

Assessment of the Role of Federal Government in Physical Development of Metropolitan Kano

Thesis Submitted To The
Post – Graduate School
Ahmadu Bello University, Zaria

**In Partial Fulfilment for the Award of M. Sc.
(Urban and Regional Planning)**

Department of Urban and Regional Planning
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DECLARATION

I, AbdulRasheed Lawal hereby declare that this thesis is an original work based on personal field investigation. It has not been presented elsewhere for Higher Degree Award, and all sources of information are specifically acknowledged by the use of reference.

Sign

Date

CERTIFICATION

This is to certify that the thesis “Role of Federal Government in Physical Development of Metropolitan Kano “submitted by AbdulRasheed Lawal meet the requirement of the award of M.Sc Urban and Regional Planning of A.B.U. Zaria is an original work based on personal field investigation, has been read and approved.

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ACKNOWLEDGE

All praise to be Allah the Omniscient and Omnipotent for giving me the opportunity to carry out this tremendous work. My thanks goes to my Supervisors **Mr. E. O. Gunn** and **Mr. UF Yahaya** for their guidance and constructive criticism which make the work a reality. My appreciation also goes **Mal. Nasir Suleiman Abdullahi, Mal. Zayyanu Muhammed** and **Nasir Suleiman** all lecturers of the Department of urban and Regional Planning ABU Zaria.

ABSTRACT

This study examines the role and responsibilities among the three tiers of Government in the Federation as provided in the constitution and other legal provisions. But focuses particularly on the activities of Federal Government in Kano Metropolis. The research assesses some Federal Government exclusive functions and other concurrent functions shared with the State Government. However, emphasis is given to the responsibilities that required the use of vast size of land and affect the spatial growth and location pattern of other uses.

Three exclusive and two concurrent functions were selected for assessment, this include Trunk A road, Airport, Railway, Housing and Educational Institutions respectively. The study also examines how the Federal relates with Kano State Government agencies in carrying out these functions.

It has been found that since 1975, all the physical development proposals in Kano such as housing programmes, site and services scheme, B.U.K. Master plan etc which the Federal Government plan to implement, had not achieve half of any of the proposed plans. In ability of the Federal Government agencies to fully and properly implement their plans led to the emergence of physical/environmental and social problems.

The study also reveals that the Federal had contact only with Kano State Government during the process of land acquisition for physical development projects. There was no attempt to coordinate the functions of their Ministries and parastals involved in preparation and Implementation of planning schemes. Recommendations was put forward on how to improve the performance and ameliorate the existing problems and the way the two tiers of government should cooperate and coordinate their activities.

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LIST OF ABBREVIATIONS

B. U. K	-	Bayero University Kano
CBD	-	Central Business District
GRA	-	Government Reserve Area
FGN	-	Federal Government of Nigeria
FAAN	-	Federal Airport Authority of Nigeria
FHA	-	Federal Housing Authority
FMHOD	-	Federal Ministry of Housing and Urban Development
KASEPPA	-	Kano State Environmental Planning and Protection Agency
KNSG	-	Kano State Government
KSHC	-	Kano State Housing Corporation
NACO	-	Netherland Airport Consultant
NAMA	-	Nigeria Airport Management Agency
NEPA	-	National Electric Power Authority
NRC	-	Nigeria Railway Corporation
NUPP	-	Nigeria Universities Physical Planning
NUC	-	National Universities Commission ^a
URP	-	Urban and Regional Planning

CHAPTER ONE

1.0 Introduction:

All the three tiers of government have been assigned various roles to play in physical development of Nigeria Urban Centres. However, a number of functions exist over which both Federal and State Governments exercised concurrent powers e.g. in housing delivery, education, health etc. While other functions are reserved exclusively for the Federal Government. The way of executing these functions and the relationship between the Federal and other tiers of government is a pre-requisite of ensuring the success of orderly physical development of our Urban Centres. Hence, the most important challenges which faces our towns and cities is how to organize and coordinate responsibilities among the tiers of government in order to deal effectively with Urban problems for the general well-being of the society.

1.1 Research Problem:

A Country where three tiers of government (Federal, State and Local Governments) exist is said to operate a Federal system of government. Nigeria is, thus one of such countries. The division of power and function is usually defined in the constitution, the Federal Government functions are referred to as exclusive as contained in the second schedule of the 1999 Constitution e.g. construction and maintenance of Trunk A roads, railway airport, exploration of minerals, defence and security, national development policies etc. State Government are vested with the residual (i.e. remaining function) functions not assigned or delegated to the Federal Government. However, a number of functions exist over which all tiers of government exercised concurrent functions.

In line with these constitutional provisions, Federal Government acquired large tract of land in many towns and cities in the country particularly Federal capital territory and the state capitals to provide services and facilities as enshrined by law. In Kano Metropolis, the Federal Government has been involved in various physical development projects and schemes such as housing programmes site and services scheme, land in filling scheme in low density areas of GRA, construction and maintenance of Trunk A roads. Construction and maintenance of educational institutions, military and police barracks, airports, hospitals etc.

The establishment of these institutions and physical development projects they carried out have both negative and positive impact on physical planning and development pattern of various activities in Kano Metropolis. Some of these schemes have created conflict between the Federal and Kano State Government, among them is the land in filling exercise in Nasarawa, Bompai and Airport road G.R.As where plots were carved out from the existing houses and open spaces which altered the plans and increased the density of the area without cognisance of adequacy of the existing facilities and utilities in the three areas.

The Punch Newspaper reported areas of conflict between Federal and Lagos State Government over the right to development control in some parts of lagos metropolis. A landmark judgment delivered on which one of the different tiers of government has constitutional responsibility for development control. The Supreme Court majority decision was in favour of the state having the authority to grant approval permits and licenses for building and

physical development. The decision presents the role of Federal Government agencies as negating state plans on physical development.. Hence there is the need to find out the impact of Federal Government physical development in Kano Metropolis; the relationship between the Federal and other tiers of government in physical development process; the extent to which Federal Government role conform with legal provisions and the extent to which it implements its plans, and problem created by Federal Government physical development activities in Metropolitan Kano.

1.2 Aim And Objectives:

AIMS

The aim of the research is to assess the activities of Federal Government agencies in the physical development of Kano Metropolis with a view to identify problems and recommend solutions.

OBJECTIVES

The aim would be achieved through the following set of objectives:

1. To review the legal role and functional responsibilities of different tiers of government in physical planning and development in developed and developing countries.
2. To examine the activities, operations and the relationship of Federal and State government agencies in physical planning and development.
3. To assess the impact and problems of Federal Government physical development activities in Kano Metropolis.

4. To recommend solutions for the identified problems and ways to enhance cooperation between Federal and other tiers of government. In physical development process.

1.3 Research Methodology

Urban physical development is a dynamic process; ways of achieving success in orderly development is changing as a result of continues research and investigation on urban dynamics. This work was aimed at contributing toward understanding physical development effort as carried out by the Federal Government and how it relates with Kano State government in the process.

In this research, different functions/responsibilities of Federal Government were examined for assessment, these include; Bayero University new campus, housing programmes, site and services scheme, land infilling scheme in the GRAs, federal highways, airport, and development on Nigeria railway corporation land. These institutions and schemes were selected because they cover and used vast size of land.

In the case of Bayero University new campus, its masterplan was studied, physical survey of the campus was conducted and interview with the authorities and the displaced persons were held. Stratified random sampling method was used to administer the questionnaires for the displaced people.

On site and services, there are three type of plots low, medium and high density. These plots were not equal in number and size hence stratified sampling method was used, from these three stratum, a random sampling method was used, a sample was taken from each stratum in all the two layouts, (**Sharada and Tukun-Tawa**) there are 529 plots, 25% of the total

plot owners were chosen as respondents i.e 132 plot owners. Out of 132 questionnaires administered, fourteen were unaccounted for, only 118 questionnaires were retrieved back. Beside that, interview was held with the authorities in charge of the site and services scheme. (**Federal Ministry of Housing and Urban Development**)

In the case of land in-filling in the GRAs, beside physical survey of the three reserve areas (**Bompai, Nasarawa and Airport road**) interview was also held with the management of Federal Ministry of Housing and Urban Development which own the houses where the plots were carved out. Officials of Federal Ministry of Works, Federal Housing Authority, Aminu Kano International Airport, Railway Corporation, Kano International airport, Railway Corporation, Kano State Environmental Planning and Protection Agency (KASEPPA), Kano State Housing Corporation (KHC), Kano State Ministry of Land and Physical Planning and the Kano State Ministry of Works, Housing and Transport were all contacted. Interview was also held with the people living in the G.R.A. i.e. the in-fill plots beneficiaries and the residents living in the houses where the plots were carved out.

On the housing programmes, even though the houses were constructed at different time, interview was held with authorities in charge of the programme i.e. Federal Ministry of Housing and Urban development and Kano State Housing of Corporation, which took over the Federal Estates, People occupying these houses were also questioned on various aspects.

Aminu Kano International Airport is among the Federal Government Institutions in Kano, hence questionnaire were designed to ask the authorities

in charge of the airport on various aspect. Also people living around the airport were ask to respond particularly on planning, construction and maintenance of the airport, and proximity of the airport close to residential neighbourhoods.

On Railway Corporation land, interview was held with the authorities particularly on how the corporation lease out its land to different organisation and other financial institutions as the substantial part of the corporation land are now in the central business district of Kano Metropolis. Few organizations living on the railway corporation land were asked to respond to some questions.

In all, the following institutions and establishments were contacted, Bayero University, Kano, Federal Ministry of Housing and Urban Development, Federal Ministry of Works, Federal Housing Authority, Federal Aviation Authority of Nigeria (FAAN) Kano State Environmental Planning and Protection Agency, Kano State Housing Corporation, Kano State Ministry of Works, Housing and Transport, Nasarawa, Tarauni, Fagge, Municipal and Dala Local Governments. Published and unpublished literatures including government publications were used.

1.4. Justification of The Study

In all the State Capitals of the Federation there are many Federal Government Institutions and physical project that occupied large area of land and were located in different parts of the State Capital. The remaining undeveloped or vacant space within these federal institution or to accommodate new land use.

Also new land is being acquired daily for new projects and for expanding old ones to meet the need of our expanding population. Re-planning and allocation of unused or vacant land along federal highways, railway lines, airport, housing estates e.t.c. This conflict dragged the Federal and State Government up to the Supreme Court. Lagos State Government praying the Court to declared that Urban and Regional Planning as well as physical development is a residual matter with the exclusive legislature and executive competence of the State. On Friday 13th June 2003, the Supreme Court delivered a landmark judgment, granted the relief sought by the Lagos State Government. In the wake of this Judgment, there have been wide spread reaction which include grave concern and anxiety about far reaching implication of the decision of the apex Court in other parts of the country. This problem may not be restricted only to Lagos, it may be happening elsewhere. Kano is one the most populous city in the country where there are many old established Federal Institutions. A lot of re-planning and redevelopment is taking place on vacant and unused land along highways, airport, railway line etc.

There is need to find out what is actually happening on Federal Government land, what are the impact of Federal Government physical development activities, what problem emanates and how could these problem be minimise if possible solved.

1.5 Scope And Limitations

There are many Federal Government projects and institutions, but the major ones which have a lot of influence on physical development pattern of Kano

Metropolis include housing programmes, site and services scheme, land in filling in the GRAs, Development on Nigeria Railway Corporation Land, Federal Highways within the metropolis, Bayero University new campus and the Aminu Kano International Airport. The scope of the study is restricted to these Federal Government Institutions and projects. They are however, not dominant Federal Government presence in term of physical development but as major dominant Federal Government presence on space that influences the Kano Metropolis physical development pattern, considering the extent of land they occupied.

Among the major limitations of this research is lack of full cooperation from the institutions and government establishments that are in charge of the programmes and project, particularly establishment that have security value e.g. airport. The authorities were reluctant to give adequate information on many aspects that have security value. Some of the Federal Government establishment located in Kano do not have power to release information needed about some projects or their operations without the consent of their headquarters. In some cases there is lack of cooperation from respondent particularly beneficiaries of in filling plots in the GRAs. Also from the time of data collection to the time of completion of the research a lot of changes might have happened but were not included in the research findings this could be another short coming of this work.

CHAPTER TWO

FUNCTIONAL RESPONSIBILITIES OF FEDERAL AND OTHER TIERS OF GOVERNMENT IN PHYSICAL PLANNING AND DEVELOPMENT OF CITIES:- A REVIEW OF LITERATURE.

2.1 Introduction

Planning is carried out within broad framework of government policy and has its general objectives set out in the legislation. Physical planning in some countries (e.g. Britain) is part of the national planning policies. But in U.S.A. it is also a way of ensuring the highest price for urban and sub-urban land by preventing undesirable development and in some cases promoting social class segregation (Drabkin 1978). In some developing countries, World Bank (1992) has identified some basic goals for improving urban land planning, these include enhancement of better coordination in land Management, Integration of spatial planning with financial, sectoral and institutional planning, better protection of the environment and economic efficiency to maximize advantages of urban development.

2.2 Planning Laws In Britain

Britain has experienced series of town and country planning legislation since early 19th century. But the 1947 town and country planning Act established the foundation of modern planning in the country, the law was amended in 1953, 1954, 1962, 1968, 1972, 1974, 1977, and 1980, apart from these laws, there are also special planning legislation, these include national park and access to country side Act, 1949 New Town Development Act e.t.c. (Ratcliff 1992).

The purpose of mentioning these legislations is to show how planning legislation in developed and in some developing countries are very dynamic and is responsive to changes in socio-economic development. All the laws

that went through series of changes do not only states the roles of various tiers of government in Britain but also provide the various planning tools to ensure effective administration of physical planning at each level of government.

2.2.1 Urban Policy In Britain

Urban Planning take place within the framework of national urban policy, the priorities of which reflect the ideology of the state. Pacione (2000) identified five major phases in British urban policy.

- (i) The physical redevelopment phase: From the end of the Second World War up to 1960s urban problems were seen largely in physical terms. The policy response to issue of housing quality and supply, transport and industrial restructuring focused on slum clearance and comprehensive redevelopment strategies, and the plan of Urban population and New Town development.
- (ii) The Social Welfare Phase:- In the early 1970s empirical research highlight the incidence of poverty within Britain's cities. It was observed that to tackled the root cause of urban decline would required more than marginal adjustment to existing social policies. More broad based approach to urban problem was adopted, combining economic, social and environmental programmes involving new partnership arrangement between central and local government to provide a more coordinate response. The conservative government elected in 1979 continues with the concept of partnership but stress the involvement of private sector.

- (iii) Entrepreneurial phase: The main agenda of conservative government was to structure Britain economically, socially, spatially and ideologically. The principal mechanism for achieving the transformation centered on tax cuts and deficit spending, deregulation and privatization all of which had geographically urban impacts.

Under the Conservative Government Elected in 1979 urban policy was used to restructure central government and local government relations. Among the process that characterized the changes include transfer of power to non-elected agencies e.g. urban development corporations, and deregulation involving a reduction in local authorities planning control to encourage property led regeneration.

- (iv) The competitive phase:- By the early 1990's it was evident that the approach to urban policy pursue since 1979 had failed to reverse urban decline. The limitation of property-based approach to urban regeneration has been shattered, by the slump in the demand for property in the recession of 1989 – 91. Government response was to reconstruct urban policy around the initial catalyst of competition.
- (v) Fifth phase of British urban policy can be added after the election of 1997 labour party: - Under the new government greater attention is given to the social consequence of economic policy. The key priorities include strengthening local and regional economy; increasing economic opportunities for deprive areas, rebuilding neighbourhood and promoting sustainable development.

2.2.2 Relationship Of Central Government And Other Tiers Of Government In Physical Planning And Development In Britain

In Britain, the Department of Environment is responsible for co-ordinating the work of three ministries that were previously separate autonomous ministries. These are Ministry of Transport, responsible for general transport policy, road, railway, port freight movement, inland waterways, road safety and vehicle licensing. Ministry of Planning and Local Government, responsible for land use and regional planning, land policy, new towns, local government structure and finance, country side policy and water and sewerage and Ministry of Housing and Construction responsible for the policy and finance of housing programme, construction industries, property services Agency and Building Research and Development (Ratcliff 1992).

The three ministries were combined together as Department Of Environment (DOE). Their legislative, financial and administrative powers were under the Secretary of state for environment, he hold the ultimate authority for all policy, organisation and management of planning in the country. But it is the local planning authority that implement the statutory provision of all laws related to planning on the ground. However, the Secretary for Environment is responsible for approving all the individual development plans submitted by the local planning authorities (Ratcliff 1992, Pacione 2000) Local Planning Authorities prepares local plan, (District plans, action area plans and subject plans) which they do not require the secretary of environment approval because they are likely to get out of date quickly than the main development plans. In exceptional cases the secretary of environment may compell the

planning authorities to seek his approval before effecting the plans. The aim is to ensure that all the local plans related to the main development plans and overall objectives are translated into more specific policies and proposals for the areas they cover.

There are three different types of local plans in Britain

- (i) District plan, it is normally intended for the comprehensive planning of large areas, in selecting areas for district plan priority is given to areas under pressure for development or redevelopment where there may be a greater need for control.
- (ii) Action area plan for comprehensive planning of areas indicated in the structure plan for improvement, development or redevelopment, starting within the next ten years.
- (iii) Subject plan, it is prepared where detailed development policy is required but not included, in the comprehensive district plan e.g. reclamation of derelict land. Ratcliff (1992) outlines four major functions common to all local plans in Britain. First, they used strategy of structural plans, provide a detailed basis for development control, provide a basis of coordinating development and bring local and detailed planning issues before the public.

Generally, the control exercised by the central government over local planning authorities is flexible and advisory in nature. It takes the form of memorandum, circular, directives and notes which furnish the local planning authority with a policy framework which guides and controls

the use and development of land. Although, each planning area has its own problem and might requires separate attention.

However in order to secure consistency and continuity, the Secretary of Environment normally laid down certain guidelines and principles which provide a common approach e.g. development control policy notes attempts to ensure that an informed and equitable judgment is made in respect of application for planning permission over a range of possible land use.

2.3 Relationship Of Federal And Other Tiers Of Government In Physical Planning And Development In The U.S.A.

In contrast to situation in Britain, in USA, there is no national system of planning in the sense of a common framework with a clear set of physical social and economic objective. With the fragmented structure of local government in addition to the federal government and fifty states, there are about 800 counties, 18,000 Municipalities and 17,000 township each with the power to plan or regulated land use (Pacione 2000). This indicated that the content of planning is both local and variable from place to place. That means wide range of techniques for controlling urban growth and land use are available. According to Cullingworth (1997) the major planning tool used is zoning, the first zoning ordinance was passed in New York in 1916. Under the zoning ordinance the control of land use was transferred from the state to Municipalities and township which were to limit the types of development on land within their boundaries, including control over height, the purpose of the control were to minimise problems of congestion, fire hazard, to control

population density, ensure provision of urban service and general welfare of the public. In practice there are many forms of zoning in United States.

2.3.1 Forms Of Zoning In The U.S.A

Zoning is the division of an area into zones within which uses are permitted as set out in the zoning ordinance. If due to special circumstance zoning enforcement will result to unnecessary hardship to the landowner. The planning authorities often make concession in most USA cities. Cullingworth (1997) outline some common forms of zoning in the US, these include:

i. *Cluster Zoning and Planned Unit Development.*

This involved the clustering of development on part of a site leaving the remainder for open space, recreation, amenity or preservation. The planned unit development is an extension of cluster zoning in which developers are given freedom to design development to meet market demand but within a negotiated set of criteria relating to pollution, traffic congestion etc.

ii. *Special District Zoning*

This is designed to maintain the special land use character of a place e.g. special Garment Centre District in New York City designed to deflect market forces and maintain the garment industry against pressure to convert manufacturing space into offices and apartments.

iii. *Down Zoning*

Down zoning is the rezoning of an area to a lower density use and is often the result of neighbourhood pressure to avoid development of an

intrusive land use. Down zoning is often objected by land owners because it is likely to reduce the value of undeveloped land.

iv. *Large lot zoning*: it aims to safe guard public welfare by ensuring that there is good access for emergency service vehicles, road are not too congested and there is ample open space. It can also be employed to exclude undesirable residential development and maintain the social exclusivity of a neighbourhood.

v. *Incentive Zoning*

It is a means of obtaining private-sector provision of public amenities by offering zoning bonuses in return for private finance of specific infrastructure. It is called planning gain in Britain.

Critics of zoning in the USA are of the view that it is unnecessary since market forces will produce a fair segregation of land use and it is open to corruption, particularly in respect of variance (Permitted modification or adjustment to the zoning regulations). It can lead to premature use of land resources by owners who fear unfavourable zoning changes.

While supporters of zoning argued that it is a flexible tool and an effective means of allowing local resident to determine part of the character of their neighbourhood.

2.4 Relationship Of Central Government And Other Tiers Of Government In Urban Planning And Development In Netherlands

In Netherlands autonomy is given to the provincial and municipal levels of government, with coordination of physical planning being the task of the central government. The physical planning act of 1985 provided the legal

basis for the town and country planning policy of the government. The National Physical Planning Agency is assigned to draw up the policy of the Ministry of Housing and Physical Planning. The Agency does not prepare national plan but rather set down general policy guideline while the formulation of the plan is left to the Municipal and Provincial governments (Culling Worth 1997).

The Municipalities are responsible for drawing up a development plan for section outside built areas. These plans are used as the basis for granting building and construction permit. The Municipalities are also empowered to drawn of structural plan for Municipal territory indicating its future development. The provinces have the power to drawn up a regional plan for one or more part or for the whole of the territory of the province indicating in an outline form, the future development of the area. Municipal plan must be submitted to the provincial administrative body. Provinces can compel the municipalities to draw up or to revise a structural or development plan, within a given period of time. The Minister of Housing and Physical Planning can compel the provincial administration to draw up or revise a regional plan within a given period of time as well as give directives with respect to the contents of a regional plan. The Minister may also give instruction with respect to the contents of the directive that the provinces must give to the Municipalities.

2.5 Relationship Of Central Government And Other Tiers Of Government In Urban Planning And Development In Spain

In Spain, the fundamental functional tool in land use control is the Municipal Plan. The municipal council is in charge of its preparation and its approval goes through the following stages: (i) Initial approval by the municipality, (ii) Publication for a period of one month, (iii) Provisional approval by the municipality, (iv) Sanction by National Council or the Provincial Commission of Urbanization and publication of the final approval in the council bulletin. (Drabkin 1985)

2.6 Relationship Of Central Government And Other Tiers Of Government In Urban Planning And Development In Sweden

In Sweden the Building Act contain four types of plans: regional plan, master plan, town plan and building plan. All detailed plan has to be ratified by regional and national authorities while comprehensive plan by the municipalities. After a detailed plan has been ratified, real estate formation has to take place in accordance with the intention of the plan. Only after that the municipality can grant building permit. One prerequisite for land being used for urban settlement is that a detailed plan has to be approved for the area. Outside such an area building permits for urban purpose may, in principle, not be granted. Apart from that all municipalities have to prepare yearly residential building programmes for the next 5 years. This has connection with the national housing policy and provides the basis for planning social services, building of roads and paves the way for the preparation for agreement with landowners on land acquisition. (Drabkin 1985)

2.7 Relation Of Central And Other Tiers Of Government In Urban Planning And Development In India

The statutes governing or affecting land-use-planning and their contents are varied. Thus, for instance there are, in addition to the planning acts, a number of others including slum clearance act, periphery development control act, restriction of land-use acts, housing board acts, municipal act and so on. However the central town and country planning organisation prepared for the guidance of the state government a “Model Town and Country Planning Act.” The model law provides for the establishment of a State Town and Country Planning Board to advise the state government on town planning matters and to guide, direct and assist local planning authorities in the preparation and enforcement of “Development Plan.” It allows the designation of a local body as the planning authority. It requires a present land-use map and register to be prepared for every planning area. Thereafter an interim development plan to be prepared followed by a comprehensive development plan. At every state there is provision for public objection and hearing and the state government approval. After the enforcement of the plan no development or change of use of land is to be undertaken except with the prior permission from local planning authority (Woodruff 1985).

2.8 Relation Of Central And Other Tiers Of Government In Urban Planning And Development In Indonesia

In Indonesia, the law and rules governing land-use planning activity is the Town Planning Ordinance of 1948 which had been reviewed several times to meet the emerging challenges (1962, 1974, 1985). The salient features of the law are that it provides for the preparation of two types of plans, namely Town Plans and Detailed Plans. The town plans are in the nature of broad land-use

plans showing designation of areas for public housing, industrial and commercial uses, public structure and social amenities, circulation system, protection of historical and cultural monuments, open spaces and green areas, e.t.c. The town plan also must show the type of buildings to be constructed or permitted in certain areas. The detailed plans are expected to show detailed provision governing building and ground works according to building regulations.

The ordinance requires that the City Mayor consult with various government departments, authorities and public utilities department undertaking works within the municipality. After these consultations the town plan is adopted and submitted through the resident and the Director to the national government (Woodruff 1985).

While in most developing countries where there are immense land use planning problems and other regulatory challenges in response to rapid populations growth and urbanization. Governments have largely failed to meet these challenges, because land use planning and regulation have been rigid. The pattern of planning administration and the law backing it have not been responsive to changing political economic and social status of most developing countries.

A World Bank Study (1992) identified several problems besetting most developing countries.

- (i) "Most regulation are based on out dated and inappropriate planning legislation with heavy emphasis on centralized control."

- (ii) Master plans take too long to prepare and rarely address the financial implication associated with their implementation.
- (iii) Land use planning administration function are often institutionally fragmented across a number of ministries; also these function have traditionally been isolated from their economic counterparts.
- (iv) Control over development is enforced primarily by extensive bureaucratic approval procedures.

From the review of planning legislation and pattern of planning administration in the above mentioned countries, the following inferences could be drawn:

- i) The municipal or local planning authorities in most of the mentioned countries prepares, adopt and implements such physical development plans as rural, local and subject plans while state and the central governments features predominantly in areas of regional, sub-regional and national physical development plans respectively.
- ii) Municipal governments are responsible for drawing development plan outside built up area i.e. urban fringe.
- iii) Apart from the fact that, physical planning form part of the general system of planning, it also complement economic planning effort.
- iv) Physical planning laws and legislation goes hand in hand with changes in social and economic situation of these countries, e.g. The Nigeria Town and Country Planning Law of 1946 and the British Town and Country Planning

Law of 1947 were enacted nearly the same time. The British amended their law six years after (1953). In Nigeria, even after independence the government has not make any attempt to review the law till 1992, i.e. forty-six years after.

- v) Physical Planning is an integral part of the decision-making process.
- vi) Political and Economic Systems are integrated into all aspects of physical planning.
- vii) Municipal Councils are in charge of land-use and local development control.
- viii) The State and Central Governments have been assigned responsibilities in physical planning and made research funding available to the municipal government.
- ix) The experiences of different countries suggest that in order to implement efficiently land-use planning, regional institutions are generally necessary. They must be able to effectively prevent local authorities from changing the detailed land-use plan.
- x) On the other hand there is effective coordination and cooperation in drawing up plan between the appropriate authorities (local, regional and national).

CHAPTER THREE

THE ACTIVITIES, OPERATIONS AND THE RELATIONSHIP OF FEDERAL AND STATE GOVERNMENT AGENCIES IN PHYSICAL PLANNING AND DEVELOPMENT

3.0 Introduction

A Federal system is one in which Political power is not confined exclusively to central, regional or local government, but rather is divided between them. The division of power and function in a Federation is usually defined in the constitution and other legal provisions. In Nigeria, urban and regional planning as contained in the concurrent list of the constitution, it is expected to be shared by States and Federal Governments. However, some aspects of urban and regional planning are also contained in the residual legislative list for local government council. Beside the constitution there are other legal provisions that assigned functional responsibilities to all tiers of government in physical planning and development process. These include Land Use Decree of 1978. Urban and Regional Planning Law of 1992 and other physical development related policies such as housing policy, transport policy, urban development policy etc.

3.1 The Power And Functions Of Federal Government In Physical Planning And Development Under The 1999 Constitution:

The Power and Functions of Federal Government as contained in the second schedule of 1999 constitution are of two categories namely: exclusive powers e.g. minting and control of the country's currency, exploitation of mineral resources, trunk 'A' roads and railway, foreign policy, national development policy, etc. State governments are vested with the residual (i.e. remaining) functions i.e. functions not assigned or delegated to the federal government

which primarily include urban and regional planning although some planning functions are reserved for federal government particularly in Federal Capital Territory. However a limited number of functions termed concurrent (shared) subjects exist over which both the federal and state exercise concurrent powers e.g. housing, health care delivery education etc.

Physical planning is principally a state government responsibility that is physical planning at the state rest squarely on the state government shoulders. This assertion, had been revealed by the 4th National Development Plan (1975 - 1980) which states that:

“Responsibility for activities under Town and Country Planning sector falls largely on state and local government. Federal Government’s involvement, a part from the specific responsibility over the building of the new capital, at Abuja will be limited to providing maps and aerial photographs at suitable scale to facilitate engineering design and preparation of master plans. It will also carry out in-depth studies on the physical environment in order to generate specific information for the purpose of setting of general environmental standard”

(NDP 1981 as quoted in Jiriko 1998)

The recent Supreme Court Judgment (13th June 2003) on the Federal and Lagos State Governments’ conflict over the planning powers on federal government land in the state has reaffirmed the above statement. The Court ruled that “constitutionally town planning and development power belong to the state” and “each State House of Assembly has the exclusive function to make planning laws and regulation for the state under its residual power”.

This does not mean that Federal Government has no physical planning role to perform for the states but such role may be indirect advisory and conform strictly with the constitutional provision. The federal government does provide physical planning policies e.g. housing policy, urban development policy, transport policy etc. It has established financial institutions such as Urban Development Bank, Federal Mortgage Bank etc. strictly for urban development purpose, the Federal Ministry of Housing and Urban Development with Urban and Regional Development Department takes care of urban and rural planning policies of federal government. Federal government rural infrastructure policies/programmes were effected through defunct Directorate of Food Road and Rural Infrastructure (DFRRI) but now through the Federal Ministry of Water Resources and Rural Development (*Jiriko 1998*).

3.2 The Power Of Federal Government In The Control And Management Of Land For Physical Development In Urban Centres Under The 1979 Land Use Act.

Nigeria has experienced series of land laws since colonial period such as public Land Proclamation of 1902, Land and Native Right Proclamation of 1910, Land and Native Right Ordinance of 1916 and Land Tenure Law of Northern Nigeria of 1962.

Land law is very important in Physical planning and planning administration. The law played significant role in determining past and existing pattern of development within urban and rural areas of the country. It is the major tool that determines the adoption, interpretation and enforcement of any urban and regional planning legislation. Hence the success or otherwise of the

workability and implementation of existing planning legislation rest on how the current land law (Land Use Act) address contemporary planning legislation i.e. 1992 urban and regional planning law (Oyesiku 1992 P.63).

The power of control and management of land was outlined in section I of Land Use Act which states:

“Subject to the provision of this act, all land comprised in the territory of each state in the Federation are hereby vested in the Governor of that state and such land shall be held in trust and administered for the use and common benefit of all Nigerians in accordance with the provision of this Act”

The federal lands are however excluded from the land vested in the state Governor. Section 49 provides that *“nothing in this Act shall affect any title to land whether developed or undeveloped held by the federal government or any agency of the federal government at the commencement of this act and accordingly such land shall continue to vest in federal government or agency concerned”*. Agency includes any statutory corporation or any statutory body or any company wholly owned by federal government. Furthermore, section 50 (2) provides that the powers of a president under the act shall comprise in federal capital or any land vested in the federal government in any state be exercised by the President or the Minister designated by him in that behalf. It would seem from this provision that land held by the federal government would include land allocated to the federal government by the State Governor after the commencement of the Act or before the Act.

Section 2 (1) (a) and (b) indicate that administration of land is divided into two, which relates to (1) “all land in urban areas shall be under the control and management of the governor of each state and (2) “all other land shall be under the control management of the Local Government within the area of jurisdiction where the land is situated”. As section 3 of the Act empowers the Governor to designate by publishing in the Gazette any area to be an urban area. It is easy for the Governor to designate any area he so wishes to be under his control into an urban area by just exercising that power or by using the provision of section 5 which gives him power in relation to the land irrespective of whether or not it is in an urban area. Yakubu (1982) had argued that taking into consideration the extent of the political maturity of Nigerian, any law vesting the Governor with such power is unlikely to achieve desirable result. Muhamud (1982) cited where the Federal Government was denied allocation of land for its project and where a certificate of ownership belonging to a political opponent is revoked and where for more than a year the Governor does not sign a single certificate of occupancy.

Even though the land use Act does not vest any power in the Federal Government for control over land, however section 28 (2) (6) and (3) (a) puts its need under the provision of what the Act called “over-riding public interest”. Under sub-section 28 (4) of that section, it is clearly pointed out that it becomes obligatory for a governor to revoke a certificate of ownership of any portion of land for which the President or his representatives applies for its acquisition for public interest.

Considering the physical planning implication of the Land Use Act, the Act alienates physical planning from control and management of land and it does not award planning the priority it deserves as an important activity that would ensure orderly development of various activities on land. Another implication of the act on physical development in Nigeria is inability of some state to benefit from Federal Government planning programme such as housing and provision of infrastructure due to conflict between federal and state governments in the administration of land. Because the control and management of land are vested in the Governor and also the power to revoke a right of occupancy. Thus, the Federal Government has no power to acquire lands directly in any part of the country (other than the Federal Capital Territory, Abuja) except through the state governor, which is costly, time consuming. The problems in many instances delay the Federal Government's involvement in physical development of some states.

3.3 The Power And Functions Of Federal Government Under The 1946 Town And Country Planning Ordinance

It became necessary to examine the role and functions of Federal Government to see if there is any under the 1946 Town and Country Planning Ordinance, the law is still in operation in most states due to non-implementation of the 1992 law.

Physical planning in Nigeria was for several decades are based on the Town and Country Planning ordinance of 1946 together with it regional variation namely cap. 123, of the law of western Nigeria 1959, Town and Country planning cap. 126 of the Law of Eastern Nigeria 1963 and Town and Country

Planning cap 30 of the law of Northern Nigeria 1963. The laws have provided administrative framework for physical planning in Nigeria.

The principal focus of the ordinance was the improvement and control of development by means of planning schemes to be prepared by the planning authorities appointed by the Governor. Planning in general was vested in the Governor who delegates his power to the Commissioner (formerly Minister) in-charge of planning matters. The Commissioner in turn empowers the planning authorities to secure control of development through the preparation of planning scheme. Most states in the Federation are still operating based on powers and functions outlined in the 1946 Town and Country Planning Ordinance. In the ordinance, the Federal government has not been allocated any statutory planning function except in the then Federal Capital Lagos.

The shortcomings of the 1946 Planning Law includes: -

1. Federal Government had no statutory planning function except in the then Federal Capital (Lagos).
2. Planning lacked comprehensiveness and was based only on planning scheme initiated by planning authorities.
3. Lack of public participation in planning.
4. Some arms of government were exempted from development control measure of planning agencies.
5. Lack of public inquiry procedure and appeals against planning decision.

3.4 Physical Planning And Development Roles Of Federal And Other Tiers Of Government Under The 1992 Urban And Regional Planning Law:

The 1992 Urban and Regional Planning law makes provision that transform Urban and Regional planning in Nigeria. It repeals the forty six years obsolete Town and Country Planning Ordinance. The 1992 law provides for several physical development plans at three level of government (Federal, State and Local Governments). Each tier of government was assigned particular type and level of physical development plan to execute. In order to facilitate preparation and implementation of physical development plans, the law provides for the establishment of National Urban and Regional Planning Commission at Federal level an Urban and Regional Planning Board at State level, and a Local Planning Authority at Local level, (S.5 a b & c). These agencies are responsible for effecting physical planning role assigned to the respective tier of government that established them. All the bodies are to be represented by representative of six professional bodies i.e. Town planning Architecture, Civil Engineering, Land Surveying, Law, and Estate Surveying, at all level of government. The head of each of the bodies referred to as the chairman and must be a professional planner in practice for fifteen years for the Commission and five year each for the Board and the Authority. All must be registered with Town Planners Registration Council (TOPREC).

TABLE 1: Types And Levels Of Physical Development Plans

S/N	TYPE/LEVEL OF PHYSICAL DEVELOPMENT PLANS	TIERS OF GOVERNMENT RESPONSIBLE		
		FGN (1)	STATE (2)	LGA (3)
1	Physical Development Plan in FCT.	1	-	-
2	Regional Physical Development Plan	1	2	-
3	Sub-Regional Plan	1	2	-
4	Urban Plan	1	2	3
5	Rural Area Plan	-	-	3
6	Local Plan	-	2	3
7	Town Plan	-	-	3
8	Subject Plan	1	2	3

Source: Jiriko (1998) Extracted from the Nigerian Urban and Regional Planning Law, 1992.

However, Lagos State is not satisfied with many provisions of the Nigerian Urban and Regional Planning Law. Hence instituted a case against the Federal Government based on what they perceived as Federal Government blatant disregard to Lagos State's Planning Authority. The Lagos State Government wanted the Supreme Court to determine which of the three tiers of government is responsible for Urban and Regional Planning in Nigeria. For instances some of their complaint were:-

- a) The indiscriminate development approval granted for development along the railway lines within the state without regard to the state government's planning policy; and
- b) Illegal development approved by the Federal Government agencies under bridges and bridges loop's in Lagos State etc.

Some of the relief sought in this case before the Supreme Court were:-

- i) A declaration that by virtue of the provisions of section 4 and 5 of the 1999 constitution; urban and Regional Planning as well as Physical development is a residual matters within the exclusive legislative and executive competence of the state.
- ii) A declaration that the grant of approvals, permit and licenses of building and physical development in Lagos State, including under bridges, bridged loops and highway set back are the residual responsibility of Lagos State; and
- iii) An order nullifying or revoking such approvals, permits or licenses illegally granted by the Federal Government with effect from this 1st of June 1999, for any building or any development of land in Lagos State.

The Supreme Court by a majority decision of 4 to 3 on the 13th June, 2003 delivered it judgement granting some of the relief sought by the Plaintiff (Lagos State), the most vital of which are:-

- a) That Urban and Regional as well as physical development is residual matter within the exclusive legislative and executive competence of the states;
- b) That some parts of the Nigeria Urban and Regional Planning law are inconsistence with section 4 of the 1999 constitution and are null and avoid.
- c) That Urban and Regional Planning is constitutionally recognized as the responsibility of the State Government rather than that of the Federal; and Local Government. (See table 2.)

Some of the issues raise by majority of planners and other stakeholders is the relationship of planning to environment for sustainable development. The

majority opinion in this judgment interpreted “Environment objectives” to mean the regulation of development and the use of land in the Public interest, the protection and enhancement of the environment in town and country. Whereas, the majority opinion saw the Nigeria Urban and Regional Planning law as being more concern with Planning than Environment as especially, as according to them, the two are not conterminous.

Generally speaking, it could be noted that the judgment has changed the legal framework of Urban and Regional Planning law in Nigeria. Even though urban and regional planning is now a residual matter within the exclusive legislative competence of the states, except the Federal Capital Territory where the Federal Government still exercise residual powers as provided by the 1999 constitution. The judgment had also made it very apparent that there is need to devise constitutional or legislative reforms to ensure a holistic approach for planning our environment for sustainable development.

3.41 Benefits Envisaged by the 1992 Urban and Regional/Planning Law.

From the review of the 1992 Urban and Regional Planning Law, it could be deduced that the law has many benefits and advantages over the old 1946 Town and Country Planning law. This could be in terms of: -

Prominence:

Great prominence has been given to Town Planning in Nigerian Section 2 – 4, of the law has made it the function of the Federal State and Local Governments.

Comprehensiveness:

Section 1 of the law gives town planning comprehensive treatment. It dealt with the five main points of physical planning at the National, Regional, Sub-

Regional, Urban Plan and subject Plan thus, providing a more realistic and purposeful planning of the country.

Public Participation:

The introduction of public participation enriches the product of planning within the context of the democratic process.

Introduction of Environmental impact statement:

As a means of enhancing the quality of the environment and checking pollution, section 33 of the law made provision of environmental impact statement for certain sizes and classes of development.

Appeal:

Section 86 of the law established Urban and Regional planning Tribunal to enable citizens obtain equitable planning decision. It is in this way citizens can obtain a good deal.

Government Agencies To Obtain Planning Approval:

Formerly, government agencies were exempted from obtaining planning approval for development they carry out, for instance, Railway and Port Authority. It is section 29 of law that made it mandatory for all government agencies involved in land development to obtain planning approval for work they intend to carry out.

TABLE 2 Analysis Of Reliefs Sought By Lagos State Government And Supreme Court Declaration On Each Relief

RELIEF	CONTENT OF RELIEF	SUPREME COURT DECLARATION	GRANTED		AREA(S) OF CONFLICT
			YES	NO	
1.	A DECLARATION that by virtue of the provisions of sections 4 and 5 of the 1999 Constitution of Nigeria Urban and Regional Planning as well as physical development is a residual matter within the executive legislative and executive competence of the State.	A DECLARATION that by virtue of the provisions of sections 4 and 5 of the 1999 Constituion of Nigeria Urban and Regional Planning as well as physical development is a residual matter within the exclusive legislative and executive competence of the State.	YES	-	-
2.	A DECLARATION that the provisions of Sections 1 (2) & (3), 2(1), 3, 4, 5, 8, 9, 10, 11, 12, 28, 30 to 46, 47 to 63, 75 76(3) and 86 to 88 of the Urban and Regional Planning Act (Decree No. 88 of 1992) which seek to Control Urban and Regional Planning as well as physical development of land in Lagos State are inconsistent with section 4 of the 1999 Constitution and to that extent null and Void.	A DECLARATION that the provisions of Sections 1 (2) & (3), 2(1), 3, 4, 5, 8, 9, 10, 11, 12, 28, 30 to 46, 47 to 63, 75 76(3) and 86 to 88 of the Urban and Regional Planning Act (Decree No. 88 of 1992) which seek to Control Urban and Regional Planning as well as physical development of land in Lagos State are inconsistent with section 4 of the 1999 Constitution and to that extent null and Void.	YES	-	SECTION 2(i) under this relief is in conflit with Section 27 and Particularly 27(3) of Decree 88 of 1992; SECTION 27(3) also contradicts Section 28 of the Decree; and Section 27 is clearly in conflict with Section 47.

RELIEF	CONTENT OF RELIEF	SUPREME COURT DECLARATION	GRANTED		AREA(S) OF CONFLICT
			YES	NO	
3.	A DECLARATION that the Federal Highways Act (Cap. 135, Laws of the Federation of Nigeria (LFN), (1990), Nigeria Railways Corportion Act (Cap. 323, 1999), Civil Aviation Act (Cap. 51, LFN, 1990), National Inland Waterways Act (Decree No. 13 of 1977) and other5 Federal statutes which vest power in the 1 st Defendant to grant approvals or specific purposes for which those statutes were made and do not vest general planning powers or physical development control of land in Lagos State in the 1 st Defendant.	A DECLARATION that the Federal Highways Act (Cap. 135, Laws of the Federation of Nigeria (LFN), (1990), Nigeria Railways Corportion Act (Cap. 323, 1999), Civil Aviation Act (Cap. 51, LFN, 1990), National Inland Waterways Act (Decree No. 13 of 1977) and other5 Federal statutes which vest power in the 1 st Defendant to grant approvals or specific purposes for which those statutes were made and do not vest general planning powers or physical development control of land in Lagos State in the 1 st Defendant.	YES	-	Relief No. 3 is completely in conflict with relief No. 4 in the Supreme Court Declaration.
4.	A DECLARATION that the grant of approvals, permits and licenses for building and physical development in Lagos State including under bridges, brigdges' loops and highway set back are the residual responsibility of the plaintiff.	A DECLARATION that the grant of approvals, permits and licenses for building and physical development in Lagos State including under bridges, brigdges' loops and highway set back are the residual responsibility of the plaintiff.	YES	-	-

RELIEF	CONTENT OF RELIEF	SUPREME COURT DECLARATION	GRANTED		AREA(S) OF CONFLICT
			YES	NO	
5.	A DECLARATION that all approvals, permits or licenses granted or issued by the 1 st Defendant from the 1 st of June 1999 for Building or development of land within the territory of Lagos State without the consent of the Plaintiff and in contravention of the town planning laws and regulations of Lagos State are illegal, null and void.	. A refuse reliefs 5 and 6 on the grounds that the interests of third parties are involved. They have not been given an opportunity to be heard. The said reliefs cannot be granted.		NO	-
6.	AN ORDER nullifying or revoking all such approvals, permits or licenses illegally granted by the 1 st Defendant with effect from 1 st of June 1999 for any building or any development of land in Lagos State.	-do-	-	NO	
7.	A PERPETUAL INJUNCTION restraining the Defendant, its servants, agents and privies or otherwise howsoever from further granting of approvals, permits, licenses for development of any land, highway set-back and under bridges, bridges' loops, markets, shops, stalls, mechanic workshops, etc in Lagos State without the consent of the Plaintiff."	As regard relief 7, the 1 st defendant as already shown cannot in law grant such approvals, permits, licenses for the development of any land, highway setback etc stated therein. It is for the Lagos State authorities to do so. In view of this, I do not consider that the grant of an order of perpetual injunction in this suit against the 1 st defendant can be effective solution in advance to any dispute between it and the plaintiff as to whether a particular act done by the 1 st defendant or its agencies in future amounts to the flouting of the Lagos State town planning laws. It may simply have an overreaching effect, which may be difficult to justify in a given situation. Therefore caution dictates that relief 7 ought not to be granted. It is accordingly refused. I make no order for costs, Each party shall bear its own costs.	-	NO	

Sources: Summary of Supreme Court Judgement 13/6/2003.

3.5 Operations And Functions Of Government Agencies

3.5.1 Federal Ministry Of Housing And Urban Development:

In May 2001, the Federal Government set up a presidential committee on housing and urban development to review the national policies on housing and urban development among others. Thus, the Federal Ministry of Housing and Urban Development was created in July 2003 from the Federal ministry of Works and Housing. The new Ministry has the exclusive mandate to control, regulate and provide policy guidelines for housing and urban development sector.

The specific functions of the Ministry as contained in the white paper on housing and urban development (2002) are as follows: -

- i. Formulate Policy and Set Standard for housing sector
- ii. Formulate, monitor and evaluate government policy on housing.
- iii. Coordinate the activities of other government agencies in the area of housing.
- iv. Supervise the Federal Agencies under it, Federal Mortgage Bank, Urban Development Bank, Federal Housing Authority etc.
- v. Provide and maintain infrastructures for housing stock including public building of Federal Ministries.
- vi. Provide public building for Federal Ministries.
- vii. Establish building standard and code for effective housing delivery and safety in collaboration with relevant professional bodies.
- viii. Develop Data Bank for housing needs
- ix. Upgrade and maintain the housing stock including public building of Federal Ministry.
- x. Supervise the registration board of relevant professional bodies.

- xi. Ensure that the national housing and urban development plan are strictly implemented.
- xii. Formulate policy and set standard for National Fire Safety delivery to ensure consonant with the goal of national industrialization and economic development.

The Ministry of housing and urban Development is composed of five Professional Departments including Urban and Regional Development Department which is responsible for the following functions: -

- a) Formulation of Policy of Physical Planning and Development in the country.
- b) Monitoring of the implementation of government policies of physical planning and development.
- c) Determination of Land use and Control.
- d) Monitoring of development to ensure adherence to laid down plans.
- e) Parks and Garden.
- f) All bilateral and multilateral projects in the area of urban and regional planning. The department is constituted into four divisions, urban and regional development, urban and rural planning, urban traffic and transportation management, and parks and gardens. See figure I for organizational structure of the Ministry.

3.5.2 Federal Ministry of Works

The Federal Ministry of Works main Function is construction and Maintenance of Federal Highways in the country. The Ministry has eight Departments each headed by a Director. The Departments are Survey, Engineering Services.

Planning Research and Statistics, Administration and Supply, and Finance and Accounts, Highways and Road Maintenance.

5.3 Federal Housing Authority (F.H.A)

FHA was established in 1973 to execute the Federal Housing Programme. According to the Decree No. 40 of 1973 which established F.H.A. the authority has three principal functions:-

- a) The preparation and submission from time to time to the government of proposals for National Housing Programmes.
- b) The making of recommendation to the government on such aspect of urban and regional planning, transportation, communication, electric power, sewage and water supply development as may be relevant to the successful execution of housing programme approved by the government.
- c) The execution of housing programmes as approved by the government.

But since 1980 when the civilian government came to power, the then Federal Ministry of Housing and Environment had assumed most of the functions of FHA. The trend continued up to today. The major roles played by the Federal Housing Authority in physical development of Kano Metropolis are Federal Housing Estate, and Federal Housing Authority site and services scheme at Sharada and Mariri Housing Estate, which was later taken over and completed by the Kano State Government.

TABLE 3: Federal Housing Authority Projects In Kano Metropolis:

S/N	Project	Location of the Project	Year of Construction/ Implementation	No of Houses/Plots Provided	Present Condition/Status of the Project
1	Sharada Housing Estate	Sharada	1985/86	320 housing Units	Sold to Public
2.	Site and Service Scheme	Sharada	1992	285 Plots	All the plot were serviced and allocated to the Public
3	Mariri Housing Estate under the 1994 National Housing Programme	Mariri	1994/95	922 Uncompleted Housing Units.	The uncompleted housing Units were taken over by the Kano State Government.

Source: FHA & Field Work (2004)

CHAPTER FOUR

IMPACT AND PROBLEMS OF FEDERAL GOVERNMENT PHYSICAL DEVELOPMENT ACTIVITIES IN KANO METROPOLIS

4.0 Introduction

This chapter focuses on the assessment of impact and problems of federal government physical development activities. The activities assessed include planning and development of Bayero University, Federal Government Housing programmes, land infilling in Government Reserved Areas, Federal Government Site and Services Scheme, Federal Highways, Nigerian Railway Corporation land and the Aminu Kano International Airport.

4.1 Process Of Land Acquisition For Federal Government Physical Development Projects

The major attempt to regulate land tenure throughout Nigeria is the promulgation of land use decree in 1978. The decree was not aimed only at facilitating easy access to land but also at ensuring orderly development, healthy and aesthetic environment. The decree has played a leading role in facilitating easy access to land to federal, state and local government at minimal cost for development projects.

The decree vested the control and management of all urban land in the State Governor. That means the President of Nigeria has no power over land except in Abuja. The Supreme Court judgment reaffirms the provision of land use decree, that "Ownership of land in any state by the Federal Government is primarily limited to the question of title and the right to possession and use of it." Whenever the Federal Government is in need of land for development project. It is the Federal Land Officer through the Federal Controller of

Housing and Urban Development in the state where the project was proposed would apply to the State Governor on behalf of the President. The land use decree compelled the Governor to honour such request. Section 29 (4) provides that...*"Governor can revoke right of occupancy of any land for overriding public interest if a notice is issued by or on behalf of the Head of State that such land is required for public purpose"... "And nothing shall affect any title to land whether developed or undeveloped held by the Federal Government or any agency of the federal government and such shall continue to vest in federal government or its agency concerned"* (Section 49).

The Federal Land Officer together with chief resident surveyor ascertains the extent of area of land needed for the project. Based on the size of land acquired, the Federal Land Officer ascertain the number of people affected by taking census of the displaced people, the area of land taken from each person, number of economic trees on each person land, buildings and other structures. Based on the compiled statistics the Federal Land Officer computes the amount of money needed to compensate the displaced persons using the Kano State Government rate of payment of compensation. Then determine the size of land needed to resettled the displace people where necessary. Often Federal Government offer resettlement in lieu of monetary compensation. Where the value of the alternative resettlement accommodation is higher than the compensation payable, the excess may be treated as loan, which the person must refund the government. Compensation for buildings installation and improvement on the land acquire is determine by the Federal Land Officer.

It is important to note that some Federal Government establishments do not acquire their land through Federal Ministry of Housing and Urban Development rather negotiate directly with the land owners with minimal Kano State Government involvement. Example, land for Bayero University new Campus was acquired directly by the physical planning unit of the university without Federal Ministry of Housing and Urban Development involvement. See table 4 for extent of land occupied by some federal government establishments.

TABLE 4: Extent Of Land Allocated To Some Federal Government Projects And Institutions In Kano Metropolis

S/NO	INSTITUTIONS AND PROJECTS	LAND ALLOCATED IN HECTRES
1	Bayero University (old campus)	276
2	Bayero university (new campus)	4,050
3	Aminu Kano International Air Port	1,526
4	Bukavu Barracks	1,056
5	Janguza Barracks	2,113
6	F. C. E. Kano	176
7	F. G. C. Kano	215
8	Shagari Housing Estate	142
9	Zoo Road Housing Estate	115
10	Mariri Housing Estate	107
11	Sharada Site and Service Layout	83
12	Tukun-Tawa Site and Service Layout	93
13	Land Infilling in the GRAs	32
14	Aminu Kano Teaching Hospital	122
15	Nigeria Railway Corporation Land	2,396

16	Bampai Police Headquarters	123
17	Federal Government Secretariat	43
18	Nigeria Air force Barracks	106
19	Hajj Camp	22
20	Immigration Training School	52
21	Custom Training School Goron Dutse	46
22	N. T. A Kano	16
23	Nitel Training Centre	37
24	F. H. A. Estate, Sharada	42.24

Source: Field work and additional information from various federal establishments (2004)

4.2 Relationship Of Federal And Kano State Government Agencies In Physical Planning And Development Of Federal Government Projects In Kano Metropolis.

Kano State Government established many ministries and agencies that are directly involved in physical development of not only the state capital i.e. Kano metropolis, but also the rest of the local government headquarters and the country side in general. Such establishment include Ministry of Land and Physical Planning, Kano State Environmental Planning and Protection Agency (KASEPPA) Kano State Housing Corporation (K. S. H. C.) and Ministry of Works Housing and Transport. Each of these establishment were assigned certain functions to perform and they liase with each other in the process of carrying out these statutory functions and liase also with federal government establishment that are involved in similar process.

4.2.1 Ministry Of Land And Physical Planning.

The Ministry was established by edict No. 10 of 1968. In 1999 the land division was transferred from Governors office and became full ministry and

vested with the power to approve application for consent assignment, sublease and mort gage of land on behalf of the Governor.

Contact between the Ministry of Land and Physical Planning and federal government agencies increases whenever the federal government is in need of Land for Physical Development Project. The Federal Ministry of Housing and Urban Development which is a custodian of Federal Government land will write directly to the State Governor, who will forward the request to Ministry of Land later on the Ministry of Land and Physical Planning will continue to liase with the Federal Ministry of Housing and Urban Development or with the agency concern up to the time of final process of the land acquisition.

4.2.2 Kano State Environmental Planning And Protection Agency (KASEPPA)

The agency was formally known as Urban Development Board, established by the edict no 5 of 1976. The edict empowers the agency to plan all designated urban areas of Kano State inline with Town and Country Planning law. Among the function of the board include.

- i. to frame, publish and approve planning scheme for every urban areas.
- ii. to control the development and use of land in urban areas.
- iii. to serve and maintain proper sanitary condition, amenities and conveniences.
- iv. to plan, design and provide industrial, commercial and residential layout.

Even though the primary function of KASEPPA is preparation and approving of planning scheme in every urban areas of the State, Federal Government Agencies that use vast size of land for physical development purpose do not take their planning proposal to KASEPPA. The Federal establishments assume that ministry of land and physical planning take cognisance of the requirement of KASEPPA before allocating the land for Federal Government Project. Hence there is no direct relationship between the Federal establishment and KASEPPA in planning and implementation of planning scheme. However, KASEPPA officials were included as members of Federal Government land allocation advisory committee.

4.2.3 Kano State Housing Corporation was established in 1980. It is a parastatal supervised by the Kano Ministry of Works, Housing and Transport. The Ministry ensures that all the activities of the corporation conform with the State Government Policy objective.

The main functions of the corporation includes:

- i. to provide and increase the houses needed by the public.
- ii. from time to time, prepare scheme for the provision of more houses.
- iii. to provide and guarantee loans, to enable members of the public purchase or build their own houses.
- iv. to provide and maintain roads food ways, bridges, drains and other basic work required in connection with the housing estate under the corporation.

It has found that the area of relationship between the KSHC and the Federal agencies are many and the contact took place at different times.

E.g. The KSHC has taken over the control of Zoo road housing estate built by the Federal Housing Authority during the third national development plan 1975 – 80, and housing units at Gaya and Dambatta built under the housing scheme of 1979 – 83. The representatives of KSHC were included as members of land allocation advisory committee, of Federal Ministry of Works and Housing site and services scheme 1987 – 91. Similarly, the KSHC representatives were also included as member in the committee on sale of Shagari low cost housing estate. Finally the KSHC has purchase the Federal Housing Authority, 922 uncompleted housing units at Mariri abandoned during the 1994 National Housing Programme. The housing corporation completed the houses and sold to the public.

4.3 Process Of Land Acquisition, Compensation And Resettlement For Bayero University New Campus

A committee to oversee matters relating to the expansion of Bayero University was set up in 1977. The new acquired site was located west of the City. The southern and western limits of the site were defined by the existing Gwarzo Road. The Watari River divides the site into two sections with 3, 240 hectares located east of the river and additional 810 hectares west of the river. The site has 4,050 hectares i.e an area about 23 times bigger than the old campus and twice than the Kano walled city.

The land acquired for Bayero University new campus was acquired directly by the university authority without the involvement of Federal Ministry Of Housing

And Urban Development. The major role played by the Kano State Government in the acquisition process, is the use of government media to draw the attention of land owners on where the land would be acquired. The announcement over the media enables the landowners to be present at their farms for assessment of compensation and resettlement processes. Another area where Kano State Government were involved is by compelling the university authority to use the state government rate in payment of compensation and other entitlement to the displaced people.

Claimants of the land for the new campus were categorized into two i.e. local rural inhabitant and city dwellers (land owners living at surrounding villages and in the city) by the physical planning unit. For ease of acquisition, compensation and development, the land was divided into ten phases. Out of five phases of land acquired more than eighty percent were owned by local rural inhabitants and nearly 20% were owned by city dwellers.

Compensation was paid at variable rate for man – made improvement to both residential land and farmland. A uniform rate is paid for farmlands regardless of quality. Where principle of variable compensation operates for economic trees, consideration is given to species differences such as age, use, or exchange value of trees and shrubs. Acquisition of phase 1 an area of 335 hectares began in January 1979 and completed in November the same year.

4.3.1 Planning Process Of Bayero University (New Campus)

Bayero University new campus was conceived during the Fourth National Development Plan 1975 – 80. When the Military Government approved the funding of seven new Universities (BUK Master Plan 1977). In order to

implement the proposal of the Federal Government, National University Commission set up Central Academic Planning Group and Physical Planning Group. Both groups are to advise the NUC on matters pertaining to academic and physical development of each university. The NUC hired physical planning consultant as master planners for the Bayero University new campus.

4.3.2 Goals Of Bayero University New Campus Master Plan

The main goal of Bayero University new campus master plan has been devised to provide a rich and self-sustaining existence of population of 10,000 people by 1989/90 and 25,000 to 30,000 inhabitants by the year 2000 and serve as a satellite town adjacent to nearby Kano with all the necessary amenities.

The following objectives were established to accomplish the goal:

- i. Utilities and facilities planning: To optimize the ultimate use of existing facilities and infrastructure within the framework of the Master Plan.
- ii. Circulation Planning: Provide a system of roadway which will separate various type of movement by modes i.e Vehicular, Pedestrian etc.
- iii. Environmental Planning: Avoid disruption of sensitive flora and fauna to minimized the impact on the ecology of the campus.
- iv. Land Use: Provide for interaction between the community and campus through the joint use of community facilities such as schools libraries theatres gymnasium etc.

- v. Design Development: Coordinate the development of facilities, exterior spaces and the landscape to present a coherent image to resident, employees and visitors.

4.3.3 Development Phasing Of B.U.K New Campus:

Starting with an existing student enrolment of 1163 (as at 1972) the University is projected to growth to a projected population of 10,000 by the year 1989/1990 and to 30,000 students by the year 2000.

The phasing has been defined on the basis of two separate buildings:

- a) Residential buildings can be constructed on a yearly basis to match the need of the growing number of students.
- c) Academic buildings must grow in clearly defined phases. Thus, it was recommended, that it should be expanded in four distinct phases. As Table 5 shows; these phases provide a basis for defining zones of construction. Although the Master Plan of the University has not got the endorsement of Kano State Planning Authorities. Probably, it could be in line with the provision of Town and Country planning law of 1946, which was then in operation. That exempted government organisations from obtaining planning approval.

TABLE 5: Proposed Development Phasing Of B.U.K New Campus:

YEAR/PHASE	CONSTRUCTION/DEVELOPMENT
First Phase/ Completion 1980	i) Completed First Phase to contain 1,775 students, 95% in residence. ii) Large Hall and first stage of library completed. iii) The Mosque, first stage of health complex, sewerage plant, and sport complex and tree grove have been completed.
Second Phase/ Completion 1984	i) Academic core, 4,515 students 80% accommodated. ii) Residential houses for 753 senior and 270 junior staff. iii) The conference center, the church and terraced garden completed. iv) First phase of University town center, elementary school and Dam under construction.
Third Phase/ Completion 1987	i) The Tree grove and earthen wall fencing of the University completed. ii) Campus has 5890 students 75% of them accommodated. iii) Staff housing reached 1171 for senior and 454 for junior staff. iv) The elementary school, sewerage plant and Dam completed.
Fourth Phase/ Completion 1990	i) The University now represents complete community accommodating 10,000 students, 75% accommodated. ii) Senior staff housing reached 1,349 and 502 junior staff. iii) All other facilities have attained their final stage.

SOURCE: *Physical Planning Unit and B.U.K Master plan (2004)*

TABLE 6: Proposed Phase Transfer Of Various Faculties To New Campus

Year/Phase	Faculty Transfer To New Campus
1980/81	Faculty of Art and Islamic Studies
1981/82	Faculty of Social Sciences, Law and post Graduate School.
1982/83	Faculty of Education.
1983/84	Faculty of Medicine and Engineering.
1984/85	Faculty of Science.
1988/89	General Purpose Education moves out of the old campus.

SOURCE: *B.U.K Master Plan (1975)*

Table 7 **Relationship Of Federal and Kano State Government In Planning and Implementation of Bayero University Master Plan**

Process	Role of Kano State Government (KNSG)	Role of Federal Government (FGN)
Land acquisition	Use of KNSG media to enlighten the Public about land acquisition	Physcial planning unit of B.U.K acquired the land directly from the public.
Compensation	Use of KNSG rate to pay the displaced people	FGN paid compensation
Resettlement	KNSG provided land for resettlement of the displaced, particularly those who lost their houses.	FGN paid for the structures
Prpeparation of Master Plan	Play no role	National University Commission (NUC) hired National University physical planning and Development consultant
Planning Standard used in the plan	Play no role	The consultant devised is own standard using other universities standard as a guide.
Approval of master plan	Play no role	Approved by NUC
Approval of building plan	Play no tole	Approved by phjysical planning unit of BUK
Development control	Play no Role	BUK Physical planning unit

Source: Field work (2004)

4.3.4 Assessment Of Implementation Of Bayero University New Campus Plan

The implementation of Bayero University new campus was proposed in four Phases. The University at present is yet to fully implement Phase one and two, even though, the Phases are scheduled to be completed in 1980 and 1984

respectively. Under Phase one and two, the following are yet to be implemented.

1. Medical Complex
2. A Dam and its reservoir
3. Central Sewage Plant
4. Sport Centre
5. Conference center
6. Out of target of 753 housing units for senior and 270 for junior staff only 224 units were provided in the new campus for both categories of staff.
7. Out of seven existing faculties and postgraduate school only four faculties moved to new campus. These are Arts and Islamic Studies, Social and Management Science, Education and Technology. The remaining faculties of law, medicine science and postgraduate school are still in the old campus.
8. The second Phase Projected the student population to reach 4,515 with about 80% accommodated. However by the year 2000, the student population was estimated at 30,000 with only about 15% accommodated.
9. The Master plan of the new campus proposed to be developed in four Phases covering ten-land zones. However, present development is limited to zone one and two only, encompassing academic core with only four faculties, student hostel and staff quarters. All the remaining land zones 3 – 10 are yet to be utilized.

4.3.5 Physical Planning Problems Of Development Of Bayero University New Campus

1. The present methods of acquiring large tract of land, (4050 hectares) for Institutional Uses in Kano Urban Fringe is grossly Unsuitable for proper spatial development and land use control. It has been noticed that the University utilized small fraction of land allocated to them.
2. Bayero University currently occupies only 11.3% thirty years since when the project was initiated. There is mismatch between the project size and land allocated. The implication of all this is the presence of discontinuous development around the Metropolis and the presence of isolated built – up areas within empty parcel of land covered by bush. Urban development leap frog rather than follow spatially smooth process.
3. Leaf frog pattern development is now a common feature in Kano Metropolis a lot of prospective developers have bye passed Bayero University fence and started development at the immediate boundry of the University.
4. The Impact of leaf frog pattern of development is an increase distance in terms of convenience to market, employment, and community facilities.
5. Increase distance, increases the cost of provision of utilities to far away residential areas since the utilities have to go through very long

distance before reaching the targeted population. Beside the cost distance, time cost will likely to affect utilities delivery.

6. Another Problem, which arises from large tract of land holding, is the problem of excessive land speculation. As it had been observed many plots were demarcated even before development reach the area. The problem had created disorderly urban growth pattern, which reflect the ineffectiveness of development control.

4.3.5 Socio-Economic Problems Of Development Of Bayero University New Campus

Land acquisition for the establishment of Bayero University New Campus at the North-West of Kano City has resulted in the displacement of many people from their homes and farmland.

1. It has been found that the magnitude of the impact of expropriation on the social and economic well – being of the affected population varies according to whether they are paid compensation or not or resettled. For example, most of the resettled respondents claimed that their condition of living deteriorated since their displacement. Twelve percent of the respondents claimed contrary, that their condition of living have improved against the remaining eighty-eight per cent.
2. After the displacement, many victims of the land expropriation had their size of land holding either reduced or totally became landless. The Physical Planning Unit of Bayero University has the mean land holding per family of 4.7 hectares before expropriation. Now it ranges 1.50 to less than 0.5 hectares among the resulted.

3. It has also been found that there is increase in number of people without land in the area. The survey has shown that there were few cases of landlessness among the household before the expropriation, after the expropriation about 42% of the household became landless.
4. As regards to their income, majority of the respondents claimed that they earned higher income before expropriation but now they could not get as much as before. It is difficult to verify the validity of this statement because the value of money from the time of land expropriation to date has gone through a lot of changes.
5. Under normal circumstances resettlement should lead to improvement in welfare for the relocatees. But this was not the case. For example, at the time of the relocation there was no provision of electricity, roads, health services, schools, etc these facilities are yet to be provided up to present time.

The displaced populations have adopted wide range of adjustment mechanism. One of the strategies is the intensification of the use of the remaining landholding by making greater use of chemical fertilizer, which was found to be minimal before the expropriation. Another coping strategy by about 46% of the sampled population are combining farming with other occupations like combining farming with either tailoring, labouring, carpentry and other forms of trading. Considering the predicament of the victims of land expropriation one would have expect to find that many have migrated to other places. On the contrary only small number of people migrated. Specifically, only about 5% and 11% of the total number of respondent reported the

incidence of migration in their household to outlying rural areas and urban centres respectively.

4.4.1 Planning Process And Development Of Federal Housing Estate In Kano Metropolis

Housing provision is a concurrent function over which both the Federal and State Governments exercised power. There are three major Federal Government attempts toward housing provision in Kano Metropolis i.e. during the National Development plan of 1975 – 80, during the civilian regime of (1979 – 83) and the Military regime of 1994/98 (1994 National Housing Programme)

(i) The 1975 – 79 Housing Programme

It has been noted by the Kano State Housing corporation that the 1975 – 79 housing programme is the first major attempt by the Federal Government toward housing provision in Kano Metropolis. According to the officials of Federal Ministry of Housing and Urban Development the then Military Government that took over power in 1975 planned to build 202,000 housing units and, each of the then 19 States were to have 8,000 units, Lagos to have 50,000. Even though, the project was initiated by the Federal Government, the State Governments were to assign their agencies to supervise the projects. In Kano State the present Kano State Housing corporation was not established, hence Urban Development Board was appointed supervising agency of the housing project. The relationship of Federal and Kano State Government in the housing programme is that, the state government determines the geographical location and the distribution of the houses in the state. However the Federal Housing Authority provide guidelines for the

design of the house and the layout plan. The **FHA** was to finance 4000 housing units and Kano State to bear the cost of 4000 units. **FHA** is responsible for paying the cost of infrastructure for all 8000 units. Out of the target of 8000 housing units Federal Government built only 850 out of 4000 units target at Zoo Road, the state government built only 837 at Kundila out of its target of 4000 units.

(ii) **The 1979 – 83 Housing Programme**

The civilian Government in 1979 promised to build 30,000 housing units within its first year in office, each state were to have 2,000 housing units. According to Federal Ministry of Housing and Urban Development Official, the then Federal Ministry of Housing and Environment is the executing agency, the Ministry prepared the design of the building and the layout plan or select consultant for the design of the layout, plans and infrastructure services needed, award contract for the construction of the building and infrastructural services and supervise the construction in conjunction with, the Presidential liaison officer in each state. The only role played by Kano state government in this programme was making available to the Federal Government the land needed, for the erection of the proposed housing units.

As a major commercial centre, the Federal Ministry of Housing and Environment proposed to build 1000 housing units in Kano Metropolis and the remaining 1000 units to be distributed in other Local Government headquarters. The Government built only 408 housing units in Kano metropolis and 550 in other local government headquarters. The housing estate is popularly known as Shagari quarters.

(iii) **National Housing Programme 1994/95**

The National Housing Programme of 1994/95 was planned to provide 121,000 housing units in the then 30 states and **FCT**. Each of the newly created states of 1991 was to have 5000 units, and the older states each to have 3,000 units. The Primary goal of the policy is to ensure that Nigerians own or have access to decent and affordable houses. Sixteen house types were proposed for construction across the country for different income group namely low, medium and high income with initial deposit ranging from 20% to 33% depending on the income group. Under the arrangement, while the low and medium income earners were to pay the balance of 80% spread over period of 20 years, the high and upper medium income earners were expected to pay the balance of 67% in full upon delivery of their Housing units.

Perhaps the most compelling condition for intending beneficiary in any category of this houses is to be an active participant and contributor to the National Housing Fund. In Kano Metropolis the **FHA** Started 922 housing units and later were taken over and completed by **KSHC** and sold to the public.

TABLE 8: Pattern Of Federal Government Housing Programme And Its Relationships With Kano State Government

YEAR/HOUSING PROGRAMME	NO OF HOUSES PROPOSED	NO OF HOUSING UNITS BUILT	PERCENTAGE OF ACHIEVEMENT	LOCATION OF THE HOUSING UNIT IN KANO	PRESENT STATUS AND CONDITION OF HOUSING UNITS	RELATIONSHIP OF FG AND KNSG IN THE PROGRAMME
1975-80 Housing Programme	8000	1269	15.8%	Kundila And 200 road	All the houses are taken over by KNSG Housing cooperation except 48 units given to Bayero University.	<ul style="list-style-type: none"> * KNSG determine the geographical location and distribution in the state. * FG give guidelines to the state in respect to design and layout plan and type of infrastructure facilities * The state agency execute the programme
1979-83 Shagari Housing Programme	2000	958	48.6%	408 in Kano metropolis, 550 in other local government headquarters	All the housing units in Kano Metropolis have been sold to the public in 1982 and other units in Local Govt. headquarters have been sold in 1997	<ul style="list-style-type: none"> * FG. Design the houses and layout plans, award the contract for housing unit and * Infrastructure services and supervised the contract * The only role of Kano State Government was provision of land.
1994-95 National Housing Programme	3000	922	30.7%	922 at Mariri East of Kano Metropolis	The Housing Unit were not completed by the FHA later purchased by the Kano State Housing corporation	KNSG determine the geographical location of the housing units. FG prepare the layout, plan, design the form of the housing units and determine types of infrastructure to be provided and FG was the executing supervising agency.

Source: Field Work (2004)

4.4.2 Assessment of Impact of Housing Programmes in Kano Metropolis

Housing Programmes have the potentials of enhancing social and economic development in Nigeria, and the potentials of creating employment opportunities for unskilled, semi-skilled and skilled labour, being a labour intensive process. Hence an effective housing delivery system could lead to expansion of not only the sector but the overall expansion of national economy. However, Nigeria does not seem to have the fortune of good track record in its various housing programmes.

The first attempted programme during the National Development Plan of 1975 – 80 targeted to construct 202,000 housing units all over the country. Kano state was planned to have 8,000 units. But the State got only 1269 units i.e. achieved 15.8% of the target units. The officials of FMHUD put the achievement rate for the whole country at 13.3%.

Under the 1979 – 83 housing programme the government planned to construct 200,000 housing units. Kano State was proposed to have 2,000 unit in the first Phase, 1000 units were to be constructed in Kano Metropolis and the remaining one thousand in the Local Government Headquarters of the State. At the end of the regime Kano metropolis got only 408 units while other Local Government Headquarters of the State have 550 units. According to the officials of FMHUD, among the major weakness of the housing scheme was the absence of an effective and self-sustaining institutional mechanism for the implementation of the programme. The programme also suffered considerable sabotage in many non opposition party controlled State, which Kano State was among them, project site were allocated far away from the

metropolis, on the belief that the federal government would extend infrastructure to such project site. It had been noted that when the houses were sold to public by the Federal Government in 1982, at the cost N6,000 and N15,00 for one and three bedroom respectively. The beneficiaries re-sold it below government price at the rate of N4,000 and N10,000. Because the houses were located far away from the metropolies and were not on Cash and carry” basis, but to be paid in 25 years period.

The 1994/95 National Housing Programme targeted to construct 121,000 housing units in two years. Kano Metropolis was planned to have 3,000 units. Under the Programme sixteen house types were proposed for construction for different income group. According to the official of F.H.A at the end of the expiration of two years of the Programme only a total of 18,528 housing units were at various stages of construction allover the country, it only achieved 15% of the target. Among the problems of the 1994/95 National Housing Programme as highlighted by F.H.A. officials is that the advertised price of the houses were grossly subsidized with the least expensive house ~~N~~70,000. The price was announced even before the construction cost were determined. Later the price were revised to ~~N~~358,000 for the least expensive house. The basis of first come first served was not adhered to hence generate lack of confidence in depositors. Another problem of the programme is the Political Instability coupled with increase in Price of Petroleum product which skyrocketed prices of building materials. The former Federal Ministry of Works and Housing has been the category A signatory to the F.H.A. accounts. This has caused operational delay from time to time. Finally, it is very important to note that the 121,000 housing units targeted for completion in two years was

more than the total output of F.H.A. since inception in 1973. This lead to deployment of staff from the F.M.W & H. to assist with Supervision and this create problems of proper co-ordination.

4.4.3 Physical Planning Problems Of Federal Housing Estates In Kano Metropolis.

Among the physical planning problems in the Federal Housing estates is the design pattern of the houses. It has been observed that most of house along Zoo road and Shagari Housing Estate in Tukun-Tawa have their design changed. The changes can be categorized into three. First, there are houses that have been completely demolished and new ones were put in place. Secondly, some houses have their design modified and the quality of the building improved and more rooms were added. Thirdly, others have only additional room to cater the need of the family. Probably, in the design of the houses the local culture and the environment were not considered. Though this may not necessarily be the only factors that influence the resident to change the design of their houses because increase in income of the house owner, change in taste, increase in family size and other factors may influence the residents to modify or alter the design of the houses. In the case of occupiers of storey building along zoo road, only few residents occupying ground floor fenced their houses premises with roofing sheet or wooden materials corn stalk or grasses.

Conversion of open spaces into commercial and residential uses is another visible problem in the estate particularly Zoo Road and Shagari housing estates.

4.5 Planning Process And Implementation Of Federal Government Site And Services Scheme In Kano Metropolis

In 1980 the Federal Military Government decided to shift from direct housing construction to provision of serviced plots with all basic infrastructural facilities and allocated the plots to the public. The beneficiaries may choose and build houses according to their financial ability. The main reason for introducing the scheme is to allow many people to benefit instead of providing few housing unit to few individuals.

Among the objectives of the site and services scheme as highlighted by the then Federal Ministry of works and Housing (1994)

- (i) To facilitate easy access to land at affordable cost for low-income group to build houses with design of their own choice.
- (ii) To reduce the problem and effects of land speculation and high land prices.
- (iii) To provide facilities and amenities so as curb down the growing of slums and spread of environmental related diseases.

Kano Metropolis was included among the seven cities selected for the scheme. Tukun-Tawa and sharada neighbour hoods were selected in the metropolis. Tukun-Tawa site is the remaining undeveloped land earmarked for 1979-83 housing programme, while sharada site is a newly acquired land located south-west of Kano city and adjacent to industrial layout of Sharada.

After acquisitions of land through the process discussed in 4.1. The survey department conducted physical survey on the site at Sharada and the remaining undeveloped land acquired for Federal low cost houses at Tukun-Tawa. After the physical survey, the survey brief are then forwarded to Zonal

Town Planning Officer, Federal Ministry of Housing and Urban Development together with his staff prepare layout plan according to **FMHUD** planning standard. The plans are then sent to Deputy Director Urban and Regional Development at **FMHUD** headquarters, in Abuja. After the endorsement of the plan by Deputy Director. The plan is again sent back to survey department for beaconing and to engineering service and highways departments for provision of facilities and roads respectively. After the provision of services, the plots are allocated by the Land Use and Allocation Committee based on the recommendation of Land Allocation Advisory Committee. In all these process Kano State Government officials were only invited to serve as members of Land Allocation Advisory Committee.

Even though site and services scheme is meant to benefit all Nigerians, majority of the beneficiaries were government employees particularly uniform personnel, e.g. out of one hundred and six applicants, seventy-seven have benefited from the scheme as shown on Table 10.

Similarly, it has been found that 67.69% of the plots in the two layout (Sharada and Tukun-Tawa) have changed hands as shown in Table 12. Example 53% of the plot owners got their lands from purchase. This clearly indicates widespread of land speculation in the two layouts, which is one of the problem targeted to curb down by the scheme. Table 9 provides an outline of relationship of Federal and State Government in Planning and implementation of site and services scheme.

TABLE 9: Relationship Of Federal And Kano State Government (KNSG) In Planning And Implementation Of Sharada And Tukun Tawa Site And Services Scheme In Kano Metropolis

S/NO	PROCESS	ROLE OF FEDERAL GOVERNMENT IN THE PROCESS	ROLE OF KANO STATE GOVERNMENT IN THE PROCESS
1.	Land acquisition	Federal Land officer applied to the Governor	KNSG Allocated the land through Ministry of Land
2.	Compensation	Federal Government paid Compensation using KNSG rate	KNSG representative were involved as observers
3.	Resettlement	No resettlement plot was given	-
4.	Preparation of survey brief	The land surveyed by F.M.H.U.D staff	Play no Role
5.	Preparation of layout plan	The layout was prepared by F.M.H.U.D staff using the Ministry Planning Standard	Play no Role
6.	Approval of the layout plans	The plan was approved by Deputy Director URP Department F.M.H.U.D	Play no Role
7.	Beaconing of plot	The plots were beaconed by F.M.H.U.D surveyors	Play no Role
8.	Provision of Services	All services, such as drainages bridges water electricity were to be provided by the F.M.H.U.D.	Play no Role
9.	Members of Land Allocation Advisory Committee	All members were drawn run Federal Government Establishment except two	Kano Ministry of land and Physical Planning Kano State Environmental Planning each has a representatives
10.	Members of land Allocation Committee	All members were drawn from Federal Government Establishments	Kano State Government has no representatives
11.	Planning Standard used in design of building plans	Layout plan is prepared using F.M.H.U.D. Planning Standard	Play no Role
12.	Approval of buildings plans	Building plan is being approved by F.M.H.U.D.	Play no Role
13.	Development Control	All the two sites sharada and Tukun Tawa are control by F.M. H.U.D.	Play no Role

Sources: Filed Work (2004)

TABLE 10: Pattern Of Allocation And Characteristic Of Various Plots Types In Tukun-Tawa And Sharada Site And Service Scheme

OCCUPATION OR EMPLOYER OF THE APPLICANT	LOW DENSITY	MEDIUM DENSITY	HIGH DENSITY	SUCCESSFUL APPLICANTS	UNSUCCESSFUL APPLICANTS	TOTAL	% OF PLOTS ALLOCATION TO CATEGORY OF EMPLOYEES OR OCCUPATION
KNSG	32	118	52	203	440	643	38.5
FG	42	75	32	149	165	314	28
LGA	4	30	13	47	271	318	9
Army, Police Custom	30	28	19	77	29	106	14.5
Businessmen	9	2	21	32	84	116	6
Farmers and others	3	3	15	21	74	95	4
TOTAL	121	256	152	529	1063	1592	100%

Source: FMHUD 2004 (Compiled from the Application forms and the Allotees files)

PATTERN OF ALLOCATION OF THREE PLOT TYPES IN SHARADA AND TUKUN-TAWA SITE AND SERVICES SCHEME

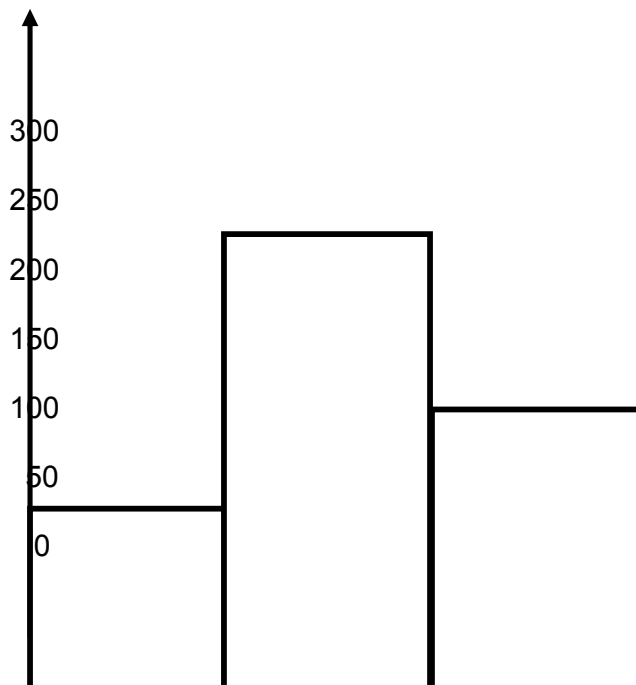




Figure 4

4.5.1 Assessment Of Impact Of Sharada And Tukuntawa Site And Service Scheme In Kano Metropolis

Tukun-Tawa and Sharada site and Service Scheme could be assessed by evaluating the objectives of the scheme to see the extent of its success or otherwise as outlined in section 4.5. Among the objectives of the scheme as envisaged by the Federal Government is to meet the housing needs of the lower income people who had been neglected by the conventional housing delivery strategies. To determine the extent to which this objective is achieved or otherwise, the income of the beneficiaries has been examined. One of the criteria used by F.M.H.U.D to determine the ability of an applicant to develop his plot is income. Income of the applicant were used and categorized it into three for the allocation of three different plot sizes. (Low density, from ₦10,000 and above; Medium density from ₦6,000 and above; and High density from ₦3,000 and above).

TABLE 11: Income Distribution Pattern Of Beneficiaries Of Tukun – Tawa And Sharada Site And Service Scheme.

Income bracket in (₦)	No. of Beneficiaries in the income category	% allocated to the Income Category
3000 – 5000	25	4.7
5001 – 7000	52	9.8
7001 – 9000	205	38.8
9001 – 11000	212	40.0
11001 and above	35	6.7

TOTAL	529	100%
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Source: Fieldwork (2004) computed from the forms of Successful applicants.

As already noted the objectives of site and service scheme is facilitating easy access to land for housing, to lower income group, one may assume that the lower income group would have more beneficiaries than any other income group but it has been found that, the beneficiaries were mostly middle and higher income group as shown on table 11. Similarly looking at Table 10 it could be seen that Civil Servants and Security Forces appeared as the most favoured group of beneficiaries of site and service scheme. This clearly indicate that one of the objective of the scheme of facilitating access to land for lower income group has not been achieved.

Furthermore, in order to assess the impact of site and services scheme in reducing the problem of land speculation and higher land price. The sources of land of the present land owners in the two site were investigated. Field Survey was conducted on two sites to assess the extent to which the sites were developed or otherwise. i.e. whether left undeveloped in anticipation of higher prices in the future. If majority of the respondents are still the original allottees. It may be an indication that the land is not changing hands, hence, the level of speculation is low. But if most of the plots are undeveloped, it is indication of land speculation.

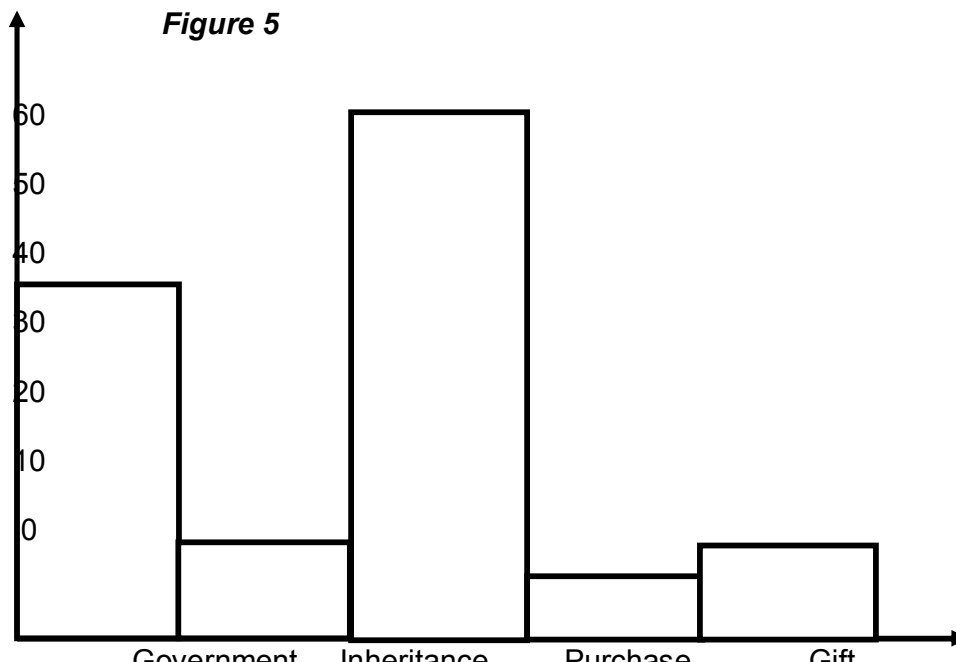
TABLE 12: Sources Of Land Of The Respondents In Tukun-Tawa And Sharada Site And Service Scheme Layout

SOURCES OF LAND	FREQUENCY	PERCENTAGES
Government Allocation	38	32.4
Inheritance	7	6.1
Purchase	62	53.3
Gift	4	3.4
Others	7	5.9
TOTAL	118	100

Sources: Field work (2004).

From Table 12 shows 53% of the current plot owners got it from purchase. In all 68.6% of the sampled respondents were not original allottees, only 32.4% were original beneficiaries that got the plots directly from government allocation. This indicates that plots are changing hands, which is clear manifestation of land speculation in the sites.

Source Of Land Of The Respondents In Tukun-Tawa And Sharada Site And Services Scheme Layout



Extent Of Plot Development Among Those That Got Plots Through Various Sources

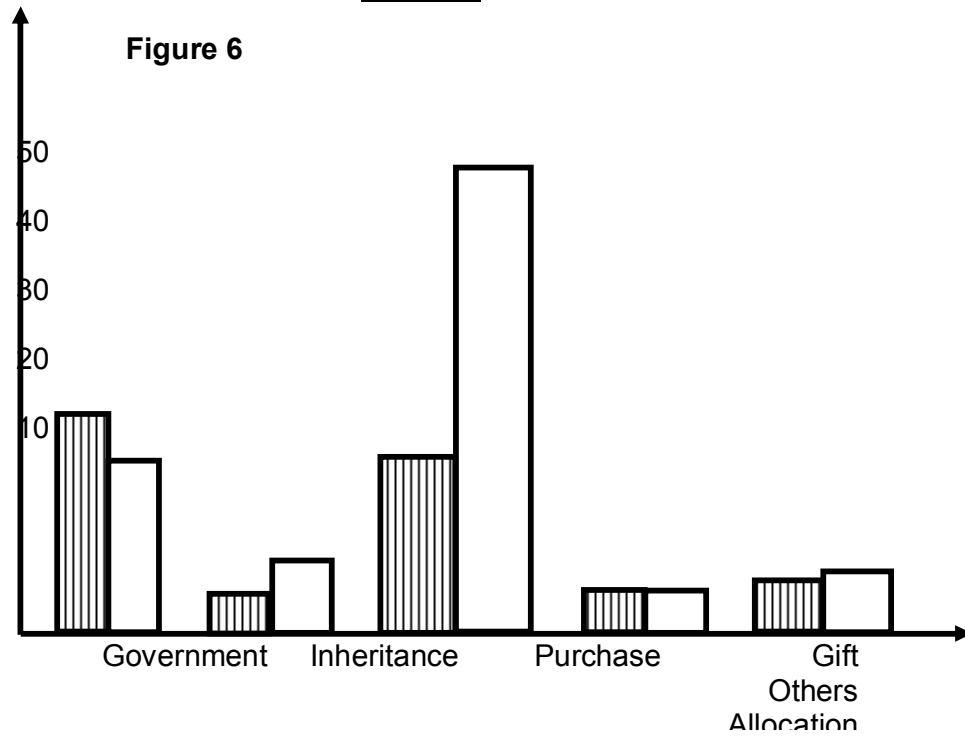


TABLE 13: Extent Of Plot Development In Tukun-Tawa And Sharada Site And Services Layout

Sources of Land	Developed Plot		Undeveloped Plot	
	Frequency	Percentage	Frequency	Percentage
Govt. Allocation	22	18.8	16	13.5
Inheritance	2	1.7	5	4.2
Purchase	16	13.6	46	38.8
Gift	2	1.7	2	1.7
Others	3	.5	4	3.3
TOTAL	45	38.5%	73	61.5%

Sources: Field work (2004).

Looking at Table 13, it could be deduced that 61.5% of the plots on the two sites are yet to be developed, only 38.5% of the plots were developed. This clearly indicates that the plots are left undeveloped for speculative reasons i.e. in anticipation of higher price in the future. Hence, it could be inferred that the objective of site and service scheme of reducing land speculation has not been attained.

Another objective of site and services is to provide amenities and facilities so as to reduce slums formation and spread of environmental related diseases. But to what extent has these amenities and facilities are provided? Table 14 provide the extent to which these amenities are provided.

TABLE 14: Assessment Of Amenities And Facilities Provided In Tukun-Tawa And Sharada Site And Services Layouts.

S/NO.	AMENITIES/FACILITIES	ASSESSMENT	COMMENTS
1.	Roads	Only 3 km of road were provided at Sharada	Out of 7 km of roads, only 3 km were provided at Sharada. Tukun-Tawa is yet to get road.
2.	Drainages/Bridges	Only 3 km of drainages were provided at Sharada	Out of 7 km length of drainages, only 3 km length was construct. Tukun-Tawa is yet to get
3.	Water	Not Provided	In Tukun-Tawa, Water was tapped from nearby Federal housing Estate.

4	Electricity	Not Provided	In Tukun-Tawa, Electricity was tapped from nearby Federal housing Estate
5.	School	Not Provided	In Tukun-Tawa, some residential houses have been turned into Primary and Secondary Schools.
6.	Clinic	Not Provided	In the two site, land planned for Clinic has been allocated for residential uses, some houses in the two site are being use as Private Clinics
7.	Water Collection Centre	Land earmarked for waste collection in the two site had been allocated for residential use	Refuse are dump in the drainages or any available surface found.
8.	Telephone Lines	Provided in Tukun-Tawa	In Sharada, are tapped from the nearby industrial estate.
9.	Police Station	Not Provided	In Sharada, site office has be taken over by the Police.

Source: Fieldwork (2004)

From **Table 14**, it could be observed that most of the services, which were planned to be provided are yet to be fully available on the two sites. Only Sharada got 3 kilometres of road and drainages while Tukun-Tawa is yet to get any of the service promised. Lack of adequate services may be among the factor that hinders quick development on the two sites.

4.5.2 Physical Planning Problems Of Tukun-Tawa And Sharada Site And Services:

Some physical development is taking place at Tukun-Tawa and Sharada sites even though few services were provided at the sites. Residents of the two sites are tapping utilities from nearby Tukun-Tawa where most of the plot owner tapped water and electricity from Federal (Shagari/Housing Estate).

Water distribution system within the Federal Shagari/Housing estate consists of three pipes i.e. Secondary main pipe (large size, 20 inches diameter,); Service main, (medium size of 10 inches diameter), service pipe (Small pipe of 5 inches diameter). Secondary main pipes are the major pipes that provide basis structure of the water distribution in the estate and the pipes are used to link the service main with the trunk distribution pipe. While the service main pipes are those laid to carry water from secondary main to service pipes. Service pipes are small pipe planned to convey water from the service main close to individual consumer.

From the survey, it has been found that 72.6% of the developed plots in the Tukun-Tawa site are connected with public water system, tapped from the nearby Federal housing estate. However, the water is not flowing regularly, even in the housing estate. The residents complained of increasing reduction in the supply of water in the estate, and the developed site and services scheme plot. The Kano State Water Board Official attributed the problem to sizes of pipes that convey water to the estate and additional burden on the pipes by tapping water to the new site and services scheme layout. They observed that pressure of water that pass through the pipe is not adequate enough to distribute water all over the estate and the new site and services scheme layout. The officials maintained that the pipes were planned to serve

only the Federal housing estate, adding new areas mean overstretching the pipes, hence the persistence of irregular flow and reduction in supply of water at both the estate and the new layout.

Another problem is in planning of electricity distribution. From the survey, it has been noticed that the Federal housing estate of Tukun-Tawa had been supplied with electricity via 11 KVA power line and with three transformers, (two 300 KVA and one 500 KVA) located in different parts of the estate. All the houses in the estate are linked with these transformers. Since the new site and services layout is located very close to the estate and is yet to be provided with power line and transformers, the new developed plot owners tap electricity from the estate. Some site and services scheme developed plot owners in the layout are having low electricity current in their houses. It has been found that 62% of the house owners in the new layout are having problem of low electricity current. In an informal interview with a NEPA, Staff, attributed the problem to three factors, first, overstretching of the transformers due to increasing number of users, secondly, most of the wire used in tapping electricity are very thin and of low quality and thirdly, as the electricity is tapped with very thin wire to very long distance place the power of current reduces. Another physical planning problem observed is widespread contravention of F.M.H.U.D planning standard.

Table **15** depicts the building/planning standard of F.M.H.U.D for residential development.

TABLE 15: F.M.H.U.D. Planning Standard For Residential Development In Site And Services Scheme Layout

Plot Density	Plot Size in metres						
		Front	Rear	Left	Right	Dev. Ratio	Mix No. of Floors
Low	30 X 36	6 M	3 M	3 M	3 M	45%	2
Medium	18 X 30	6 M	3 M	3 M	3 M	55%	2
High	15 X 24	6 M	3 M	3 M	3 M	65 %	2

Source: F.M.H.U.D (2004)

It has been noted that 96.2 % of the sampled houses in the new Tukur-Tawa layout have not complied with planning standard of the F.M.H.U.D. Most of the residents complained that the F.M.H.U.D. does not take into cognizance the culture and the environmental setting of the people before setting the standard. While the officials of F.M.H.U.D. claimed that the standards are set at the F.M.H.U.D headquarter in Abuja not Kano field headquarter.

4.6.1 Planning Process And Development Of Infill Plots In Government Reserve Area (GRA) Of Kano Metropolis

In Kano, as in other Nigerian cities, G.R.A. is a colonial legacy, Colonial Report of 1904 has shown that all colonial station were directed to be located a mile and half from the natives city but on the wind ward and higher ground. With the occupation of Kano by the British in 1903, the first colonial station was located at Nasarawa about a mile south east of Kano city, two years later Military Cantonment was situated at Bompai two miles away from the city (Elyas 1980 PP 56). The 1906 Memorandum No 17 on Government station stated that "In Government station all dwelling should be from 40 to 80 yards

from each other, bungalows should be 30 yards from the public road and 80 yards apart with depth of 60 yards and area of about 100 yards per bungalow should be enclosed” (Urguhart 1977) Similarly, Main (1990) noted that Government Reserve area of Kano contained about 10 to 20 people per square kilometre in 1960. He observed that the trend had been maintained for sometimes by the civil servants who took over the GRA after the departure of the British colonial masters.

Large size of land of this magnitude cannot be left indefinitely untouched because of changes in political, social economic and environmental factors. Hence the need for infill development on the vacant land of the GRA as government budget is not adequate enough to finance services extension to out lying areas.

Infill can be described as residential or non residential development that occur on vacant sites or in densely developed areas of municipalities e.g. in the central business district or low density part of the municipalities e.g. GRA. Generally it is a process of developing vacant or under-used parcels of land within or outside urban areas that are already or partly developed. Most decision to create infill sites in the government residential areas of the cities and town come about, from the chief executive of the state or from the Minister in the case of Federal Government Properties. Some of the properties are subdivided and allocated to political loyalists or associates, while some are developed purposely in order to secure political goals.

In Kano Metropolis Federal Government controls substantial part of the GRAs through Federal Ministry of Housing and Urban Development in different

location such as Airport Road, Nasarawa and Bompai GRAs. In all these three locations there are 322 Federal Government houses.

According to officials of FMHUD, the main reason for land infilling exercise is the pressure for land allocation in the GRAs by the politician. Hence the then FMW&H plans for land infilling in the GRAs of the major cities of the country in which Kano was included in the list.

Circular was sent to the then FMW&H Kano field headquarter with the directives to:

- (a) Compile the number of Federal Government houses in the GRA
- (b) To get the total land area of each house
- (c) To get the number of houses that has more than 2000 square metres
- (d) To recommend where infill could be done from the identified houses above
- (e) To plan for infill plot of not less than 800 square metres in (c)
- (f) To beacon (demarcate) and make site plan for each proposed infill plot.

Out of 322 houses, 122 infill plots were planned and allocated According to F.M.H.U.D officials continued pressure necessity to make plans for additional infill plots (117) From the survey conducted on the three sites (Nasarawa Bompai and Airport road GRAs) it has been found that some of the allocated infill plots were as small as 400 square metres. To find the average plots size in each of the three locations, plot sizes in each location were added together and divided by the number of plots on the sites.

TABLE 16: Infill Plots In The GRA Of Kano Metropolis

LOCATION	NUMBER OF PLOT	AVERAGE PLOT SIZE IN THE LOCATION
Nasarawa	97	582 square metres
Bompai	64	688 square metres
Airport Road	78	780 square metres
TOTAL	239	683 square metres

Source: Field Work and FMHUD (2004)

Extent of infill plot development has important impact on the facilities and utilities in the three locations. Table 17 shows the extent of plot development in the three GRAs. It has been found that the rate of development of the infill plots is higher at Bompai and Nasarawa with 68.8% and 66% respectively than at Airport Road GRA with only 33.3% of the plot developed.

TABLE 17: Extent Of Infill Plots Development At Government Reserve Areas Of Kano Metropolis

LOCATION	NO OF PLOT	Developed Plots		UNDEVELOPED PLOTS	
		Frequency	Percentage	Frequency	Percentage
Nasarawa	97	64	66	33	34
Bompai	64	44	68.8	20	31.2
Airport Road	78	26	33.3	52	66.7
TOTAL	239	134	56	105	44

Sources: Field Work (2004)

Number Of In-Fill Plots In Three G.R.As Of Kano Metropolis

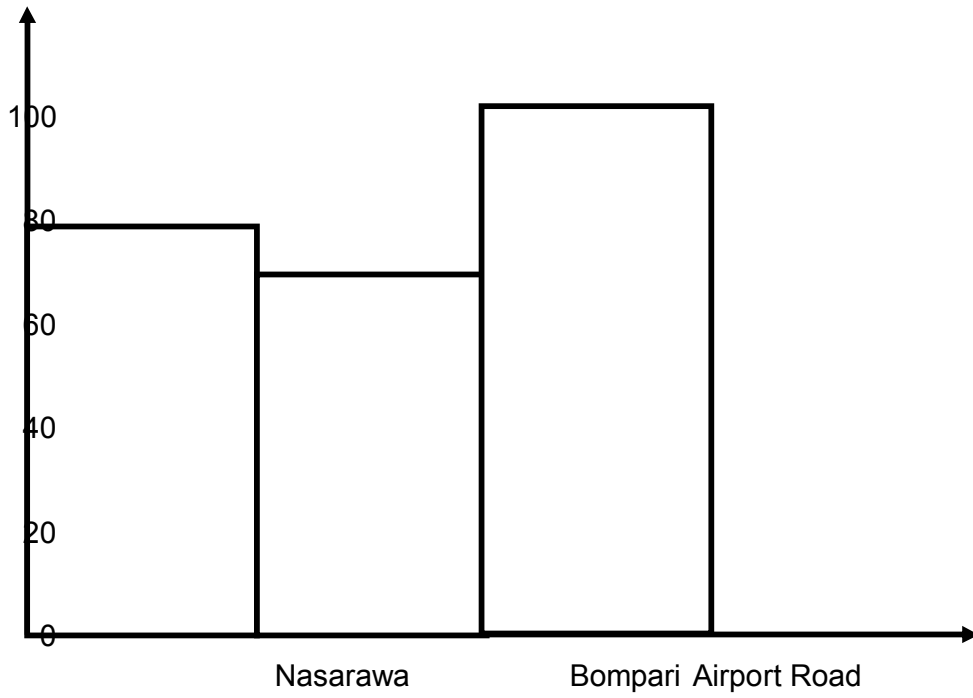


Figure 9

Extent Of In-Fill Plot Development In G.R.As Of Kano Metropolis

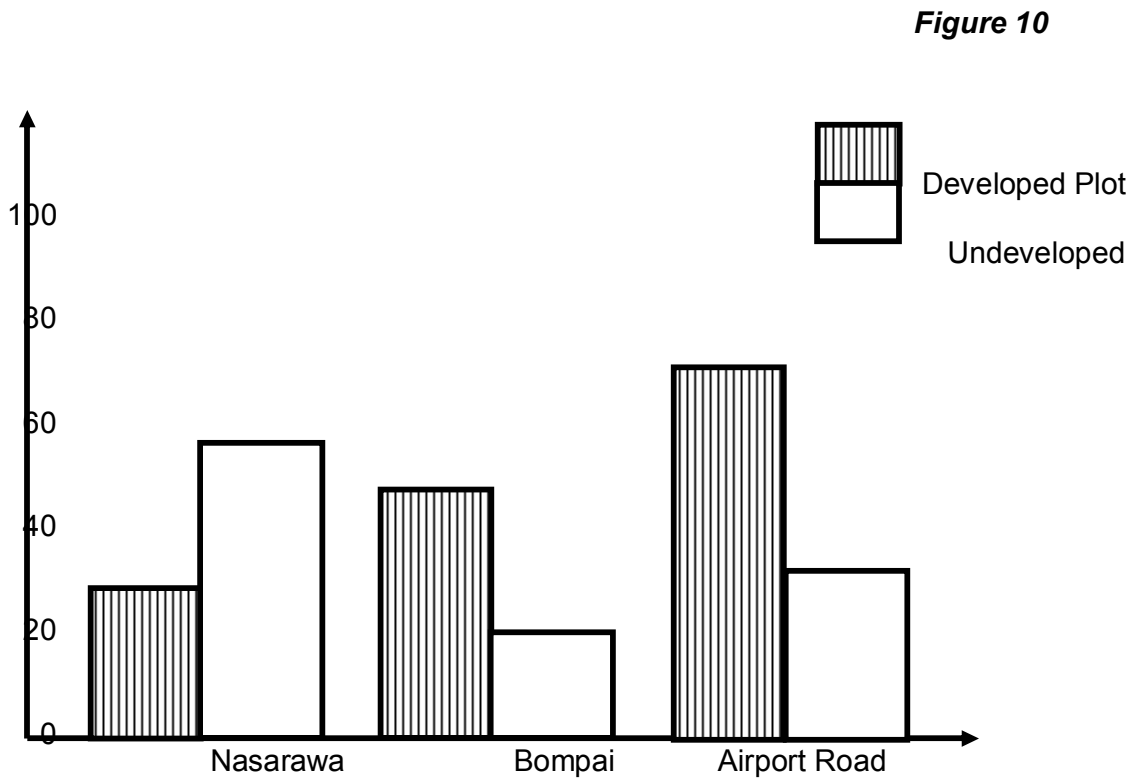


Figure 10

To determine the extent of plot development in the three GRAs, the total number of building approval given by FMHUD in each of the three locations were compared with existing development on the three sites. But it has been found that the number of building approval given is more than the existing development on the three sites. Hence only the existing development was assessed. Similarly, all the infill plot in the three locations were on different stage of development, only plot which its development reached lintel level i.e. about three metres height were considered as developed plots. Hence not all the fenced plots were included in the developed plots list.

It has been observed in Nasarawa, and Bompai, Federal and Kano State Government landed properties are mixed and scattered all over the GRAs Hence carving out or infill development in the Federal Government premises will have direct or in direct impact on the nearby Kano State Government properties. It has been found that there is no formal contact between the two tiers of government before planning for infill development in the Federal Government houses premises in the GRAs. Formal contact began after development on the infill plots commenced. Kano State Environmental planning and protection Agency complained of encroachment on Kano State Government land by the beneficiaries of infill plots allocated by the Federal Government.

The state and Federal Governments officials resolved that, henceforth any allottee of Federal Government infill plot has to notify KASEPPA before commencing development in order to ensure that allottees confine development within their area of plots. But all the buildings on the infill plots is

subject to the approval of F.M.H.U.D. It is only at this stage Federal and State Government officials relate in all the process of the land infill exercise.

4.6.2 Impact Of In Fill Development In The G.R.A. Of Kano Metropolis

In fill development is a process of developing vacant or under used parcels of land within existing urban areas that are already developed.

In fill development in the Government Reserve Area of Kano Metropolis has provides housing opportunities to accommodate new emerging middle and higher income group who has preference to such location. Large vacant land within housing unit in the G.R.A., which was left idle, is now put into use. Also directing the construction of new housing into existing urban areas conserves rural farmland and open spaces at the metropolis peripheries.

In fill is less auto dependent, in city resident derived less distance compare with sub urban residents. Similarly, infill inexisting built up areas will be served by existing transport system without any increase in the service cost. Most of the infill in Kano G.R.A. are within walking distance of shops and service hence auto use is further reduced.

It is less costly for government to provide services to urban infill development than suburban Greenfield development. New suburban development may require public investment in road, water and sewer lines school etc. Urban infill development in Kano G.R.A. has taken advantage of existing facilities, which are well provided compared to other parts of the metropolis particularly high-density neighbourhood.

Infill development in the Kano G.R.A. has helped to reclaimed blighted and abandoned houses, particularly houses burnt due to fire outbreak and those left for a very long time unrepaired. Carving plot from these houses had helped to draw the attention of the authority to repair and allocate these houses.

4.6.3 Physical Planning Problems Of Infill Development In The G.R.A. Of Kano Metropolis:

Airport road G.R.A. is the only reserve area wholly owned by the Federal government but in Nasarawa and Bompai beside the Federal there are also Kano State Government and Private individual properties.

Among the important features of infilling in the G.R.A. is that the exercise is not restricted only to empty space within the existing housing units. But the infill involved sub-division and allocation of open spaces for residential uses, particularly in the airport G.R.A. that is wholly owned by the Federal Government, all the open space had been allocated. It is a fact, infill development brings about increase in density both in terms of persons and houses. The increase in both the net, gross and overall densities affected the utilities, facilities and services of the G.R.A. since density was a basis for their Planning and Provision. In airport road G.R.A. there are 37 houses out of the area of these houses and the open space within layout additional 78 plots were carved. That means when these plots are development the houses will more than double the existing housing units. From the survey it had been noted that there is only one 300 KVA electricity transformer for the whole layout of 37 housing units. It is unlikely if this transformer will be enough to meet the demand of additional 78 houses. Even the pipes that supply Water

to the estate is only 5 inches in diameter and could not meet the water need of the additional houses.

In Nasarawa, the major problem is water; most of the new developed houses have dug wells due to irregular flow of water. The residents and beneficiaries of infill plot do not have problem of electricity because some of the house owners install their own personal electricity transformers. Though the transformers were of 50 KVA and 100 KVA capacities. New development that does not respond to image and character of a neighbourhood can bring bad fit within its context. For example, controversies have emerged in Nasarawa and Airport road G.R.A. over proposal for high-rise building. In Airport road G.R.A. the proposal for high-rise building was completely rejected by the Federal Airport Authority of Nigeria due to the close proximity of the site to Aminu Kano International Airport. Similarly in the Nasarawa G.R.A. there were complains by owners of flats houses over the proposal by the owners of infill plot to build high rise buildings.

4.7.1 Planning Process And Development On Nigeria Railway Corporation Land In Kano Metropolis

Baro-Kano rail line began in 1907 reached its terminus Kano in 1912. This development according to Elyas (1980 PP 58) modified the earlier Europeans Plans of Kano which comprises the European Reservation at Nasarawa and Bompai, the building free zone, the native quarter, Sabon gari, and functional units of township control and services such as army police barracks, hospitals and court.

The arrival of railway added considerable importance to the nearby areas where main railway station was located now called civic centre. Sule (1985) noted that land in free zone close to the railway station were laid out and granted lease to various European companies on which they locate their offices and warehouses.

Railway lines were laid near different companies ware house and industrial plants to ease loading and off-loading of goods. Up to today these abandoned railway lines are visible. The railway corporation had documented all the territories and land area where railway lines pass as its property. Substantial part of Kano Central Business District is now on the Nigeria Railway Corporation land.

It has been found that there are no formal physical planning regarding the use and leasing out of railway corporation land in Kano Metropolis. Since most of the railway line that link most of the wares and factories were no longer in use. Business organisations that have interest in railway corporation land apply to the railway corporation in Kaduna. The corporation leases out the land under certain terms and conditions. Among which are, all the buildings on the railway land are subject to the approval of Kano State Planning Authority (KASEPPA). A copy of allocation letter must be attached to all application for building permission to KASEPPA. This is contrary to what is happening in Lagos where Federal Ministry of Housing and Urban Development is the authority that gives building permission on railway corporation land. This is among the problem, which Lagos State Government is challenging the authority of Federal Government of giving building approval on railway corporation land.

4.7.2 Impact Of Development On Nigeria Railway Corporation Land In Kano Metropolis:

In Kano, colonial firms ware house and factories are linked with railway-line and wherever rail line passes through, that area is been considered and documented as Nigeria Railway Corporation land.

As the intense competition for urban land increases new and more promising land use replace the old and non-profitable use (i.e. land use succession). The old established companies now no longer use railway-line for transportation of their manufactured goods or raw materials. Most of the land on which railway-line linked old established companies with the main rail line has been allocated for various commercial uses instead of living the land idle. Substantial part of Central Business District of Kano are on Nigeria Railway Corporation land. Some of these areas of CBD of Kano include Ado Bayero road, Bank road, Bello road, civic centre road, Beirut road, some part of Ibrahim Taiwo Road, Lagos Street, Labanon road, Maganda road. Some part Murtala Mohammed way, Niger Street, and some part of Post Office road. Most of the rail tracks were removed to pave the way for new development. Many shopping complex, banks and other financial institutions are being located there.

Unlike in Lagos where the Federal Ministry of Housing and Urban Development control and gives building approval on railway corporation land. In Kano, it has been found that most of the beneficiaries of Nigeria Railway Corporation land got their allocation from the NRC Kaduna regional office. Among the condition in the lease letter of allocation is that the allottees have to get building permission from the Kano State Planning authorities. All building

must conform to the state planning standard. Despite the fact that the NRC land is Federal Government land. There is no dispute between F.M.H.U.D. and Kano State Ministry of Land and Physical Planning and Kano State Environmental Planning and Protection Agency as was the case in Lagos State.

4.7.3 Problems Of Development On Nigeria Railway Corporation Land

Some of the important physical planning problems in NRC land particularly on areas that falls within the Kano CBD are:

Encroachment on road set back by building permanent; semi permanent and temporary structures on Ado Bayero road, civic center road, Bank road, Post Office road, some part of Murtala Mohammed Way and Niger Street. About 78.2% of the respondents claimed to have got approval from KASEPPA. The structures are mainly built with wood and roofing sheets in some cases with block and cement foundation particularly shops built close to the drainages.

Conversion of open spaces into other uses particularly commercial use is another major physical planning problems on NRC land. The open spaces which have been existing since colonial times are now been converted to commercial uses e.g. open space on civic center road by railway station is now been sub divided into shopping complex and open space on Niger Street is also now used for commercial activities. Some parts of Mallam Kato Square very close to colonial firms warehouse are now been allocated for shops. Where the open spaces are left untouched was filled with refuse and other waste materials.

Environmental problem is another feature on NRC land. Drainages and bridges were not adequately provided to meet the need of the activities taking place in the area. Where the drainages were built are filled with sand and plastic materials except in few places. Whenever rain falls it floods the road and sub merge the surrounding spaces. Increase in intensity of use of NRC land is not commensurate with increase in the provision of services. It had been observed that National Electric Power Authority (NEPA) gave priority of giving electricity to this area during the working hours. Despite that frequent power failure is aggravating the emission of smoke into space as a result of increase use of electricity generators in the CBD. Although emission from generating plant is minimal compared to what was emitted by vehicles but it is still contributing a lot to the problem because frequent electricity failure could be avoided while that of vehicle smoke could only be minimized.

Encroachment on railway track is a common feature within the CBD of Kano. The rail lines are being encroached by traders, car dealers and other businessmen who need large space for the display of their goods. Some use rail line set back as a warehouse for loading and off loading of goods.

4.8.0 Planning And Development Of Federal High Ways In Metropolitan Kano

Nigeria has experienced the Phenomenon of rapid urbanisation, accompanied by spectacular aerial expansion of its existing cities and creation of new urban centres. This has been attributed to series of political and administrative decentralisation that has taken place. The consequence of this rapid growth is pressure on land for industrial, commercial, residential etc. and the need for routes to link these uses. These routes are highways roads and streets; they

provide ways for travel by automobiles and other wheeled vehicles. There is no sharp distinction between them. Roads are routes of secondary importance that connect towns with village. Highways are route of primary importance, which usually connects towns and cities, vehicles routes within towns and cities are called streets.

However, inspite of their importance roads are not adequately provided, they are poorly managed and badly maintained. This problem could be attributed to the level of cooperation and co-ordination in the provision, managing and maintaining of road by the tiers of government involved in the processes. Trunk A road (Federal Highway) is exclusive Function of Federal Government. There are seven Federal highways that start from or pass through Kano metropolis.

4.8.1 Planning Process For Federal Highways In Metropolitan Kano

The process of land acquisition of Federal Government projects in which roads are inclusive have been explained in section 4.1 the only difference is that roads pass through very long area hence could dislocate so many people, and disrupt many businesses, Land acquisition takes very long time to complete, large amount of money may be needed for compensation. It often leads to disruption and relocation of some services such as pipes, electric lines, telephone lines etc.

Transports planners study short to long-term need of the country and also determine the need of town and city within the country as well as how their need can best be fulfilled.

In planning road and highways, Federal Government highway department take cognisance of the following.

- (i) Where people live
- (ii) Where they want to go
- (ii) How they get there
- (iv) Where goods are produced
- (v) How they get there
- (vi) How the goods reach their final users

From these and other facts about past and present, planners forecast the future, and predict probable future growth in population, changes in land uses and how such growth and change will affect road need.

In Planning new road or rebuilding an existing one, map is often drawn if they are not already available. Aerial photograph is widely used today, though satellites imagery was used for road that passes through very large areas. The maps, aerial photograph or satellite image show the location of other road, railroad, town, houses and other building. They also show natural features such as rivers, lake, forest, hills and slope of the land and the type of soil may also be identified.

Using these Maps, Aerial photograph or satellite image, engineers locate new highways and make detailed drawing called plan. The plan shows the exact boundaries of right of way. The land needed for road pavement, shoulders ditches and side slope. The plan also shows the exact location of grades and curves of the pavement and the location of bridges and culvert.

Whenever Federal Government called for tender for construction of any road, it is the contractor that will perform all the above mentioned process but

maynot necessarily be as detailed as earlier explained. It is based on the reconnaissance survey and preliminary investigation that contractor will determine how much the job could cost. In most cases many firms bid for the job. The tender board will choose the appropriate contractor or the Federal Executive Council depending on the size and the cost of the job.

TABLE 18: Relationship Of Federal And Kano State Government In Planning And Development Of Federal Highways

S/No	PROCESS	ROLE OF FEDERAL GOVERNMENT (FG)	ROLE OF KANO STATE GOVERNMENT (KN)
1.	Land acquisition	Federal Land officer applies to the Governor	KNSG allocates the land through Ministry of Land and Physical Planning
2.	Compensation	Federal Government pays compensation for economic tress buildings and other structure and normally use Kano State Government rate of compensation.	KNSG representatives serve as observers in the payment process.
3.	Resettlement	Federal Government made preparation for resettlement particularly those that lost their building and other structures	KNSG provides land for those who lost their building and other structures
4.	Planning standard use in design of highway	Federal Government uses its standard of design	No role played
5.	Approval of design	Director of Highway approves the design	No role played
6.	Construction of Highways	Federal Government awards the contract	KNSG is not involved but companies contact the state for suitable area for excavation of laterite
7.	Allocation of land and approval of buildings and other structures along Federal high ways	No role Played	KASEPPA and Ministry of Land and Physical Planning approves and allocates the land and give buildings permission/Approval
8.	Development Control	No role Played	KASEPPA Control development along all Federal Highways in Kano Metropolis.

Sources: Field Work (2004)

4.8.2 Assessment Of Impact Of Federal Highways In Kano Metropolis

In Kano Metropolis, there are seven Federal Trunk A roads leading in and out of the metropolis. These roads provide the arteries through which people; information, raw materials and finished products flow from all parts of the country to the Kano and beyond. These roads to a large extent determine the location of socio-economic activities and enable the expansion of local economy and the integration of previously isolated important areas. These road are:-

Kano - Zaria Highway

It is the main route that links Kano with Southern part of the country and is the main way on which raw materials are brought from the seaport to most of the manufacturing industries located in Kano. It is also used in transporting finished products and agricultural produce to southern part of the country. A lot of commercial activities were located along this road, which have both negative and positive impact on physical environment.

Kano - Katsina Highway

It is a major route that links Kano and Katsina State, it is also a dominant road used by traders from Niger Republic, Burkina Faso and Mali to carry goods from Kano to these countries. Hence the influence of the road has pulled a lot of activities to be located along this road within the metropolis.

Kano - Maiduguri Highway

Links North-West and North-East States of Nigeria. Majority of people that travel to north-eastern states from Sokoto, Kebbi, Zamfara and Katsina States

pass through metropolis along this road. It is on this road N.N.P.C. depot was located; hence a lot of activities are taking place.

Kano - Hadejia Highway

Connects Kano Metropolis and other Kano state local government head quarters and some part of Bauchi, Yobe, and Jigawa States. It is along this road new industries are being located now. The rates of economic activities are increasing on daily basis on this route.

Kano – Daura Highway:

It is a route that connects Kano State with some of its local government headquarters and Northern part of Katsina State and some part of Niger Republic. Residential development is the dominant land user along this road compared with other road elsewhere within the metropolis.

Kano – Gwarzo Highway:

It is along this road Bayero University new campus was located. The location of this University has attracted a lot of residential and commercial activities and the rate of physical development is higher along this road than any other road in the metropolis.

Kano – Eastern bye pass:

In order to reduce road traffic and congestion in the metropolis, motorist coming from Zaria traveling to Maiduguri or Hadejia does not need to enter the city the bye pass, connects Zaria road with Maiduguri and Hadejia road. The bye-pass 11.7 had reduced cost, time, delay and the rate at which motorist enter Kano particularly those whose destination is either Maiduguri or

Hadejia road. Table 19 shows the pattern and characteristics of these major Federal Highways within Kano Metropolis.

TABLE 19: Pattern And Characteristic Of Federal Highways In Kano Metropolis

LOCATION AND NAME OF ROAD	NATURE OF ROAD WITHIN KANO METROPOLIS	YEAR OF CONSTRUCTION	LAST TIME RENOVATED	PRESENT CONDITION OF THE ROAD.
Kano – Zaria Road	Dual Carriage	1968	1988 and 2003	Fairly good
Kano – Katsina Road	Dual Carriage	1969	Not available	Good
Kano – Maiduguri Road	Dual Carriage	Not Available	2001	Very good
Kano – Daura Road	Single	Not Available	1999 (PTF)	Very good
Kano – Gwarzo	Single	1975	PTF renovation abandon in 1999	Bad
Kano – Hadejia	Single	Not available	PTF 1998	Good
Kano – Eastern bye pass	Dual Carriage	Phase I 1998 Phase II 2001	2004	Very good

Sources: Field Work (2004).

4.8.3 Physical Planning Problems Of Federal High Ways In Kano Metropolis

In Kano Metropolis, there are seven Federal trunk A roads. Among the problems facing the highways is lack of effective development control to ensure strict compliance with the Federal highway act provisions. Federal Highway Act Cap. 15 vests the Minister of Works with power to construct, manage and control Federal Highway throughout the country, the act also empowered the Minister to regulate traffic and advertisement along Federal highways within 30.48 metres from the road formation. And no obstruction

would be allowed within 45.72 metres from the center to both side of the Federal Highway.

From the survey conducted, it has been found that there are 125 petrol stations along Federal Highways within Kano Metropolis. It is the Kano State Environmental Planning and Protection Agency that control development and approve all developments along Federal highways within Kano Metropolis. While in the case of Petrol Stations, beside KASEPPA, Ministry of Commerce and Kano State Fire Service have to give approval.

From the total number of 125 Petrol Stations identified, 113 were built in contravention of the highway act. Some of the Petrol Stations were built less than 15 metres from road formation instead of 30.48 metres as provided by the act. Table 20 shows the pattern of contravention along the Federal highway in Kano Metropolis.

TABLE 20: Petrol Stations Built Along Federal Highways In Contravention Of Federal High Way Act.

Location of Road	No. of Petrol Stations Along the Highway	No. of Contravention identified Along the High way
Kano Zaria	27	22
Kano – Katsina	16	14
Kano - Maiduguri	24	23
Kano - Daura	11	11
Kano - Gwarzo	23	21
Kano - Hadejia	24	22
Eastern By Pass	-	-
TOTAL	125	113

Source: Fieldwork (2004)

Furthermore, it has been found that most of the billboards along the Federal High ways were approved by KASEPPA. Most of these billboards were erected within the road formation i.e. less than 30.38 metres from the road formation as enshrined by the Act. Apart from the Petrol Station and bill board there are many permanent and temporary structures used for commercial purposes and were built in contravention of the highway Planning Act Standard. These permanent and temporary structures are more than the Petrol Stations and billboards. Petrol Stations were given priority because they occupy large size of land and can be identified and counted easily and were all approved by KASEPPA.

F.M.H.U.D. and F.M.W. response on why they allowed KASEPPA to control development and approve building plans along the Federal highways they attributed the problem to inadequate staff and logistic. Department of Urban and Regional Development, F.M.H.U.D. Kano field headquarters at the time conducting this research does not have a single vehicle and F.M.W. in Kano has only three good condition vehicles, one is used by Chief Highway Engineer, the other two vehicles are old, not strong, enough to monitor development along the Federal Highway within the metropolis talk less of going round the whole Kano State to control development along the Federal Highways. Although official of F.M.H.U.D indicated that even if they have resources, the Supreme Court Judgment of 13 June 2003, have taken away the responsibility from the Ministry.

4.9.1 Aminu Kano International Airport

.Aminu Kano International Airport came into existence during the second world war in the 1940_s as an air force base for lifting British Soldiers. After the war in 1945 the airport assume the function of providing commercial air transportation services. It was expanded and commissioned as an international airport in 1956. And because it is located in a growth pole centre of regional significance, the activities and facilities of the airport has continued to expand. The airport is located only two kilometres to the north of the city wall, physical development has since consumed the two kilometres expanse. Planning and Building of an airport is exclusive function of the Federal Government (NACO 1964).

4.9.2 Planning Process And Development Of Aminu Kano International Airport

The firm NACO (Netherlands Airport Consultant) was commissioned in 1962 to carryout the master plan of the Aminu Kano International Airport. The plan was completed in 1964 and was accepted by the Nigeria Airport Authority. The NACO Master plan is the basis for the design and development of all the physical outlet of the airport such as runway, taxiways, apron the control lowers, terminal buildings etc.

4.9.3 Principles Guiding The Location Of Aminu Kano International Airport

NACO observed that the impact of location of an airport is closely linked to the nature of the surrounding land use. Hence the firm suggested different types of land use and ranked them in descending order of suitability close to the location of an airport site, such location are.

1. Rural/ agriculture
2. Industrial
3. Office and Commercial
4. Public building and
5. Residential

However, NACO suggested that the compatibility of an airport with local and area planning is an important characteristics which should be explored so that both airport and the surrounding area can be developed without interfering with one another.

4.9.4 Site Selection For Aminu Kano International Airport

Perhaps the single most important aspect of the planning and design of airport is the selection of an airport site. NACO suggested ten factors, which should be considered when analysing a potential airport site.

1. *Convenience to users:* an airport must be conveniently located close to those who use it. In U.S cities the average central-city airport distance is about 16 kilometres
2. *Availability of land at low cost:* The total land requirement for an airport depends on the length and number of runways area required for building apron runway taxiway e.t.c. Airport in large cities, NACO suggested that can require more than 4000 hectares or at least 4000 metres radius from the center point.
3. *Design and layout of airport:* The design and layout of any potential sites should, be constant i.e. the desired layout should fit a particular site.

4. *Airspace and obstruction:* To meet essential need for flight safety, two requirements must be met.
 - (a) Adjacent airport must be located so that traffic using it must in no way interfere with traffic using the other.
 - (b) Physical objects such as towers, Poles, Mountains etc must not penetrate navigable airspace.

5. *Engineering Factors:* An airport should have fairly level topography. The terrain should have adequate slope for drainage. Areas with undesirable foundation should be avoided and should be free of tall trees.

6. *Social and Environmental Factors:* Airports are not good neighbours, and control in the development of land surrounding an airport should be exercised. In selecting an airport site, proximity to residential area schools and other public place should be avoided and the runway should be oriented so that these land uses do not fall in the immediate approach departure paths.

7. *Availability of utilities:* Airport must depend upon existing utilities. The site should be accessible to water; electricity service; telephones, gas lines and so on and these utilities should be of good quality and size.

8. *Atmospheric condition:* Peculiar atmosphere such as fog, smoke snow or glare may rule out the use of some potential airport site.

9. *Hazard of Birds:* Airport should not be situated near bird habitat or natural preserve and feeding ground, bird ingestion into planes engines have caused numerous problems.

10. *Coordination with other Airports:* Studies of activity in heavily populated metropolitan areas indicated that more than one major airport will be required in order to meet future air travel need. Where two or more large cities are closely spaced, individual airport requirement must be determine in relation to the needs of the entire metropolitan area, and each airport must be considered as a part of a total system. The assessment of the Aminu Kano International Airport will be based on these principle and the outlined factors.

4.9.5 Aminu Kano International Airport Layout Plan (ALP)

NACO noted that there are no universal rules which can be stated as an only determining factor for an airport layout. It stated that the whole procedure is a design exercise in which compromise in one area must be weighted against advantages gain in others. But the exercise depends on several factors which include.

1. Number and orientation of runway i.e. a strip on which airplane take-off and land
2. Number of taxiways i.e. prepared area for taxing or towing aircraft
3. The size and shape of apron adjacent to terminal building where planes are fuelled, passengers and cargo taken off and on
4. The area and shape of the available land
5. Topography and soil conditions
6. Obstacles to air navigation
7. Required proximity of land uses within the airport boundary
8. Surrounding land uses
9. Timing and scale of phased development of airport

10. Meteorology
11. Size and scale of facilities being planned.

All the above factors has been taken into consideration by NACO prior to layout plan of Aminu Kano International airport which was renovated between 1999 – 2002 to meet the current challenges.

4.9.6 Assessment Of Impact Of Aminu Kano International Airport

Like town or city an airport is confronted with wide range of opportunities and challenges. Among the challenges is the relationship that exist between different land uses within the airport and the land uses surrounding the airport. The opportunities provided by Aminu Kano International Airport is increasing commercial activities within and around the airport. It has been found that there are many registered and business with Federal Airport Authority of Nigeria (FAAN) within the airport premises. FAAN has lease out land for construction of shopping complex. There are two commercial banks, one hundred and thirty three registered car hiring vehicles, twenty two registered clearing agencies, twenty three travel agencies, four filling stations and there are over five hundred staff of FAAN and National Airspace Management Agency (NAMA) in and around the airport. Hajj camp Market was established to cater the needs of Pilgrims. Instead of being a yearly market, it is now a daily market with people coming to sell and goods.

4.9.7 Environmental And Physical Planning Problems Of Aminu Kano International Airport, Kano

Excessive noise exposure generated by aircraft operations is clearly the number one problem for airport operators and people living around the airport.

However, there are other environmental factors that can be a source of airport/environmental disputes or concern. They include:

- (a) Air quality: The most common air quality problem as noted by FAAN involves the build-up of automobile polluted air in terminal curbside or parking garage location. The Kurnar Asabe neighbourhood, Army and Air Force barracks complained of exterior damages to their residence caused by fuel droplets stemming from over flying aircraft .
- (b) Water quality: Kurnar Asabe residents suffered fuel spillage accident in 1994 that contaminate subsurface water which the neighbourhood completely depend on due to insufficient supply of pipe borne water.
- (c) Surface Traffic Congestion to and from Aminu Kano International Airport is a source of worry for both the residents living around the airport and those working in the airport. It has been estimated by FAAN that between three to five thousand people are temporarily or permanently working in the Aminu Kano International Airport. There is morning and evening traffic congestion though the dualisation of road leading in and out of the airport had minimized the congestion.
- (d) Uncontrolled Urban Encroachment. Aminu Kano International Airport has gradually become surrounded by Urban development which is not compatible with airport. Due to excessive encroachment by residential and other land uses. Aminu Kano International Airport expansion which is now needed for greater compatibility may not be possible due to such encroachment.

CHAPTER FIVE

5.0 Summary, Recommendations And Conclusion

5.1 Summary of Findings:

What was experience in Bayero University new campus clearly indicate that there is mismatch between the project size and the land allocated for the new campus. It also revealed that reservation of land by some public Institutions is an undesirable obstacle of ensuring planned urban growth and smooth physical development. The present pattern on which the University was planned is not suitable for orderly urban spatial development and maintaining effective land use control. There is no contact between the Bayero University and the State Planning Agencies in Planning and Implementation of the University master plan.

In the area of housing, there is inadequate coordination between Federal and State Government and the state and the Local Government. Also despite the provisions of the housing policy, there is no effective organizational structure that would ensure coordination of effort, integration of programmes and synchronisation of functions and responsibilities between the Federal and the other tiers of Government.

Despite the power given to the Minister of Works by the Federal Highway Act Cap 135 which empowers him to make regulation and control development or any obstruction that may hinder smooth passage of vehicle within 45.72 metres from the road center on both side of the road. It has been found that, Federal Ministry of Works was not in control of development along the seven

federal highways within the metropolis but rather it is the Kano State Environmental Planning and Protection Agency that control the development along the highways. Most of the buildings, bill board and other structure corrected were not in comfort with the standard provided in the Federal Highway and this contrary to what happen in Lagos State were federal ministry of housing and urban development approved the proposal along federal highways.

On the site and services, the scheme is one of the ways of facilitating easy access to land in Kano Metropolis. The land managed controlled and allocated by the Federal Ministry of Housing and Urban Development is yet to be provided fully with the services promised. Fourteen years allocation there is no attempt of providing these services. The land allottees are tapping the services from the nearby housing estate thereby over stretching the services, which were planned only for the estate.

On land in filling carried out in various location of Government Reserve Areas, it has adversely affected the total plan pattern of low-density areas of Kano Metropolis. The exercise has changed the population density, land use pattern only the general physical plan setting of Government Reserve Areas various law density areas of Kano Metropolis. It is after the emergence of problem as a result of development of infill plots, Federal and State Governments liased to reconcile areas of disagreement.

On Railway Corporation Land, contrary to what happen in Lagos, where there was a dispute between the Lagos State Government and Federal ministry of Housing and Urban Development over the control of Railway Corporation

Land. In Kano Metropolis, it is Nigeria Railway Corporation that lease out its land to individual and organization for various uses. However all building on railway land is subject to approval of Kano State Environmental Planning Agency not the Federal Ministry of Housing and Urban Development even though Nigeria Railway Corporation Land is a Federal Government Land. Despite that, there is no conflict or disagreement between the Federal Ministry of Housing and Urban Development and Kano State government agencies over development control on Nigerian Railway corporation land.

5.2 Recommendations:

5.2.1 Recommendations On Bayero University New Campus:

1. There is the need for closer monitoring, supervision and coordination between physical planners, land administrators and land uses so as to assess and project realistic long-term requirement of land due for allocation to all public institutions.
2. Nigeria Universities Planning consultant i.e the firm that prepared the Master Plan of seven Nigerian Universities during the 1975-80 Development Plan suggested that concentration of activities, sufficient spaces and privacy is socially and economically more desirable in the Universities than dispersal of activities, that is, sprawl of activities over a very wide area. Using the standard of newly established universities in Britain, America and Germany, the consultant maintained that University Community with all its activities could be developed within 1000 acres (400 hectares). However, the consultant noted that sprawl and use of over 4000 acres (1600 hectares) will result in spiralling

development and high operating cost. Hence suggested optimum size for the university to be between 3000 to 4000 acres (1200 to 1600 hectares). Using the desirable standard suggested by Nigeria University Physical Planning Consultant. It is recommended here that land ceiling of 3500 acres (1400 hectares) should be imposed for Institutional use particularly institutions of higher learning. If the present pattern and rate of land demand of Bayero University is maintained, i.e use of 470 hectares in thirty years, 930 hectares will last for nearly sixty years.

3. The development of a tax policy which discourage land speculation example making land designated for development in a distant future attract much higher taxes than those for the short term and immediate development. Also Urban planning authorities in all the state of the federation should collect an additional real property tax on idle land at rate not less than 5 to 10 percent per annum based on the annual current assessed value of land from both private individual and public institutions.
4. Physical planning has been accepted in Nigeria as the guidance system for controlling urban growth. Hence, the development of town as cities like Kano should be set within the regional framework. Traditional means of regulation such as zoning by-law, building regulation and subdivision normally adopted in order to achieve desired Urban form should not only be relict on. Also regional organized system of administration should be adopted i.e a system in which Urban services are administered over on area which should include the built up sector the nearby Urban fringe and the rural areas affecting or likely in

the future to be directly of regional organization should be subject to change in response to local and national demand.

5.2.2 Recommendations On Housing:

1. Housing is politically and socially an important issue in a democratic rule. The main function of the Federal Government should be setting policy and guideline to the state. The state should be allowed to assume more responsibilities in designing, determination of the geographical location of the housing units. Because the states are in better position to take cognisance of economic, social and environmental factors in planning and implementing housing programmes.
2. In the guideline which the Federal Government should set, it must be specific on what conditions need to be satisfied by a state or local government to be qualified for Federal Government fund (assistance or loan without interest) in working the agree of loan or assistance. It should be made a condition that the Minister of Housing and Urban Development or his representative should lay the foundation and declare open all the housing project executed by the state governments.
3. The Federal Government should publicize the amount made available to each for housing construction and should disseminate information on progress or lack of it made by each state housing programmes.
4. Any agreement signed with state government must guarantee that Federal Ministry of Housing and Urban Development shall be free to inspect, monitor the housing project executed.

The Federal Ministry of Housing and Urban Development should ensure that adequate publicity is given to such visit. The Federal Government could through it media black mail any state that does not perform to expectations.

5.2.3 Recommendations On Site And Services:

1. In order to ensure successful implementation of site and services scheme in the country. There should be coordination between agencies in charge of road construction, water and electricity toward provision of these services on undeveloped land.
2. Planning standard set by Federal Ministry of Housing and Urban Development has been widely contravened by the land allottees because the standard does not conform with the local culture and the environment Hence there is the need to change the building standard in order to reflect the current reality on the ground. Cognisance should be given to the planning standard set by the government in order to harmonize the Federal with State Government standard.
3. Adequate background data (on the project, the land concerned, the compensation involved e.t.c.) must be gathered to avoid delay in project execution. The longer the execution takes, the more the project cost due and other macro economic problems.
4. Major employers of labour (e.g government parastatals bank industries) should be encouraged to develop part of the site and services projects as house for their workers the CM player should secure the serviced plots for

their workers and also offer loan to them as subsidize rate as part of their package of incentive.

5.2.4 Recommendations On Infill Development In The GRAs

Land infilling exercise in the GRA is not meant for low income. One of the important measure that should be taken to minimize the negative impact of the exercise on physical planning was to compel the allottees to finance all the cost of improving the capacity of facilities of the GRA. e.g water road and electricity.

2. Property tax should be introduced on the property built in the GRA. The tax should be review annually to reflect the change in the property values. The tax will serve as revenue to the government and will determent of future pressure for land in the G.R.A. This will discourage speculative activities and encourage large-scale increase in level of building activities.
3. Appropriate jurisdiction that will establish focused public investment in areas within which government can take a more proactive role in providing capital for the maintenance, replacement and upgrading of facilities should be put in place in all established neighbourhood particularly in plate where there is lively increase in population or infill development.
4. There is always suspicion and doubt from the public particularly those living in areas facilities and utilities. Hence, before implementing any infill plan, an intensive meeting should be organized at which community members participate with government organization concern to resolve the conflict and develop a consensus proposal related to proposed infill plan. This will lessen public worries and suspicion about government plans since how the

neighbourhood looks like and function is already known by the people affected.

5. Priority areas where infill development can be successful and be encouraged should be identified. Once this has been done, limited community resources can be used to make targeted neighbourhoods fully ready for infill development.

5.2.5 General Recommendation On Site And Services, Housing Programme And Infill Plots

On the issue of building regulation and planning standard on the site and services, plot, infill plots and low cost houses. There is the need to review the planning standard and building regulation to reflect the socio-cultural values and norms of the people. Thus, a new set of regulation need to be designed to fit the societal norms, economic and technological realities at the disposal of the people.

Therefore, the following are recommended to be incorporated into the new set of regulations:

- i) *Plot Coverage:* The existing regulation on plot coverage of one-third to two-third of the plot area for a residential plot is unrealistic. The plot coverage should be increased to suit the values, norms and the prevailing conditions of individuals. For example the following standard is recommended but it could be amended to suit the changing condition, because people with large family could not meet the set planning standard.

TABLE 21: Proposed Planning Standard For Residential Development On Site And Services Scheme Layout

PLOT DENSITY	PLOT SIZE IN METRES	FRONT	REAR	LEFT	RIGHT	PLOT COVERAGE
Low	30 x 36	3m	1.5m	1m	1m	50%
Medium	18 x 30	1.5m	1m	1m	1m	65%
High	15 x 24	1m	1m	1m	1m	75%

Source: Authors' recommendation

Looking at the number of infill plots in the three G.R.As of Nasarawa, Bompai and Airport road, all with average plot size of 683sqm². The planning standard for site and services may not be successfully applied in the G.R.As. Hence, it will be better to devise another standard to suit the prevailing condition. The following standard has been proposed:

TABLE 22: Proposed Planning Standard For Infill Plots In The G.R.As Of Metropolitan Kano

LOCATION	AVERAGE PLOT SIZE	FRONT	REAR	LEFT	RIGHT	PLOT COVERAGE
Nasarawa	582sqm ²	2.0m	1.5m	1.0m	1.0m	65%
Bompai	688sqm ²	2.5m	1.5m	1.0m	1.0m	60%
Airport Road	780sqm ²	3.0m	2.0m	1.0m	1.0m	55%

Source: Authors' recommendation.

- ii) On Building Permission, no development shall be carried out without the permission of the authorities. But the application for development permission should take a maximum of a month. It after a month there is no response from the authority, the applicant can write a reminder,

after seven days without response the applicant can assume that it was approved and can therefore start construction.

- iii) A building during construction should be opened for inspection by the development control inspectors or any officer duly authorised by the authorities.
- iv) Zoning regulation must be strictly adhered with. The remaining open spaces and other uses should be safeguarded and use only for what it was originally planned for.
- v) *Building Materials:* The new set of regulations should allow for the use of building materials that are locally available such as mud for construction and timber for roofing. But it should be recommended that the walls should be plastered with cement. This has been the practice of the people in the old walled Kano city. The existing building regulations completely prohibit the use of mud as building materials. Structures built with such materials are considered as temporary structure.

However the F.M.H.U.D. or F.H.A. have to design some sample house plan of mud building materials to ensure good ventilation and structural arrangement of blocks on the plot. Developer will then be encouraged to come to the office for professional advice.

- vi) It is very important to create an inter-departmental committee to coordinate the activities of all the Federal and State government departments and agencies. The committee should be meeting

regularly. Agencies like NEPA, Water Board, NITEL, Federal and State Ministries, Nigerian Railway Corporation, Airport Authority, e.t.c. should be adequately represented in the committee. This will form a forum for discussing and comparing their plans and implementation.

- vii) *Public Participation:* The ministries and agencies should encourage public participation in all planning issues. All urban plans should be made available for public scrutiny at the local town hall or in the departmental office of the ministry responsible for planning. The purpose of which is to protect the right of any person whose interest might be affected. Also the need to improve communication between planners and citizen seeking to be informed concerning not only what will happen to them but the place where they are going to live and the facilities they will find there.

5.2.6 Recommendations On Federal High Ways

The most important problem facing Federal Highways in Kano Metropolis is set back encroachment and lack of effective Development Control Mechanism to ensure the compliance with laid down standard. The following administrative structures for development control along Federal Highways are proposed.

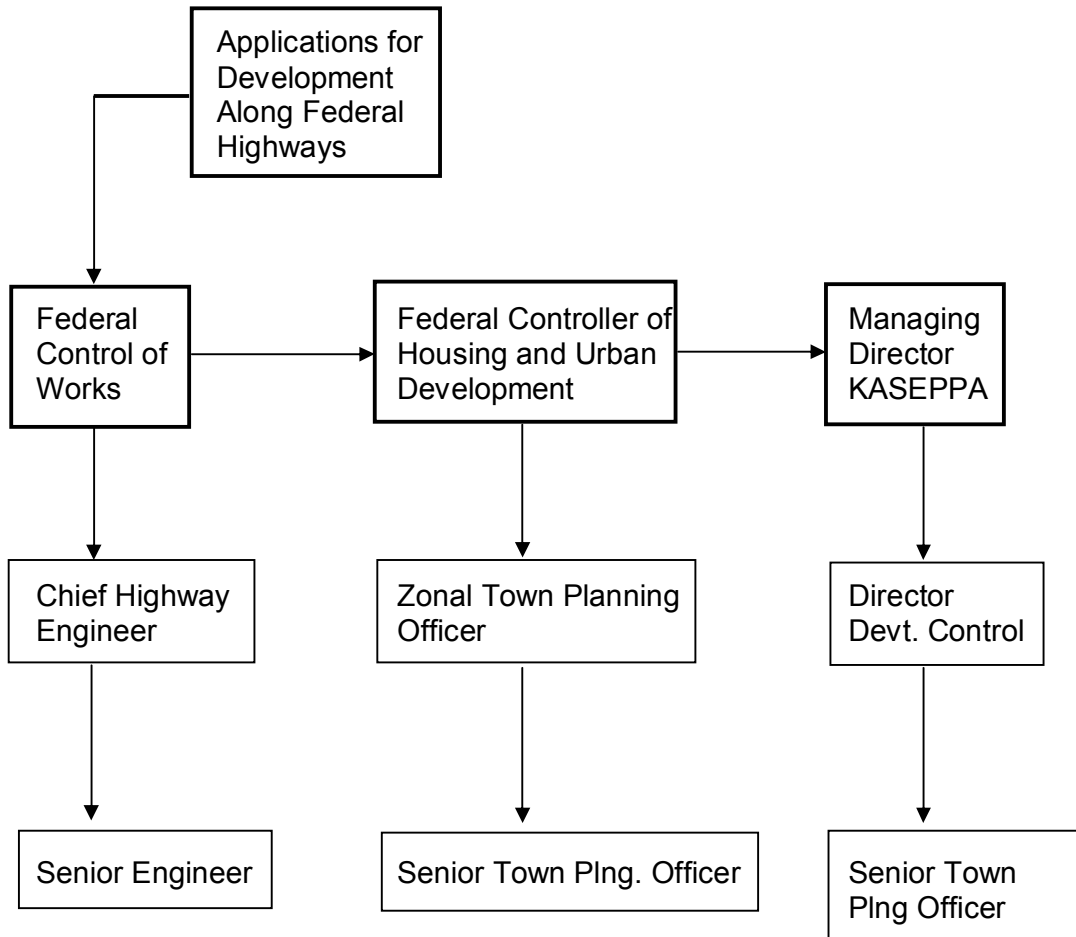


Figure 13: Proposed Administrative Structure for Development Control along Federal Highways in Kano Metropolis.

Any person proposing to develop or erect permanent or temporary structure along the Federal Highways should first, apply to Federal Ministry of Work, the Federal controller of works should sent a copy of the application to federal ministry of Housing and Urban Development. The controller of Housing and Urban Development should notify the managing Director Kano State Environmental planning and protection Agency. The two Federal Ministries and KASEPP representative should sit together to determine the approval of any proposed development along Federal Highways. The Cooperation and

Coordination of the representative of the two tiers of government will minimize the current problem along Federal Highways within Kano Metropolis.

However, from the field survey on the present condition of the Federal Highways in Kano, it has been found that, it may not be possible to have 30.48 metres vacant along the Federal Highways in Kano. Hence there is the need to have a realistic standard, which could be enforced easily without risk of violation from the public. The following front set back is being proposed for each of the Federal Highways in Kano.

TABLE: 23 Proposed Set Back For Federal Highways In Kano Metropolis

Location And Name of Road	Nature of Road Within Kano Metropolis	Propose Front Set Back
Kano – Zaria Road	Dual Carriage	20 Metres
Kano – Katsina Road	Dual Carriage	15 Metres
Kano – Maiduguri Road	Dual Carriage	15 Metres
Kano – Daura Road	Single	20 Metres
Kano – Gwarzo Road	Single	20 Metres
Kano – Hadejia Road	Single	20 Metres
Kano – Eastern by Pass	Dual	25 Metres

Source: Author (2004)

5.2.7 Recommendation On Nigeria Railway Corporation Land.

Intense competition for new and more promising land use now replace the old railway lines and surrounding vacant land and other planned open space on Nigeria Railway Corporation land in Kano Metropolis.

The change in land use has created a lot of physical/environment/problems. Hence there is the need to upgrade the new expanded area of Central Business District by:

- (1) Providing and up grading road drainages bridges and other utilities to enhance the environmental quality of the expanded CBD such as part of Maganda, road, Niger Street, Lebanon road etc.
- (2) It is not easy to preserve open spaces and an old layout like that on NRC land. However, action should be taken to make them attractive, rather than leaving them as dumping ground for waste.
- (3) There is the need to open a unit under KASEPPA and assign with the responsibility of acquiring and maintenance of open space particularly those in old established residential and commercial neighborhood.

5.2.8 Recommendations On Aminu Kano International Airport.

- (1) There is a need to regulate the amount of noise generated by aircrafts by setting maximum acceptable noise. Similarly, oil spillage from the flying and landing aircrafts within an around the airport must be properly monitored and controlled to avoid polluting surrounding settlement and the underground water.

Intensive development around the airport should discourage if possible alternative land should be provided elsewhere to the landowners in order to minimize casualty in the case of accident or disaster.

5.3 Conclusion

The foregoing chapters highlights on the activities and the role of Federal Government in Physical Development of Kano Metropolis and how it relates with Kano State Government Ministries and Agencies in the process. It has been revealed that there is minimal and uncoordinated relationship between

the Federal and other tiers of Government during the initial process of land acquisition.

In planning and implementation stages of various projects, the State Government were rarely contacted or involved in the process. Lack of Cooperation and Coordination of Federal and State activities, in proper planning and non completion of many Federal Government physical development projects had led to the emergence of physical planning and other related problems.

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