the housing designs preferred by property developers are neither in tune with housing need nor with even housing demand in those high-brow locations. It also calls to question the apparent unencumbered status of such properties by mortgage.

With regards to the influence of the Land Use Act on the housing situation, it can only be said that it or the implementation of it has not been able to keep pace in terms of numbers of treated plots provided from various schemes for housing vis-à-vis the rate of demand.

IV. Impact of the Provisions of the Land use Act on Housing in Nigeria

To put in context the impact of the Land Use Act on housing in Nigeria, there is a need to highlight the situation of land acquisition and management prior to the enactment of the Law. This is to make it easier to analyse changes that may have occurred between the situation precedent and the subsequent experience. While the high rate of population growth and urbanisation since the Nigerian independence in 1960 were already leading to inadequate supply of housing accommodation, poor quality of the bulk of available ones and recourse to less convenient or attractive alternative abodes, there were challenges associated with the land acquisition and management policy before the Land Use Act.

IV.1 Land Management Challenges Prior to the Land use Act

Even with the establishment of the power of eminent domain by the Land Acquisition (and Miscellaneous Provision) Decree of 1976, there were challenges encountered in the land management procedures.

IV.2 Resistance by Landowners

The material gains from sales and other transactions on land owned by families or communities were enormous. Also, emotional, social and institutional attachments to native lands were very strong, being the usual burial places of ancestors among other considerations. Alienating such land to the Government's power of eminent domain, was resisted especially when it was felt that the monetary compensation was going to be inadequate compared to what they were used to soliciting from prospective developers.

A noteworthy case of refusal to vacate land upon which some form of compensation had been paid was the Ajiboye Village landowners who refused to move from the University of Ibadan land on which compensation had been paid since 1962 purportedly to the wrong family members. Until they were paid in 1983 and had to be partially evicted by the Police in 1985 (Ajayi, 2013), they were going to stay put.

IV.3 Exorbitant cost of Compensation

Landowners, especially in Southern Nigeria prior to the Land Use Act usually demanded for compensation based on open market value for any land acquisition by Government. This prompted the then Military Administration to enact Decree 33 – the Public Acquisition (Miscellaneous Provisions), 1976, just two (2) years ahead of the Land use Act. It put a maximum ceiling on compensation payable cognisant of actual land price (as specified) and current bank interest rates (projected to 10 years) or the existing use value whichever was higher of the two.

IV.4 Land Speculation

Having seen land as a quick means of economic gains, landowners guarded them jealously in the face of serious fragmentation, making integrated planning of large areas of urban settlements difficult. Attempts at consolidating such fragments were viewed with suspicion, rising discontent and mistrust. Given the limitless size of land that individuals could acquire prior to the Land Use Act, a few wealthy individuals amassed large parcels of land to the detriment of the multitude of poor indigenes who begrudged their not being engaged in major projects put up on such lands. This led to socio-political differences, class and armed struggles especially in the sub-urban areas.

IV.5 Double or Multiple Sale of Land

Family or inter-family differences over land were externalised by various members of the families involved in selling particular parcels of land or part thereof to different unwary parties. These compounded the land acquisition problems and riddled many projects with crisis and litigation especially in Southern Nigeria.

IV.6 Simultaneous Operation of the Different Land Tenure Systems

In spite of the coming into being of the Land use Act in 1978, various State Governments especially from the present-day North Central Zone to the South of the Country could not phase out the existing customary land tenure system prior to the Act. This was not only due to the resistance from the land-owning families as highlighted but many State Governors, on their part, were not able to pay the required compensation on existing properties or economic trees on parcels of land proposed for major schemes.

Even in the Federal Capital Territory where one of the principles for the development of the Capital City was 'equal access to all lands by all Nigerians', the indigenous villages could not all be resettled as proposed. The Resettlement Site at Jibi which was developed with permanent houses were later occupied by the Police while Jibi village which the area was earmarked for is still within its original location and drawing more shanties to itself.

Elsewhere in the City like Utako, Mabuchi, Kado, Durumi and Garki Villages, the Federal Capital Development Authority (FCDA) has gone ahead to build the City while leaving them (those villages) until they are either resettled as planned or integrated as being clamoured by the indigenes in later years.

The implication of this has been the truncation of infrastructural development within areas occupied by such villages (see Plate 1).

Plate 1: Truncation of Infrastructure by Existing Jabi Village within the Federal Capital City, Abuja.



The situation is worsened by the continued illegal sale of land to other Nigerians by the leadership of the villages and their subsequent expansion at the detriment of the functional efficiency and image of the Capital City. The peculiar case of Ilorin Town also exemplifies the simultaneous existence of customary and statutory land tenure systems which has divided land seekers into those doing so through the Government (in layouts) and those seeking from the customary land owners or middlemen.

A study of the approved building plans in Ilorin town as late as 1990 showed that the community land market was booming far ahead of the formal allocation by the State Government at 83 per cent to 17 per cent respectively (see table 2).

Table 2: Dominance of Community Influence over Government in Preferred Sites for Housing Development in Ilorin Town, 1990

| Sector | Dominant Actor | Approved Building Plans | | | |
|--------------|----------------|-------------------------|------------------------|------------|------------|
| | | Residential | Residential/Commercial | Commercial | Others |
| 1 | Private | 518 | 40 | 13 | 10 |
| 2 | Private | 830 | 52 | 32 | 15 |
| 3 | Government | 645 | 44 | 38 | 13 |
| 4 | Government | 75 | 6 | 14 | 8 |
| 5 | Private | 291 | 34 | 22 | 11 |
| 6 | Private | 738 | 53 | 31 | 28 |
| 7 | Private | 227 | 24 | 29 | 6 |
| 8 | Private | 218 | 30 | 27 | 13 |
| 9 | Private | 311 | 29 | 30 | 14 |
| 10 | Private | 381 | 27 | 14 | 15 |
| Total | | 4234 | 339 | 250 | 133 |

Source: Adedibu, A.A., 1990

IV.7 Adoption of Private Layouts

Conscious of the foregoing fact, technocrats in some of the affected States had encouraged what was popularly referred to as 'adoption of private layouts. This is a refined practice compared to 'Invasion', a common illegal and spontaneous occupation of sub-urban areas followed by Government intervention to engage in rejuvenation or land re-adjustment towards legalising the occupation as common in some Latin American City-regions. This did not only lead to some confusion in some States of Nigeria, the stoppage of the practice in some others, in furtherance of the provision of the Land use Act, vesting the granting of Right to formally occupy any land on the Governor or Local Government Chairman, led to a further increase in the growth of slums – hence the subsequent high wave of demolition.

V. Government Intervention in the Housing Process

V.1 Direct Housing Supply

V.1.1 Civil Servant Housing Schemes

Public officers' or civil servants' housing schemes have been an on-going Programme in Nigeria since the Colonial time when furnished apartments were provided to Colonial Officials and top indigenous Executives in Government Residential Areas (GRAs). African quarters were also built elsewhere in the Cities as part of motivation package with a loan facility of five (5) times the officers' annual salaries. The entire quarters contributed a meagre per centage of the total housing supply to the Nigerian civil servants and overall populace.

The mass sale of Federal Government houses in the Federal Capital Territory since 2005 had created a prompting for similar initiatives by various State Governments. While the quarters lasted in the States, the large open spaces of especially the older single-family low-rise-cum-density houses common in the GRAs were difficult to manage by some of the allottees. Lots of public funds were also expended in the maintenance of the quarters for political appointees, top executives of the Bureaucracy and the Judiciary. Except for the leadership of the three Arms of Government largely, the burden had been shelved by the increasing privatisation of the housing sector, monetisation of the housing privileges of public officers and mass sale of Government residential quarters.

While the sale of Government residential houses had no enabling provision in the Land Use Act, its procedure followed the required authentication through Deeds registration and issuance of Certificates of Occupancy (C of O). This improved the beneficiaries' investment standing as their titles enabled them to secure mortgage facilities being one of the Land Use Act's objectives. It also improved the quality of those properties for living and public officers and civil servants, who had the first right of refusal to purchase those properties, were better motivated for improved productivity. They also sourced funds for the renovation of the properties and even changed the design of most of them to meet the needs of their increasing family sizes and overall value system since they were no more transient occupants. In all, over 21,000 dwelling units were so disposed off in the Federal Capital Territory alone.

V.1.2 Direct Housing Supply to the Larger Society

During the post-Independence period up till 1979, Government policies were spelt out broadly in the National Development Plans. The first two of the Development Plans- 1962-1968 and 1970-1974 respectively, gave little attention to the Housing Sector, with the latter voting a mere 7 per cent to Urban and

Regional Planning, Housing, Water and Sewage improvement. This was compounded by the Civil War, 1967-70.

The 3rd National Development Plan, 1975-80, however gave more recognition to housing by transferring it from the Social to the Regional Development Sector, launched the National Low-income Housing Programme, increased investment in the production of local building materials and made efforts to enforce a Rent Control Scheme.

Apart from the land Tenure reforms, the creation of an appropriate institutional framework for the Federal Mortgage Bank and the expansion of its Capital base took place within this period. The adoption of the concept of New Towns as a National Planning strategy saw to the foundation of Abuja as the New Federal Capital Territory as well as Aladja (Delta State), Onne (Rivers State) and FESTAC/Satellite Towns (Lagos State) with all the implications of rechannelling Rural-Urban and Urban-Urban migration and consequent opportunities and challenges for housing.

While the issue of compensation particularly still left much to be desired especially in the Resettlement Programme for the FCT, the then newly promulgated Land Use Act must have contributed to the ease with which the new Towns took footings. Opportunities for big investment were again speedily facilitated by formal Titles to landed properties which cut off the role of middlemen while workers' housing, away from hitherto congested cities, got a boost.

The Fourth National Development Plan – 1981-1985

Within this period, an elaborate housing programme aimed at producing 200,000 dwelling units over the period was launched and coordinated by the Federal Ministry of Housing and Environment. By the end of 1983 when the programme should have delivered 120,000 units at 2,000 in each of the 19 States and the FCT (from 1981), it was only able to deliver 34,100 as indicated in the Table below. This came to about 28 per cent achievement.

Table 3: Housing Units Delivered in Each of the States Under the Federal Government Housing Programme, 1983

| S/No | State | Housing Units Delivery |
|-------|-------------|------------------------|
| 1 | FCTA | 1,908 |
| 2 | Anambra | 2,400 |
| 3 | Bauchi | 2,816 |
| 4 | Bendel | 1,422 |
| 5 | Benue | 1,980 |
| 6 | Borno | 2,808 |
| 7 | Cross River | 2,258 |
| 8 | Congola | 3,038 |
| 9 | Imo | 2,758 |
| 10 | Kaduna | 2,776 |
| 11 | Kano | 1,590 |
| 12 | Kwara | 2,462 |
| 13 | Lagos | 2,634 |
| 14 | Niger | 2,692 |
| 15 | Ogun | 2,160 |
| 16 | Ondo | 2,930 |
| 17 | Oyo | 2,128 |
| 18 | Plateau | 2,546 |
| 19 | Rivers | 1,580 |
| 20 | Sokoto | 2,314 |
| TOTAL | | 34,100 |

Source: Waziri A. G. and Roosli R. 2013. p. 3.

Within the same period, 1981/82, the National Housing Programme also had a scheme for the provision of 350 Medium to High-Income housing units in each of the 19 States of the Federation as coordinated by Federal Housing Authority (FHA). Among the factors that militated against these schemes was the difficulty in accessing land in the right locations in many of the States of the Federation. Given the newly acquired powers of the State Governors from the Land Use Act, as the Custodians of the lands at State levels, access to large parcels of land for such estate development even in rural areas required their approval. The imbroglio between the Federal Government and Oyo State Government over the siting of the Shagari Estate in Oyo Town was a case in point.

Other reasons adduced for the failure of the scheme then include poor locational considerations, restrictive designs in spite of the evolutionary core housing approach, inadequate security and the fact that the distribution of the units throughout the Country did not have adequate bearing with effective

need or even demand for them. For instance, a survey carried out in one of the estates located at Oloje in Ilorin Town (Yusuf, Y. A., 1991), showed that it was located 9km away from the main Business and Public Institutional District of the town and 30 per cent of the Household Heads commuted to this area daily while another 16.6 per cent travelled over 30km to work elsewhere.

Furthermore, many of those allocated could not afford to expand them in six years after allocation while those who could afford it, to a large extent, did not follow the recommended line of development. 38 per cent of those who carried out improvements did so for security reasons while 56 per cent of the households within the estate were tenants as against the owner-occupier objective of the scheme. This implied that the State Government may have politicised the allocation of land for the Federal Scheme by virtue of the power conferred on her by the Land use Act, while the end users suffered the economic brunt as tenants of allottees instead of being the owner-occupiers themselves.

Such tussle between the State Government and FCT on the one hand and the Federal Agencies engaged in housing supply on the other, remains till date – largely between claims of being in charge (States) and being Supra-ordinate and also enabled by Law (Federal Agencies). This is why the reference to Federal Land over which the Federal Government has control, as spelt out in the Land use Act, has had to be cleared by Law – hence, 'Federal land', in this context, is as allocated by State Governments with conditions exerted by the latter. This gives room to temptations to conclude that acquisition of land procedurally by the Federal Government would have been easier, in some circumstances, without the Land Use Act, hence the clamour for a review.

V.2 The National Housing Policy

A ten-man expert panel set up in 1985 by the Military Administration led to the establishment of the National Housing Policy, 1991 with a proposal to provide access to decent housing at affordable cost under the Housing for All by the Year 2000 AD in line with the UN advocacy and an estimated 8 million units unmet housing need in the Country then. The inability to clear the backlog of housing deficit led to the White Paper on the Report of the Presidential Committee on Urban Development and Housing, with the goal of availing Nigerians with the ownership or rental access to decent, safe, healthy and affordable housing accommodation.

Among the policy objectives are:

- a) To provide enabling environment and incentives for the private sector to actively participate in housing provision while also

promoting the involvement of all three Tiers of Government in the delivery process.

- b) To create and strengthen the institutional framework as well as mobilise long-term, sustainable and cheap funding for effective housing delivery.
- c) To patronise, develop and promote the use of certified local building materials, appropriate technology and services of registered Nigerian Professionals towards reducing construction cost and providing appropriate designs and management in the housing delivery process, respectively.
- d) To make land for housing easily accessible and affordable Nation-wide while improving the quality, infrastructure and environment.

The implementation of some of the strategies identified in the policy document aimed at achieving the housing policy objectives across the Country (which has resonated in many other decisions in subsequent years and policies) has helped to highlight the strength and weaknesses of the Land use Act at various levels of governance and among stakeholders in the housing process. A review of some of such identified strategies and how the operators fared is imperative.

V.3 Strengthening and Sustainance of the Federal Ministry in Charge of Housing

In line with the Housing Policy objective to strengthen the Ministry in charge of Housing, a landmark allocation of about ₦39 Billion was made by the Federal Government to the Ministry in the 2018 Budget out of which about ₦25 Billion was accessed. This increased the visibility of the Ministry in the direct housing supply with its aim of delivering 1 million units every year to close the housing shortfalls in 2033 (Hon. Minister of State, FMPW&H, 2017) but with inherent challenges. By the definition of the roles of relevant agencies in the housing process and emphasis on increased private sector involvement in direct construction, the Federal Ministry of Works and Housing is expected to formulate National Policy on housing, articulate, coordinate and monitor relevant programmes, enunciate the regulation guiding the sector and facilitate the attainment of objectives.

While the Ministry's continued involvement in direct construction may be rationalised from the point of view of regulating market forces towards enhancing affordability of housing especially by the low-income group, it questions the sustainability, the implied distraction from its monitoring activities

and the effectiveness of the Federal Housing Authority. The latter is engaged in a Pilot Scheme to deliver 2,736 dwelling units across 33 States.

Even at that, the Ministry has not been able to adequately bring to bear its weight on the level of cooperation by the State Governors in providing land expeditiously for its housing schemes. In its renewed direct housing delivery efforts, it was indicated that a few States including Lagos, Rivers and even the Federal Capital Territory Administration were not readily able to provide land for the Federal Housing Scheme. This may have caused time and cost overrun which usually leads to increased product (housing) cost and rent ultimately. Hence, while the Land Use Act and the enhanced powers of Governors in Land Administration may have reduced cost of compensation and acquisition of land for government projects, it has not translated to speedy process and overall cost control.

V.4 Strengthening of Organisations Responsible for Minimum Performance Standards

A lot of progress has been recorded in the review and development of the Building Code after a national debate had been coordinated on it and the Draft was presented to the Federal Executive Council for adoption. The process has just been rekindled with the inauguration of a new Committee. However, the State Governments are again the custodian of Physical Planning and Development Control activities. They are still very dependent on their various Town Planning Boards' and Development Control Departments' Manuals to enforce Building Codes (which were not very comprehensive outside the FCT, Lagos and a few other States until very recently). The National Urban and Regional Planning Commission as provided for by the Urban and Regional Planning Law, 88 of 1992 as amended, which is also supposed to monitor the enforcement of the Code at National level, has also not been established. This has given room to inter- agency rivalry between the State Planning Board / Development Control Agencies and the Federal Housing Authority among other housing delivery agencies at the Federal level. The legitimate insistence of the FCT Administration and State Governments that FHA housing scheme beneficiaries should further secure individual Statutory Rights of Occupancy as required by the Land use Act causes delays and tension in the housing process but would have empowered such beneficiaries with collateral assets for securing loan facilities.

V.5 Restructuring and Capitalisation of Finance Bodies

One of the Housing Policy implementation strategies is the restructuring and capitalisation of the Federal Mortgage Bank of Nigeria (FMBN), Federal Housing Authority (FHA), Federal Mortgage Finance Ltd (FMFL), the then Urban Development Bank (UDB) etc. Apart from the striving towards easy access to land, the Central Bank of Nigeria had on its part encouraged banks to incentivise the development of housing by requiring them to devote a minimum per centage of their credit facilities to the Sector. This minimum per centage was raised from 5 per cent of total loanable funds in the 1979/80 fiscal year to 6 per cent in 1980 and 13 per cent in 1982 until the Finance Sector was liberalised in 1993 (Sanusi, 2003).

The National Housing Fund (NHF) established by Decree No 3 of 1992 has immensely boosted the mobilisation of funds for housing. Established as a mandatory contributory scheme for the mobilisation of cheap and uncommon long-term funds for housing credits, the Fund aims to also increase remarkably the housing finance and mortgage institutions through which loans would be provided for on-lending to contributors to the scheme while also protecting the housing finance system against usual fluctuations associated with dependence on Government intervention.

The mandatory savings scheme of the Fund, takes the form of the following;

- a) Participation through contribution of 2.5 per cent of monthly salaries to the Housing Fund by all public or private sector workers earning a minimum of 3000 Naira at an interest rate of 4 per cent each.
- b) Contribution of 10 per cent of bank loans and advances to the funds at an interest rate of 1 per cent above the current account rate to be transferred to the FMBN to relieve the deposit banks of the loan burden.
- c) Contributions from Social Insurance Trust Fund (NSITF) and Insurance companies of at least 40 per cent of their life and 20 per cent of their non-life funds in real estate development – at least 50 per cent of which must be channelled through FMBN at an interest rate of not more than 4 per cent. In return, they got some incentives through the relaxation of the provisions of their activity-enabling strategies by budgetary allocation.
- d) Contributions of at least 2.5 per cent of the revenues of Federal, State and Local Governments to the Housing Scheme.

- e) Expansion of the Infrastructure Development Fund (IDF) to enable States and Local Government to borrow funds for basic infrastructural facilities.
- f) Cooperative societies to offer loans to their members from the savings of their contributions. Other voluntary fund mobilisation includes individual savings into Primary Mortgage Institutions, appropriate fiscal measures by Government to protect the assets and liabilities of individuals and enhance stabilisation through contractual savings etc.

CBN also uses monetary and fiscal policies to encourage money deposit banks to set up subsidiaries specialising in primary mortgage activities. While FMBN mobilised ₦5.8 billion from 1.8million contributors to the NHF and granted ₦375million loan to 631 contributors through 20 primary mortgage institutions for housing (Sanusi, 2003). These figures have increased to ₦191.9 billion in March 2016 from ₦4.14million registered contributors (Business day, March 25, 2018). ₦5.9billion had been refunded to 418,284 contributors who met the requirements. The fact that over 78 per cent of the cumulative collection came in within the preceding five years indicates the prospects for the exponential growth of the Fund.

The informal sector is to be covered in the scheme (accounting for 85 per cent of National workforce). A micro home renovation scheme is proposed for the improvement and expansion of residential properties while various artisans and low-income groups (i.e. carpenters, taxi drivers, artisans and farmers) can through their cooperatives obtain development loans for constructing houses for members.

Apart from the foregoing sources of housing Finance, other sources are insurance companies specialised institutions like commerce-oriented parastatals, building societies, States and Municipal Governments through budgetary allocation as complemented by Development agencies which provide funds through their State/Municipal Housing or Investment and Property Development Corporations for onward lending to needing house developers.

The low level of progress and impact of the National Housing Fund hitherto is blamed on the low interest rate on the Fund, low level of participation of the targeted potential contributors, high inflation rate, poor level of vibrancy of PMIs and the 'borrow-short-and-lend-long' structure of the bank deposit liabilities. However, the cumbersome nature of land title documentation, the inadequate and faulty cadastral system with many cases of insecurity of title, double and multiple allocations and the consequent delay in building approval process are

unintended effects of the Land use Act that have all contributed to the slow rate of disbursement of the Fund.

While all these may have been due to over concentration of title grants in the State Governor by the Act, human factors in the form of lack of an integrated information and communication system, inadequate networking and non-mastery of the automation system, where they exist and wilful rascality of some technocrats, with preference for personal interface contribute a great deal to the challenges.

There is the hope-inspiring vision of the 2012 National Housing Policy to renew and update the provisions of the Acts of some financial institutions towards making them more enforceable. The affected institutions include Mortgage Institution, the Federal Mortgage Bank of Nigeria, Trustee Investment, Insurance, National Housing Fund, Employee Housing Scheme and the Federal Government Staff Housing Board.

VI. Government Housing Programmes

In its bid to create enabling environment for increased housing supply, the Federal Government at various times in history, especially with the stated policy of increasing private sector engagement in direct construction of housing, has developed various housing schemes. Among these are the Sites and Services, Mass Housing, Affordable Housing, Owner- Occupier (as already highlighted) and, in the case of the Federal Capital Territory Administration, the Land Swap Programme. How much the land use Act has affected the success or otherwise of some of these initiatives, is worthy of analysis.

VI.1 Site and Services Scheme

This is perhaps the most common land development scheme in the Country through which Government, Communities, where they still have influence, and some private estate developers attempt to provide treated land to interested parties to put up properties on.

Site and services scheme aim to "deliver a package of shelter-related services from a minimal level of serviced sites to an upper level of core housing complete with utilities and access to community-based services" (Steven K. Mayor & David J. Gross, 1985 pg. 1). Apart from the provision of well-planned layouts with plots of varying densities, the services provided usually include paved roads, drainage channels, electricity, pipe-borne water supply and sewerage (where centralised).

By the National Housing Policy, the idea is that Authorities will provide the land and the infrastructural facilities while the individual and his family allocated the service plot builds houses of their choice on it in line with approved plans. This was exemplified in the National Site and Services Programme in 1986 aimed at delivering serviced plots to would-be developers at affordable prices. Within a period of five years, the scheme was able to provide about 20,000 serviced plots across the Country.

Site and Services Schemes, if well-coordinated, reduce funding burdens on Government, enhance orderly development and can also be made to cater for the low-income. However, the mode of design, plot allocation and development procedures within Government layouts differ from the methods adopted within private layouts. The procedures adopted in the two types of scheme are highlighted in Figures 1 and 2.

Figure 1: Process of Development of Government Layout

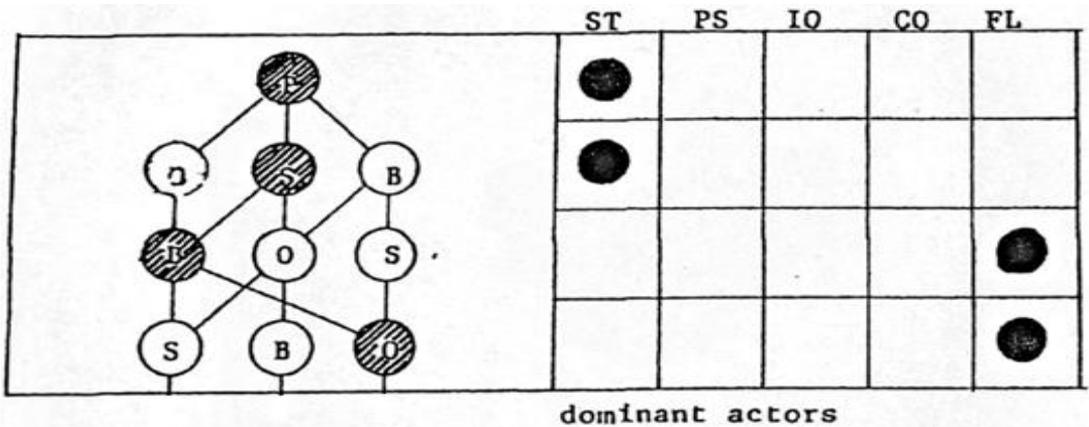
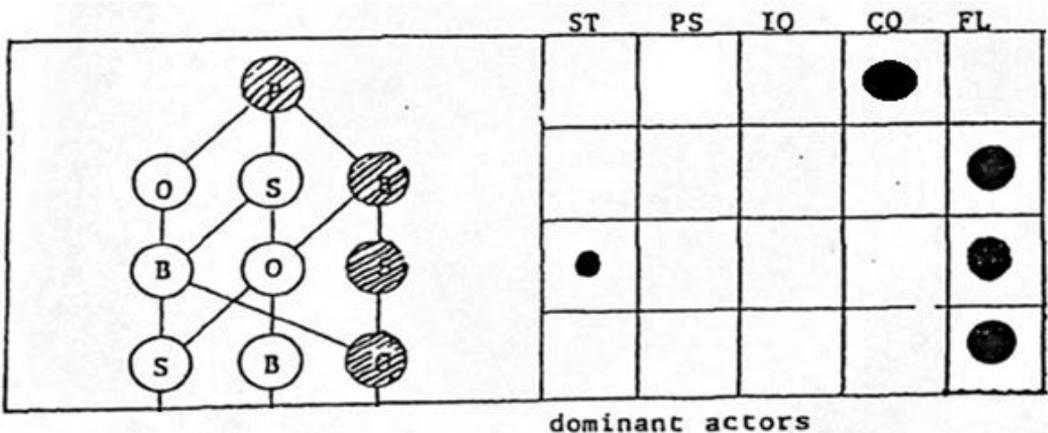


Figure 2: Process of Development of Community Land



Key

P: Plotting
O: Occupation
B: Building
S: Services

ST: State (Government)
PS: Private Sector
IO: Individual Organisation
CO: Community
FL: Family

As shown in the figures above, while the Government tries to provide all the services before allocation, the private deliberately allocates either simultaneously with or ahead of services. Procurement procedures, delayed compensation, inability to provide the services and consequent cost overrun usually make Government to revert to allocation of unserviced plots after periods of delay. Individual allottees go through rigours of compensation and engage in land speculation within such layouts.

Moreover, plot sizes within Government layouts are generally very large, wasteful of costly infrastructure and eliminates the interest of aspiring low-income families while private layouts have smaller plots and are more amenable for the incremental housing development process that most families find more convenient. A breakdown of plot sizes and densities in selected Government layouts developed over time in Ilorin (with all the known fledgling economy of most States) is as shown in Table 4.

It is no surprise therefore that some of the factors that have continued to endear private layouts to prospective developers are the affordability, security and convenience in the incremental development procedures as funds trickle in. Families also occasionally engage in sub-division of their large plots within Government layouts, sometimes illegally, and disposal of one to build the other plot due to affordability challenges.

Perhaps the over-concentration of the power of allocation of genuine titles in the hands of the Governor, the uneconomical infrastructure requirement and the inadequate influence of Local Government Chairmen in the process within their domain (due partly to the State Government induced Joint Accounts) all lead to lack of attention to details and responsive alternative approach in the Site and Services Scheme procedures.

Table 4: Analysis of Plots in some Governments Layouts in Ilorin

| S/N | Layout No (T.P.O) | Location | Plot Analysis | | |
|-----|----------------------|----------------------------|----------------|-------|----------|
| | | | Plot sizes (M) | Freq. | per cent |
| 1 | 215 | Ajasse-Ipo road | 76.3*30.5 | 3 | 4.9 |
| | | | 54.9*30.5 | 13 | 21.3 |
| | | | 45*30.5 | 45 | 73.8 |
| | | | Total | 61 | 100.0 |
| 2 | 162C | Fate Road | 30*45 | 58 | 93.5 |
| | | | 45*36 | 4 | 6.5 |
| | | | Total | 62 | 100 |
| 3 | 228 | Agba Dam | 45*30 | 25 | 100 |
| 4 | 188 | Baba-Ode (resettlement) | 30*45 | 32 | 59.3 |
| | | | 30*65 | 22 | 40.7 |
| | | | Total | 54 | 100.0 |
| 5 | 182 | Airport | 30*46 | 634 | 74.1 |
| | | | 46*61 | 222 | 25.9 |
| | | | Total | 856 | 100.0 |
| 6 | 148 (AM. 5) | Fate G.R.A | 61*45 | 141 | 100.0 |
| 7 | | Fate G.R.A | 30*50 | 58 | 100.0 |

Source: U.R.P Directorate. Department of Lands, Ilorin, Jan 1991.

VI.2 Mass Housing Programme

While a series of mass housing programmes has been carried out or commenced recently by Federal Ministry of Works and Housing, Federal Housing Authority, the FCTA and some State Governments, attention here is on the FCT version of the Mass Housing programme being one of the targets of the Housing Policy. The FCT Mass Housing Programme has as its main goal, the making of functional houses available and affordable in the FCT. This was to be achieved with the following objectives: reduction in housing deficit with the influx of people to the Capital City; reduction in the cost of houses and rent; creation of employment opportunities and elimination of emergence of slum, unplanned development and the attendant squatter settlements. Under the Programme, the Administration makes available land of 10 and 20 hectares in the Federal Capital City and Satellite Towns respectively to prospective housing developers based on Development Lease Agreement to develop the site according to FCT standards.

While the primary infrastructure is developed by the FCT Administration to the relevant site and beyond, the developers are to provide the secondary and tertiary infrastructure- internal roads, drainage, electricity, water supply and sewerage. Buildings developed within the sites are expected to be sold to

interested citizens whose names are provided to the FCT Administration to issue C of O to them, at which point the Development Lease Agreement ceases.

From an initial allocation of sites for the programme in the 3 Districts of Mbor, Gaduwa and Dutse on 2003, the Districts increased between 2003 and 2006 to cover today about 40 spread across the FCC and environs with the development being at various stages. A Department of Mass Housing was established to facilitate a one-stop shop processing of all requirements by a standing inter departmental Committee obtaining the required inputs from various Departments represented (Survey, Lands, Urban and Regional Planning, Development Control, Engineering Services, Resettlement and Compensation, Satellite Towns) to ease the process for the developers (which include Staff Cooperative Societies of some Government establishments). Of a total of 1,893 prospective developers who applied and paid processing fees, 774 (about 41 per cent) have gone through various stages of evaluation to key into the programme, while only about 131 (about 7 per cent) were adjudged to have reached appreciable level of completion and therefore invited to make submission towards the processing of Certificate of Occupancy for individual off-takers.

The wide gap between those that have expressed genuine interest, those evaluated and those that have reached advanced stage of development is blamed on the absence of a Technical Audit to collate information on total allocations till date, lack of budgetary provisions for primary infrastructure to the new layouts and those (5 No.) in Satellite towns, poor quality of many houses built so far, massive demolition of illegal and unfit structures in such estates and lack of logistics for the Department to carry out its assigned duties. Developers take advantage of Governments inability to monitor effectively all their activities, to sell ordinary unserviced plots to desperate interested parties who pose as contractors to the developers while actually building their prototype buildings on the would-be plots.

The Mass Housing option under a Public-Private-Partnership (PPP) arrangement has been due to lessons learnt from the failure of the Site and Service Scheme to provide serviced plots in Districts as fast as demanded. Unfortunately, the arrangement for the provision of infrastructure off and on site, the two-stage processing for obtaining C of O by real end-owners of buildings (off-takers), clearance challenges in various Departments and consequent Development Control's long turn-around time for approval, all render the prompt issuance of C of O at the end of site development almost impracticable. It confirms that lack of capacity on the part of the FCT Administration and most State Governments to combine evaluation of interest and submissions in mass housing,

granting statutory approvals and monitoring of implementation in-house. It is imperative that some of the activities and abilities are better coordinated by consultants.

In spite of the challenges and shortcomings of the Mass Housing Programme as developed in the Federal Capital Territory, the gains are many, as follow;

- a) So many properties were developed within limited time- more than achievable under any Government Scheme thus far. Many residents have settled in while the titles have not been secured.
- b) Owners choose their own developers using prototype designs – not through contract, hence incremental and affordable.
- c) Option of buying fairly cheap carcass and completing was available in some instances.
- d) Services and private buildings were developed simultaneously with former being slower and at developer's part-expense. This is convenient, coming at later stages with improved affordability and attachment to the development process.
- e) Boys' Quarters were introduced into most of the designs at the building plan processing stage as a semblance of concern for the low-income groups. Many are presently taken up by separate households.

VI.3 The Landswap Programme

This was another FCT Administration initiative that arose out of the lessons learnt from the Sites and Services and Mass Housing Programmes. Essentially, the programme is aimed at outsourcing compensation burden and delivering secondary infrastructure (road, drainage, electricity, water supply, telecommunication and sewerage) in eight (8) selected Greenfield Districts spread over 4,058 ha of the FCT land as bargaining resource for an entirely private handling of the said services to her (FCT) standards.

As part of the agreement reached with the 15 carefully selected investors on the programme, their capacities were tested with a required jointly-monitored deposit of ₦350 million each for handling demographic analysis, biometric process and reports, land survey maps, detailed land use plans and engineering infrastructure designs. When serviced, part of each investor's land was to be made available to FCTA to allocate directly under a low-income housing proposal, while the bulk will be sold by them (developers) to interested parties who would secure titles over their own plots within the parcel provided and follow other processes for development. Provisions were made for village integration, relocation site for affected villages and recourse to pre-existing

grazing reserves for affected herders. All the processes were going as scheduled until it was stalled by a legislative oversight inquiry instituted. This raised questions about the integrity of the business climate in the Country in the face of political transitions.

The project was acclaimed as very innovative and cost-effective, drawing FCT resources away from the over-dependence on subsidisation culture associated with oil money, capable of providing needed utilities, facilities and services along with plots for housing devoid of speculation. Salami, 2014, however observed rightly the view expressed by many that "the investors after spending a lot on infrastructural provisions would want to recover their investment with profits, which may make either the land or houses so provided out of reach of the average citizen" (p. 114).

It was however conceptualised that the serviced land accruing to the Federal Capital Territory Administration from the agreed sharing formula with investors, will be used to provide Social Housing on which it has had a laudable experience in one such projects in Kuje Satellite Town, to take care of the low-income groups' interest.

Even with all the radical initiative on this scheme, it was still going to be subjected to the provisions of the Land use Act by securing the required titles for end-beneficiaries. However, it is not only the built structures that can be subject of sale or mortgage as the Land use Act provided but even the lands invariably are, the inability to do which generally, had been one of the sore points against the Act.

VII. Highlights of Observations

From the forgoing, it is clear that the Land Use Act has made land acquisition for especially Government projects easier but not necessarily so for the Private Sector due to post- allocation manipulation of developers by land owners. Cases of litigation and cost of compensation may have reduced, having been limited to unexhausted improvement rather than the entire land itself. Land has been viewed as a veritable source of income for the State having revenue sources limited largely to allocation from Federal Government while infrastructure is treated strictly as a commodity to benefit fully upon by the State at the urban level without any social responsibility index. Meanwhile, the bulk of the regional (road) infrastructure is unpaid for even if they are in good state.

The slow rate of provision of serviced plots still makes land scarce and costly as affording people still have to illegally buy plots by reversing the use of Power of

Attorney, worsened by the decision of most States rejecting private layouts that would have complemented the supply of plots and been formalised for housing delivery. Land speculation has transited from community land owners and merchants to the new allottees some of who are turned to regular land-speculating investors with their illegal markets at the gates of Government land offices. The Land Use and Allocation Committee or its equivalent at the Local Government level (LAAC) have their functions usurped by being directed as to what to recommend or not having been set up by State and Local Governments, some of which have demonstrated the prerogative not to set them up all together for long periods.

Maximum Plot sizes for residential development is 0.5 hectare. While this is quite large, it is common knowledge that many high-income individuals occupy larger plots that draw more on length of infrastructure than is required or economically judicious. By FCT Development Control standard size for low density plots range from 1500m² to 2000m² while high density is from 500 to 750m². Yet, a private estate in Abuja has a high-income terrace plots Zone of 300m² to which CBN and Nigeria Custom Service Employees' Cooperative Societies have smartly subscribed.

Figure 4: High-Income Terrace Apartment within the Mass Housing Site, Galadimawa - Abuja



At the present average of about 100,000 dwelling units produced in the Country, even with serious redensification of occupancy codes in the face of sustained population and urbanisation rates ahead, it will still take a very long period for the cancellation of the deficit. The vision of the Federal Ministry of Works and Housing to ramp up housing delivery to 1million units yearly will be impossible without a serious decentralisation of the land allocation process.

Since Urbanisation rate is relatively high and gradually taking over the Country (at about 52 per cent urban presently), while physical development in many small settlements are unattended to and unorganised, there will still be a lot of disruptions and slum clearance in the future such as have been witnessed in the FCT, drawing unduly from resources that would have gone into housing among other City requirements. A second look at adoption of private layouts in villages may be required.

Powers of Revocation, waiver of covenant conditions and of extension of the time required for the performance of certain conditions attached to the title and penal rent on land as conferred on the Governor have all been applied with telling impacts on the housing landscape in Nigeria, albeit occasionally unnoticed. With regards to revocation, varying-sized parcels of undeveloped land have remained in serviced areas of cities uninhibited while other smaller and less-strategically located are not as lucky. Withdrawal of allocation from an individual in public interest and reallocation to another individual is common.

With regards to waivers, the intention is to apply them to reduce the possible, genuine hardships that developers may encounter in complying with conditions attached to a land title. Their application with regards to payment of certain fees to some large estate developers in many instances is unwarranted, politically or sentimentally induced and denies the State of easy funds for providing infrastructure while it does not prevent the beneficiary from land speculation or keeping empty homes on completion in anticipation of assumption of duties by political appointees when house prices will soar.

Application of penal rent is meant to forestall non-compliance with conditions attached to land titles such as subsequent transactions without approval of Governor. The use of this to enforce zoning regulation has enhanced orderly development. However, zoning itself needs to be revisited especially as it affects mixed uses like residential-commercial which can keep inner-cities occupied with residences aloft commercial ones alive instead of being ghostly with security challenges at night, while enhancing light traffic and making Cities more compact. Interest of Low-income is hardly ever protectable as high-density plot sizes are supposed to be developed into high-rise blocks of flat. Even for single room apartments, the cost of concrete slabs and reinforced columns, besides from infrastructure and building materials, will push the prices or rents beyond affordability level.

Power to declare an area as urban has been applied in manners that can generate controversy and discomfort. A given radius around State Capitals are usually declared as Metropolitan Areas. So far, they range between 15kilometres

to 45kilometres and beyond. Some of these radii fall into other Local Governments sharing boundaries with the Headquarters. For as long as urbanisation has not extended to these outlying villages, they are denied both urban and rural status in terms of housing and amenities while urban sprawl into surrounding country is rife. Asokoro and Katampe Extensions which are high-brow Districts in Abuja are outside the City's Master plan, courtesy of the power to declare, unprecedentedly, the area as urban while some Districts within the planned City precinct-e.g. Katampe Main and Durumi are not yet serviced. This undermines the comfort offered by housing within the City while keeping people longer than necessary or convenient on the traffic due to daily commuting.

Having struggled through all the rigours of securing a C of O and succumbed to the siege by indigenous families to settle compensation afresh for speculatively planted perennial trees, all costs incurred by developers are transferred to rent or housing price. It is no surprise therefore that completed unoccupied houses are common.

Figure 5: Planting of Speculative Perennial Trees on Allocated Land in Abuja by the Indigenous Community to Solicit Additional Compensation from Developer



Mass Housing developers have effectively taken over parts of the functions of State Governors or Hon. Minister, FCT by allocating plots from unserviced land instead of building properties for sale to interested persons on serviced plots. This is why some of those Mass Housing sites are developing very fast while cases of usurpation of allocation and illegal sale of land with back-dated allocation documents have been a major challenge for some of the Mass Housing sites.

The question is how much of these lapses are caused by the Land use Act itself, rather than those operating it. With only about 4, 250 Registered Urban and Regional Planners in the Country to 18million outstanding dwelling units, residential layouts have to be prepared at very fast rates. Yet, many of the

Planners are engaged in practices that will not offer opportunity to handle such layouts. The scenario affects all professionals in the Construction Industry. It implies that there is a dire need to spread the knowledge of basic requirements of all such professions to the remote settlements to complement the professional practices.

High cost of building material and infrastructure, poor translation of research results into the field for improving the lot of the construction industry, poor quality of artisans in various fields all affect the situation of housing supply and quality outside the influence of the Land Use Act or even the operators.

VIII. Recommendations

In the light of the foregoing, the following recommendations are put forward aimed at addressing the challenges to the various aspects of the housing process in the Country.

VIII.1 Provision of Masterplans

There is a need to provide Masterplans for urban centres or groupings of them within which optimum provisions are not only made for residential development as required but also a proportionately ample provision is made for high density zones for low-income housing. Increasing provisions should also be made for mixed residential-commercial uses in relevant sections of the inner city to enhance infrastructure optimisation, prevent ghostly Districts at night, keep the cities compact and reduce the resort to vehicular trips to work. This also implies a resort to Urban Renewal in run down areas of the inner cities where such mixed uses in high-rise properties can be designed to accommodate the low and medium-income groups. Above all, such Masterplans should be legislated upon as legal documents.

VIII.2 Structure Plans for Smaller Towns and Villages

Structure Plans should also be prepared in-house by State Government professionals in liaison with the Local Governments, technical Tertiary institutions, Professional Bodies, Non-governmental Organisations (NGOs), Community-based Organisations (CBOs) and post-graduate students on industrial attachments, more as Community Service to Catchment Areas rather than for pecuniary gains. Such plans within lowest-order settlements will not be the best but will make provisions for adequate access to every future housing plot, enhance the provision of all other utilities, facilities and services and make it easier integratable into an emerging Urban Plan over time. Urbanisation is approaching very fast.

Such plans, at rural levels, should also be subjects of legislation by the Local Government Legislative Councils at least for sensitisation purposes and to draw attention to the need to open the roads incrementally in line with the plan. It is also an opportunity to train the local land parcellators on how to fix the plots on the Structure Plan so that there can be some rudimentary planning and survey works where there are no planners and surveyors just as you have trained community child-birth Attendants where there are no Registered Midwives. In developing Structure plans for the growth of rural settlements and small towns, there has to be an interaction with relevant communities to get their buy-in, assess affordability in the spirit of bottom-up approach to Governance in line with the Sustainable Development Goals (SDG).

VIII.3 Review of Plot Sizes

There has to be a responsive evaluation of plot types and wasteful infrastructural designs (e.g. road width). The Bertaud Model for arriving at the least-cost choice in the combination of plot shapes/ types, infrastructure and overall affordability can be found valuable in arriving at best layout design options. Such models are now available as software packages to enhance application to mass housing designs or repetitive schemes even as rural areas have variety of landscape or topography. Anigbogu (2014) has identified the use of such models to determine rent-to-income ratio, houses that reflect aspiration of quality and affordability, mortgage eligibility etc.

VIII.4 Evolutionary Low-cost Housing Shells

Given that among the low and medium-income groups, housing is not engaged upon in a hurry. It can take 10 years. There is a need to build evolutionary strategies into their housing development process by proposing or providing housing shells that gets partitioned over time according to value system or family conditions. Instead of having pre-determined designs, such families are entitled to a right to shape their dwelling and incorporation of time dimension into the housing design act as determined by emerging changes in need over time. Even services (e.g. utilities like water, sanitary facilities and electricity) can be provided one after the other, while their qualities also get improved over time. This perhaps accounts for the mass appeal for the purchase of housing carcass in the FCT Mass Housing experience which gets improved after the family packs in. The Open Building concept founded in the Netherlands by a Foundation of that name which has been adopted for mass housing of families that partition each similar shell differently according to their taste, can be explored.

VIII.5 Alternative Building Materials

There is a lot of literature on the advantages of local materials. Among advantages mentioned are; cost, wet compressive strength, moisture movement, density, thermal conductivity durability and environmental sustainability (Green Building). Among tested local materials are polymer modified concrete (Muhammed, 2019). Compressed Stabilised Earth blocks (Maton et al., 2014) and NBRRRI (Nigeria Building and Road Institute) Technologies Products such as bricks, interlocking blocks, pozzolana cement and roofing tiles. Adoption of these in public buildings and affordable housing schemes can go a long way in reducing project cost and have a demonstration effect for other mass housing project developers and individuals.

VIII.6 Review of the Land use Act

Given the difficulties encountered thus far in trying to amend the Land use Act inspite of the outcry against its provisions relating to the redefined Trust relationship, Government's absolute control, unfettered powers of the Governor –e.g. on declaration of Urban land and over subsequent transaction on titled land (transfer, mortgage, sub-lease and bequest) compensation, the status of Land use and Allocation Committee (LUAC) etc. Attempts by the 7th and 8th National Assembly to amend it also failed just as the steps taken to remove it from the constitutional provision. Considering that there were indeed some constitutional amendments that have taken place by the 8th Senate, there is the reasoning that the sensitisation on the issue has not been adequate or those who fear bastardisation are very influential or justified even as the 2012 Housing Policy document disagrees. There is a need to engage in the Town Hall meetings by the Federal Ministry of Works and Housing towards the needed review.

The idea is to be able to create administrative remedies for people, ease the processes and timeline in plot titling and subsequent transaction (consents), make compensation more responsive institutionally instead of condoning post title-siege on developments by land owners and harmonising the Land use act with the community Land Tenure practices.

VIII.7 Need to Shift Interest from Land Ownership to Access to Housing

It has been observed that there has perhaps been too much interest on the part of the populace in land, seen by some as the fastest means of acquiring assets that can change one's status overnight. A paradigm shift is therefore suggested whereby attention is focused on the provision of housing to meet genuine needs rather than owning a plot. There is a need to develop a land policy that lays out areas of priority in allocation so much so that those who build properties for

others to occupy should get top priority. Various enabling initiatives can be adopted to enhance the vision- e.g. rent-to-own, site and services or social housing, multi-level-cum-tenanted apartment blocks depending on public view from the Town Hall meetings.

The FCTA approach to Mass Housing where initial allocation was based on Development Lease Agreement to site developers, who builds houses according to approved plans and sells to prospective home owners who settle in as tenants, verifiably, before developer submits their names for Certificates of Occupancy (C of O). Imperfections observed in the FCT experience can be refined towards making the initiative acquire a national appeal and adaptation to meet local circumstances.

VIII.8 Infrastructure

Infrastructure plays an important role in determining the final cost of housing and rents. A lot literature has dwelt on the conventional and many innovative ways for providing infrastructure to a housing scheme or District. They, according to Opeifa, 2018, range from allocation from Federation Account, internally generated revenue, public-private-partnership framework, private finance initiative, infrastructure bonds, privatisation, financing by Development Finance Institutions, whether concessional or not, donations or grants from International development or Donor Agencies. Others are Infrastructure Investment Funds, Development and private Banks, use of Special Purpose Vehicles (SPVs), direct investment by relevant Institutions and the Chinese Option. For almost all of these projects, the outcome of houses produced were out of the reach of the low-income group.

In view of the gradual process of average families' housing development process against short-term liabilities for funding sources, it is necessary to emplace a gradual and incremental or evolutionary process for the provision of infrastructure in rural settlements, peri-urban centres and low-income residential Districts. Various methods can be adopted to negotiate the conventional modes highlighted for other Zones of a City or Regional Space. The recommended process in these other situations such that a topographical map of the area is followed by Detailed Site Development Plan prepared in line with the approved land use plan, then the land use, layout plans and engineering infrastructure drawings. Roads can be opened and stabilised while allocations are made to prospective developers. With the aid of the final detailed engineering infrastructure designs, invert levels for the ultimate road height relative to each allottee's plot can be used to produce Damp-proof Course levels for them along with approved building plans. This eliminates any possible

mismatch with the final road level in future or susceptibility to inundation by floods assuming that the road level was based on past history of flooding in the area as expected.

VIII.9 Development of Agencies' Information System and Networking

Towards making all the operations of any modern agency to perform with precision, speed and seamless services, the importance of keying into the modern information World cannot be over-emphasised. While many Ministries, Departments and Agencies in the construction industry are already exposed to the Information System, others have already installed and are managing their operations electronically. Those that have done are still operating largely in silos even related to each other as their operations are. It is necessary for related institutions to network, share their non-strategic data and information towards creating a smart system of related establishments and gradually work towards the Smart City mode. Enhanced Research and Documentation of all activities in all locations and keying into the system all past decisions on various plots in the areas of jurisdiction and digitisation of all maps and graphical items will go a long way in enhancing the quality of public service.

The Land use Act established a uniform Land Administration system in the Country with the aim of making land easily available to all Nigerians for unhindered development. Its inability to deliver on this requirement has manifested in the incapability of various measures and schemes developed for housing delivery not have achieved the desired merits in coping with the population dynamics and societal needs in housing and other socio-economic endeavours. Among possible measures for redressing the situation are responsive review of the Act, changing emphasis from land ownership to housing delivery, provision of legalised master plans and structure plans to guide developments, review of plot sizes cognisant of infrastructure cost and efficiency, provision of evolutionary low-cost housing shells for incremental in-fill by families, adoption of alternative local building materials and development of agencies' information system and networking.

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