# THE IMPLEMENTATION OF THE MASTER PLAN FOR THE FEDERAL CAPITAL CITY, ABUJA: A Review of the problems of Development Control.

By

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**AHMADU BELLO UNIVERSITY,**
**ZARIA.**

**JULY, 1990**

DECLARATION

I hereby declare that this Thesis has been composed by myself and that it is the outcome of my research work. It has not been presented before any examiners for the award of a higher degree.

All the sources of information are specially acknowledged by means of references.

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## CERTIFICATION

This Thesis entitled, "The Implementation of the Master Plan for the Federal Capital City, Abuja: A Review of Development Control Problems" by Bulus G. Atara meets the regulations governing the award of the degree of Master of Science, Urban and Regional Planning of Ahmadu Bello University, and is approved for its contribution to knowledge and literary presentation.

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DEDICATION

This Thesis is dedicated to my dear wife, Mrs. Justina Talatu Bulus for the encouragement she gave me during my studies, and to my children Miss Nuba and Galadima Bulus for the fatherly love they missed when I was in Zaria.

Bulus G. Atara.

ACKNOWLEDGEMENT

I wish to tender my appreciation to my supervisor, Mallam Ma'ruf Sani for his endurance and painstakingly going through my scripts and also for the necessary guidance he gave me.

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My thanks also go to Alhaji Usman Sabo Ago, former Director, Department of Planning and Surveys, F.C.D.A., Abuja for encouraging me to further my education.

I must not forget to express my sincere thanks to my colleagues, Mr. Angus Ndirpaya, R.I. Salami, B.S. Haiba, Ibrahim Z. Obadiah and Mr. Emmanuel Onyishi who made my staying in Zaria lively.

Finally I say a big thank you to the former Department Secretary, Mr. C.M. Shaibu and numerous others who have contributed in one way or the other towards my progress.

Bulus G. Atara, July, 1990.

## ABSTRACT

This Thesis is an attempt to present information on the implementation of the New Federal Capital City, Abuja and also examine the problems faced in development control in the course of regulating, harmonizing and coordinating the implementation of the Plan for the New Federal Capital City.

The idea of New Towns or Planning and relocating New Capitals is not new. Various reasons necessitated the change of the Federal Capital City of Nigeria from Lagos to Abuja. Amongst these reasons is that Lagos is no longer capable of shouldering the dual role of being the Federal Capital of Nigeria as well as that of the Lagos State. Above all, there was congestion traffic jam and lack of land for expansion. Therefore, it was necessary to move the capital to a new site so as to create a most attractive environment and to provide decent and healthy living conditions for all the city's residents.

The study, therefore, examined the tools for implementing the Abuja Master Plan so as to achieve this objective. These tools include political, economic, administrative, social and legal. The legal component was singled out and this was used to evaluate the implementation of the New Federal Capital City, Abuja. The survey showed that the legal component, that is, Development Control which is supposed to coordinate the implementation of the plan for the Capital City is faced with many problems. Again these problems were classified under

economic, administrative, social, politial and legal.

The study showed that Development Control officials have not been able to harmonize, regulate and co-ordinate the implementation of the Plan for the Capital City as it is supposed to. A review of two Districts (Wuse I and Garki I) at the micro-level and macro-level showed the presence of a number of illegal developments and contraventions on building regulation. In some areas the Master Plan was altered thus leading to serious problems. The inability of the Federal Capital Development Authority to compensate the original settlers has also contributed to the numerous problems facing Development Control, a problem which made it difficult to implement the plan in those areas where the indigenes reside.

Based on the findings a number of proposals were made which if taken into consideration can go a long way to make development control functional and effective enough to regulate harmonize and co-ordinate the implementation of the Plan for the New Federal Capital City so as to achieve the objective of the Federal Government, that is, to build a befitting city for Nigeria.

Bulus G. Atara,

July, 1990.

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# CHAPTER ONE

## 1.00 INTRODUCTION

## 1.10 STATEMENT OF RESEARCH PROBLEM

The idea of planning and relocating capital cities is not new phenomenon the world over. Various factors necessitate the relocation of a nation's capital city. The establishment of Abuja and Brasilia for example are based on factors of congestion of the former capitals and centrality amongst other reasons.

In the case of Abuja, the decision to move the nation's capital to Abuja was taken in 1976 by the Federal Military Government after studying and accepting the Justice Akinola Aguda Panel Report which declared Lagos as unfit and no longer capable of shouldering the dual role of being the nations capital city as well as the State Capital of Lagos due to the problem of inadequate land space for development. Thus the aim of the change of the capital city to Abuja was to create a most attractive environment for the national seat of Government and to provide decent and healthy living conditions for all the city's residents.

Following the establishment of Abuja as the new Federal Capital of Nigeria by Decree No. 6 of 1976, the Federal Capital Development Authority (F.C.D.A.) was vested with the power to plan and

develop a befitting city for Nigeria. A Master Plan was produced to guide development in the city. But there are many problems of implementing a Master Plan. These problems include social, political, economic, administrative and legal.

The legal problems border on development control which is the main concern of this study. The development control which is supposed to coordinate, harmonise and regulate development of the new city is faced with many problems such as administrative, financial, technical, social and political. These problems are manifested in the following issues:-

1. Development of the Federal Capital is not being carried out according to the proposed plan.
2. Illegal developments are springing up both in government and private residential areas.
3. Less than 25% of the present development in the city are private yet 20% of these have one contravention or the other.
4. There is rampant change of use by private developers without obtaining planning permission.

1.20 JUSTIFICATION OF STUDY

Development control is an essential part of plan implementation process without which implementation is not complete and there would be no positive development. Indeed it is part of a much wider planning

activity and should be a vital component in the implementation of planning policy. In fact one can have beautiful layouts but if not controlled a slum can emerge.

Since development control is responsible for coordinating, harmonizing and regulating development in the new Federal Capital City, any problem which hinders development control from performing well will definitely affect the implementation of the city. Therefore, to avoid the creation of a slum in Abuja a solution to the problems facing development control must be found. This study is, therefore, aimed at finding the root causes of the problems facing development control so as to propose planning solutions.

1.30 AIM

The aim of this study is to examine the problems of development control as it relates to the implementation of the Abuja Master Plan with a view to finding solutions.

1.40 OBJECTIVES

The stated aim shall be achieved through the following objectives:-

1. To review the concept of plan implementation and development control.
2. To examine the legal and statutory instruments for controlling development in Abuja.

3. To briefly review the proposed Abuja Master Plan and then appraise the existing land use of some selected areas of phase I of the Federal Capital City.

4. To review the problems of Development Control in Abuja.

5. To make proposals for improvement based on the findings of the study.

1.50 SCOPE AND LIMITATION

The study is concerned with the problems of development control and how these problems affect the implementation of the Abuja Master Plan. However, no attempt will be made to review the whole Abuja Master Plan as this will need more time than is available to the researcher.

The study is limited to Phase I of the Federal Capital City and within the Phase I emphasis shall be placed on Garki I, Garki II, Wuse I and Wuse II Districts respectively. These districts (Wuse I and Garki I) have been chosen because they are areas where infrastructural facilities, utilities and services have been provided and also 80% of Abuja residents are accomodated there.

Wuse II and Garki II Districts on the other hand are yet to be provided with infrastructural facilities although the plots have already been allocated and some private developers have commenced work on their plots.

1.60 METHODOLOGY

1.61 Method of Data Collection

There are basically two sources of data collection; the primary and the secondary sources.

1. Primary Sources:

This involved:-

(i) A reconnaisance survey of the entire Phase I of the Federal Capital City Abuja using the Abuja Master Plan to evaluate physical development in the various sectors of the city.

(ii) Physical measurements of some completed buildings were taken to determine the degree of compliance with the approved plans. Private developers were not around to be interviewed so only the approved building plans in Development Control Office were used.

(iii) Oral interview with Development Control staff was conducted using structured questionnaires. There are twenty five staff members and 13 of them were interviewed. Only those involved in the processing of plans or those who conduct site inspection report were interviewed. The other supporting staff

like the Accountant, Messengers, Drivers and the Typists were not interviewed.

(iv) Personal observation (participant observation).

(v) Researcher's previous experience with the Development Control Division in Federal Capital Development Authority, Abuja.

(vi) Photographs were taken where they serve to illustrate a point.

2. Data from Secondary Source:

These include:-

(i) Records of activities of the Department of Planning and Surveys such as number of planning applications received for plan processing and approval for the past six years (1982 - 1988).

(ii) Information about adequacy of manpower situation.

(iii) Relevant laws guiding development in the Federal Capital City Abuja. These include:-

(a) Decree No. 6 of 1976.

(b) Law to make provision for the replanning; improvement and development of different parts of

Northern Nigeria, Town and
Country Planning Law, Cap 130,
Laws of Northern Nigeria 1963.

1.70 THESIS STRUCTURE

The Thesis is divided into four parts. The first part is the introduction. The section presents the problems of the study.

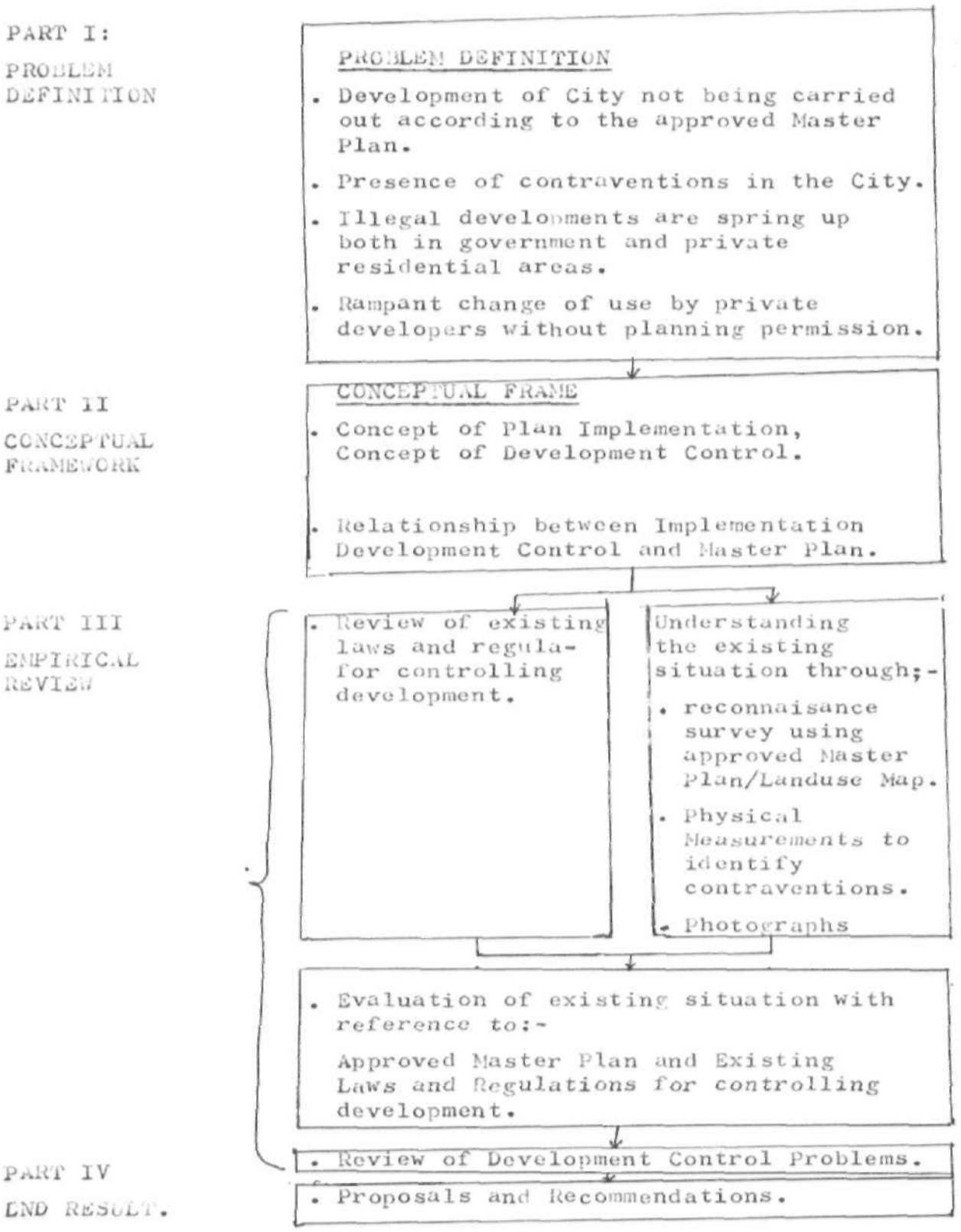
The second part deals with the theoretical framework. Here the concepts of Plan Implementation and Development Control are examined and the relationship between them was established.

The third part describes the legal instruments used in controlling development in the city and the existing landuse development was also treated here.

The fourth part deals with the evaluation of the existing situation against the [illegible] Master Plan of the Federal Capital City. This leads to the identification of the problems of Development Control.

Recommendations are then made based on the identified problems (see Figure I).

FIG. II: THESIS FRAMEWORK.



1.80 THE STUDY AREA

The study area is the Federal Capital City which is located at the North-Eastern quadrant of the Federal Capital Territory. It occupies an area of 250km$^2$. Being centrally located the New Federal Capital City is easily accessible from all parts of Nigeria and indeed the principal cities of Africa.

The name Abuja was derived from the former town which lies north of Abuja City now known as Suleija. The Federal Capital Territory itself is located in the geographical centre of Nigeria. It lies between latitudes of 25°N - 9°20'N and longitude 6° 25'E and 7° 39'E. It occupies an area of 8,000 square kilometres. It is bounded to the north by Kaduna State, to the East and South east by Plateau State and to the south west by Kwara State and to the west by Niger State.[1]

1.81 Physical Characteristics of Study Area:

(i) Climatic Characteristics of the Area:

Temperature:

The Federal Capital Territory records its highest temperature during the dry season when there are few if any clouds. Changes in temperature of as much as 17°C have been recorded between the highest and lowest temperature in a single day. During the rainy season, the maximum temperature is lower due to

the dense cloud cover. Diurnal annual range is also much lower, sometimes no more than $7^{oc}$ in July and August (see Fig. 4).

Rainfall:

"The rainy season in the north-eastern FCT begins around the 10th of April and comes to an end around 20th October".[2] Thus the duration of the rainy season is between 180 - 190 days. Figure 5 shows mean monthly rainfall of Abuja Area. The rainfall is concentrated between 3 - 4 months. 60% of the rainfall is between July, August and September.

This concentration of rainfall shows the needs for drainage system that can handle large volumes of water very quickly.

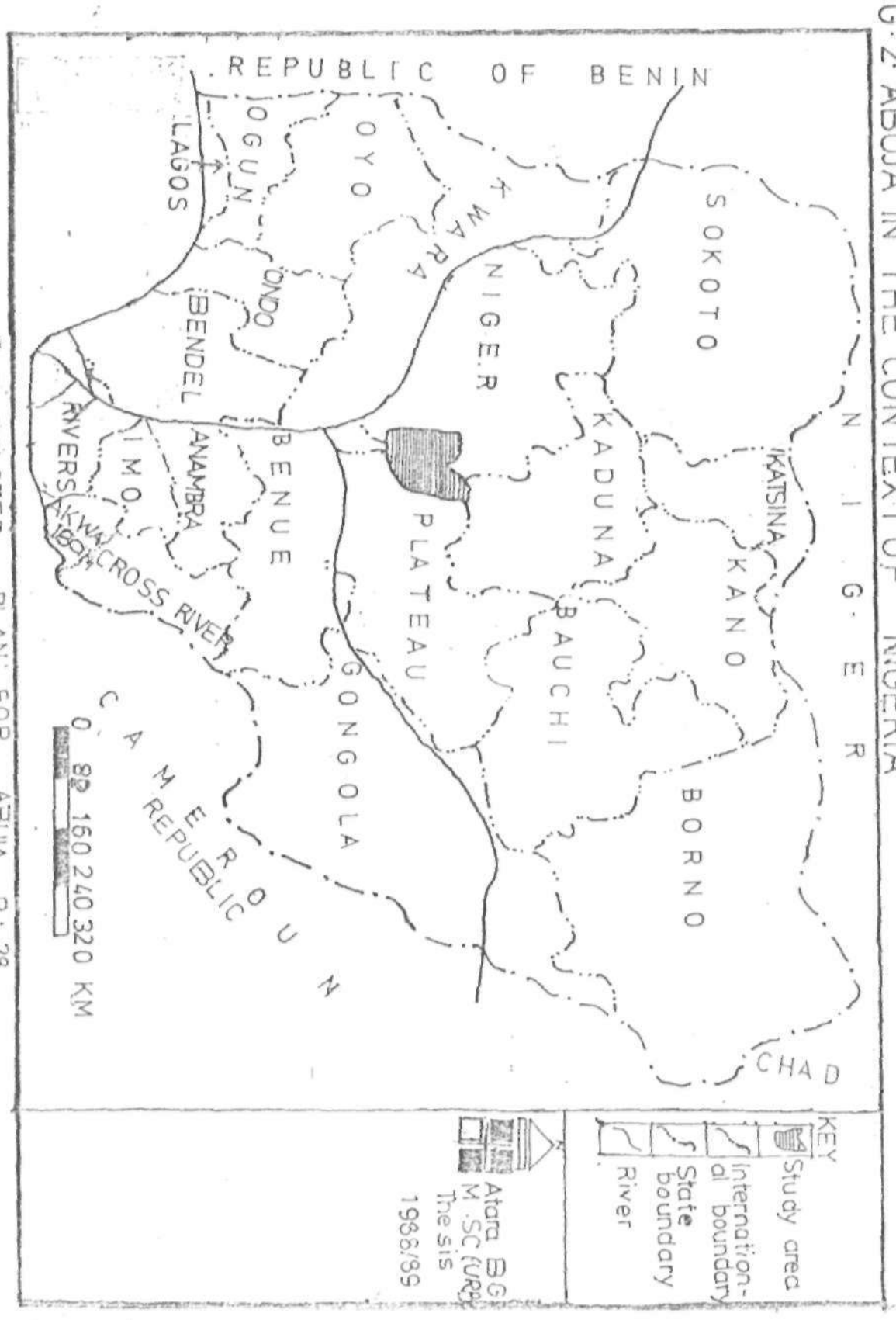
Vegetation:

The vegetation is characterised by park Savanna. Riverine depressions are typically skirted by fringes of thickets and high trees. There are occassional patches of forest or heavily wooded areas.

Where the land is being farmed recently shrubs savanna occurs. The forest within the riverine areas within the vicinity of the city varies from high forest to a mixture of woodlands, galley forests, and dense thickets (IPA, 1979)[3].

Because of the paucity of wooded areas in the immediate vicinity of the Capital City, the Abuja Master Plan recommended that efforts should be made to

preserve wooded areas in and adjacent to the city for their value as aesthetics and recreational resources and ameliorating effect on climate. Within the site of the Federal Capital City itself the objective is to protect stream water courses. If trees are left along these stream courses they will serve as channels for storm water runoff since great variation in stream flow during rainy season frequently makes culverting impracticable.




SOURCE: THE MASTER PLAN FOR ABUJA P. 28

FIG. 2: ABUJA IN THE CONTEXT OF NIGERIA

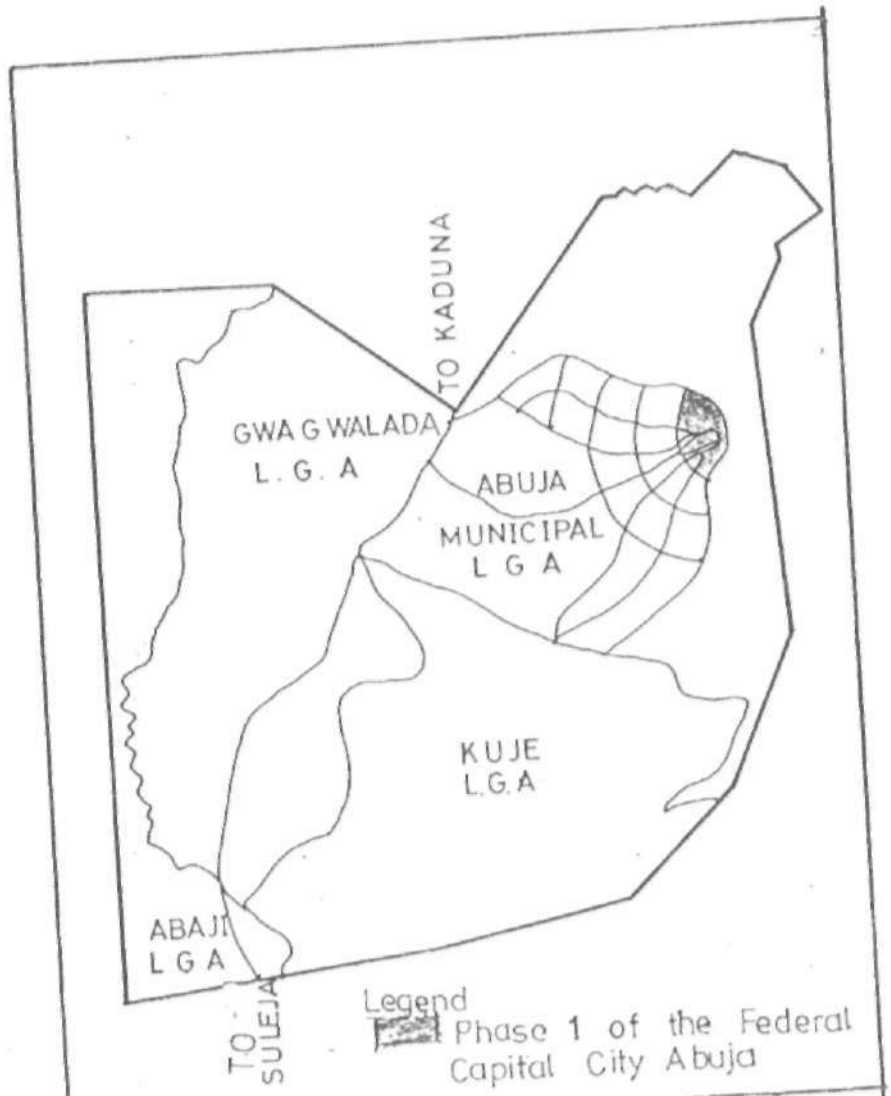



FIG 3 LOCATION OF THE FEDERAL CAPITAL CITY IN THE FEDERAL CAPITAL TERRITORY.

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source: Implementing a master plan
The Abuja experience (P.7)

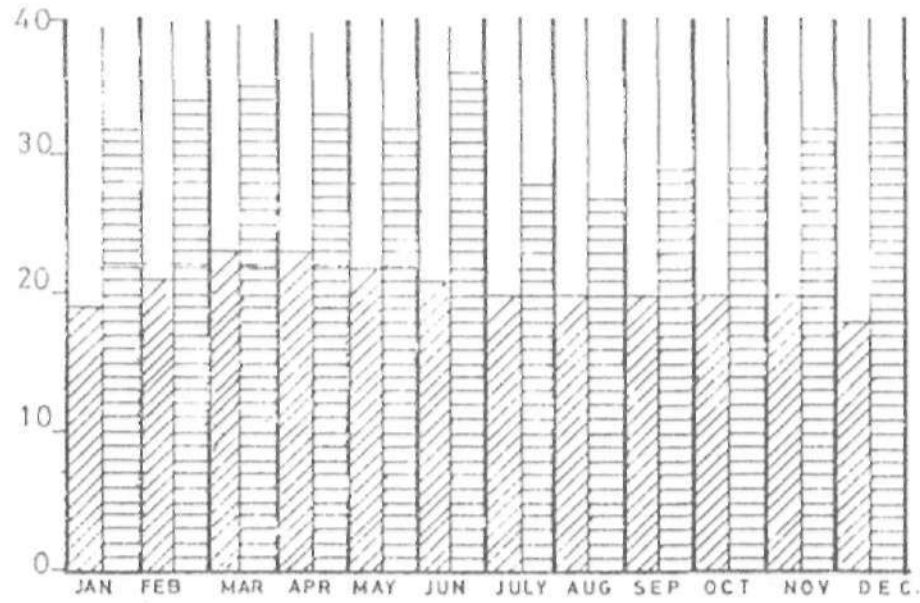



FIG 4 MAXIMUM AND MINIMUM TEMPERATURE OF F. C. T

source : The master plan for Abuja the new federial capital of Nigeria. p 52

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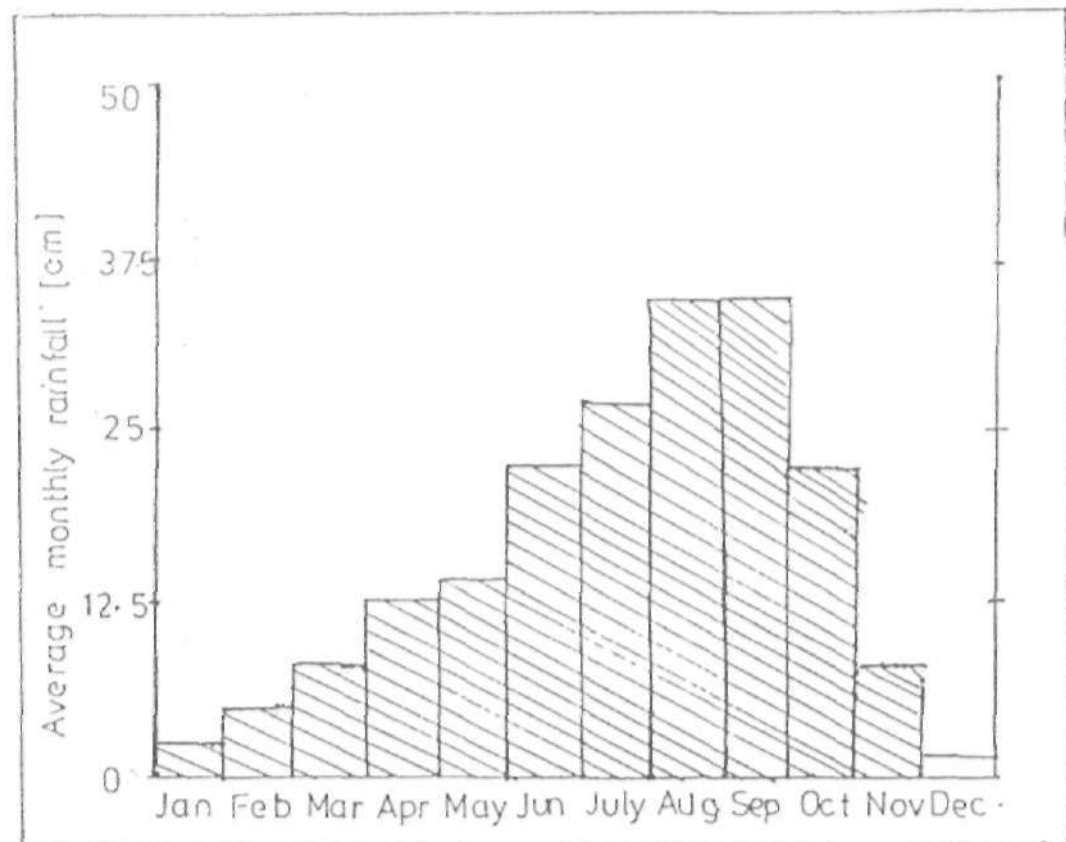



FIG. 5. MEAN MONTHLY RAINFALL OF ABUJA

Source: The Master Plan for Abuja the new Federal Capital of Nigeria p. 52

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2. International Planning Associates (1979) The Master Plan for Abuja the New Federal Capital of Nigeria p. 52.

3. Ibid, p. 52.

CHAPTER TWO

## 2.00 THE PROCESS OF MASTER PLAN IMPLEMENTATION AND DEVELOPMENT CONTROL

### 2.10 CONCEPT OF PLAN IMPLEMENTATION

Several definitions have beeen advanced as to what constitute a Master Plan. Among such is that of Kent who defined the Master Plan as the "official document of a Municipal Government which set forth major policies concerning deisrable future physical development of a community".[1] In other words the Master Plan indicates in a general way, how the policy makers want the community to develop in the next 20 - 30 years. The Master Plan then is "basically the conceptual framework which defines the main options that have been selected".[2] This will include such things as roads, natural sites, infrastructure, green belts, public and semi public, buildings, commercial areas, etc.

In the case of Abuja the Master Plan was prepared by International Planning Associates (IPA) and handed over to the Federal Capital Development Authority, Abuja in 1979. This Master Plan "pescribed the pattern and modes of physical developments that should be carried out or embarked upon in the building of the New Federal Capital City"[3] Abuja and its surrounding region which is the Federal Caiptal Territory.

Implementation on the other hand comes in when the plan has been prepared. Indeed it is the physical transformation of the proposals into reality or action. Thus plan implementation is an essential and integral part of the planning process. It is at the implementation stage that the plan will be translated into action and all unrealistic proposals can be identified and reviewed.

Although technically sound Master Plans have been prepared by experts for many Nigerian cities and Towns, these plans in most cases remained paper plans. This is because during the formation of the plan the financial, technical, administrative and land resources were not taken into consideration.

Indeed in a study carried out in Makurdi, Kaduna and Lagos, Agaba found out that these plans "failed to be implemented because they were not realistic".[4] A proposal should be realistic and flexible enough to reflect economic reality of the society and at the same time flexible to accomodate changes over time. Plan implementation involves activities that translate the plan into action and also executes rather than conceived. For a plan to be implemented according to proposal, there should be a good administration. This administration involves "all the acts and actions by public authorities and private agencies"[5] which are required to yield in definitive form, the results which the Master Plan proposes.

2.11 Tools of Plan Implementation

Inferences drawn from the above review is that the concept of Plan Implementation embodies two different things. The first concept is the plan and the other one is the implementation aspect. From the review implementation is the fulfilment of what has been proposed in the Master Plan and this needs some tools. These tools include social, political, economic, administrative and legal.

Economic Tool:-

This involves financial problems. Without funds neither the Government nor the Private Sector can implement any plan.

Social:

The people for whom the Master Plan affects should be in the picture of the plan. Public participation is highly needed. If the people are not in support of the plan, they can frustrate the Government or the private sectors during the implementation period.

Political:

This depends on the ruling party or the Military Head of State. If he is not in support of the plan he can starve the implementors of fund.

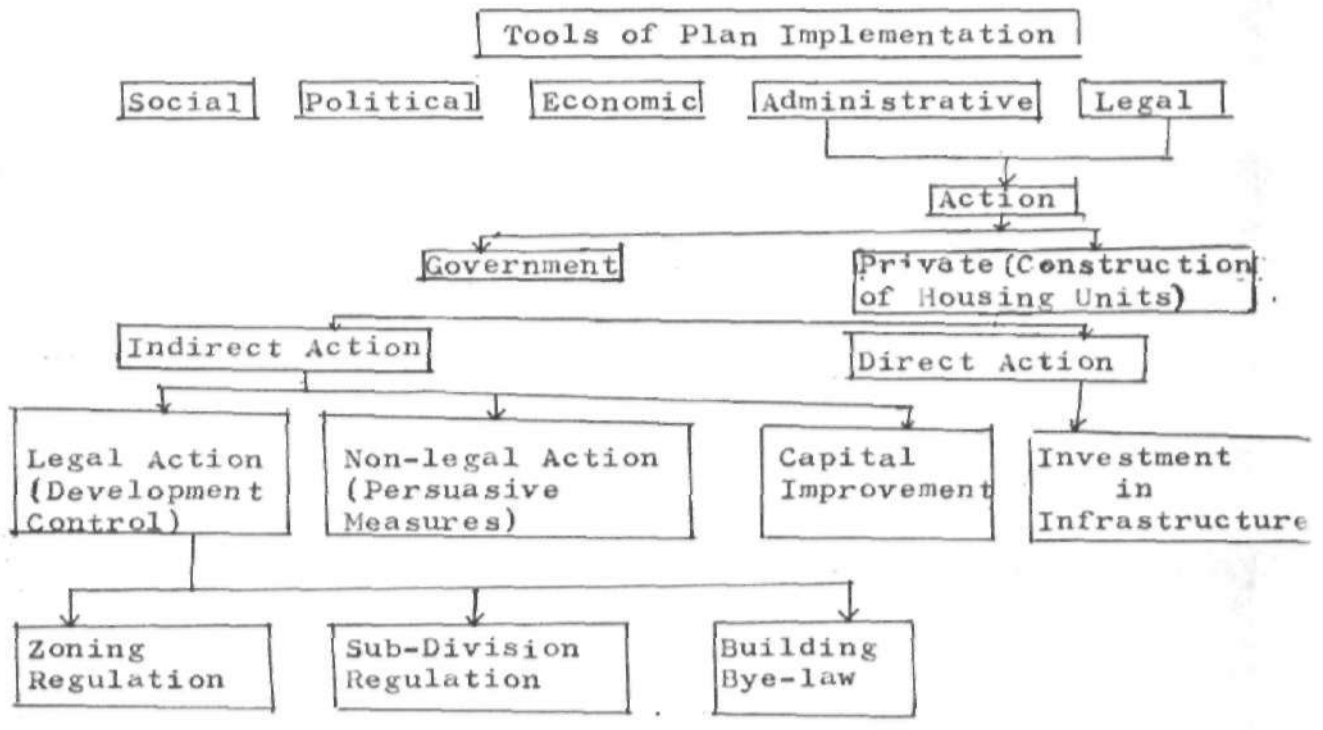
Administrative:

The administrative set up can also affect the implementation of the Master Plan. Frequent changes, unnecessary bureaucratic protocols can also affect the performers of the implementors.

But as it was mentioned in the scope, only the legal tool shall be treated in detail. Implementation per se involves two actors (Government and Private Sectors). Government action can be through legal devises which are regulatory in nature and this are referred to as Development Control Measures with Zoning Regulations and Building Bye-Laws as tools of implementation. Non-legal methods are through working relations like by co-ordination, persuasion, incentives and direct investment in infrastructural provisions and housing.

As mentioned above implementation can only be achieved when the two actors (Government and the Private Sector) have the backing of the tools (Finance, Legal, Political, Administrative and Technical Competence). Of these tools the legal one is of great interest to the physical planner because it deals with spatial organization. The various tools and actors involved in plan implementation are shown in Figure 6.

Figure 6: TOOLS, ACTORS AND ACTIONS INVOLVED IN PLAN IMPLEMENTATION




Source: *Adapted from* Kulshrestha, S.K. (Areas of Governmental involvement in the field of Town Planning and the role it must play in the public interest. 4th Annual Conference (N.I.T.P.) September 5 - 8th A.B.C./ABU Kano.

*Quoted in* Agaba, J.O. (1980) Unpublished M.Sc. Thesis URP Department, A.B.U., Zaria.

Looking at Figure 6 one can see that development control plays a major part in plan implementation. Indeed there is a relationship possibility between plan implementation and development control. This relationship can best be seen by looking at the three components (Development Control, Master Plan and Implementation) at the same time.

A Master Plan, for instance, can only be implemented according to the proposals if development control is effective to co-ordinate, harmonize and regulate physical development within the planned area of city. On the other hand where there is no Master Plan development control becomes meaningless since it is the Master Plan which serves as a framework that provides guidelines for developing the town in a planned and orderly manner. This relationship can be shown in the form of a tripod with three interrelated sides (see Figure 7).

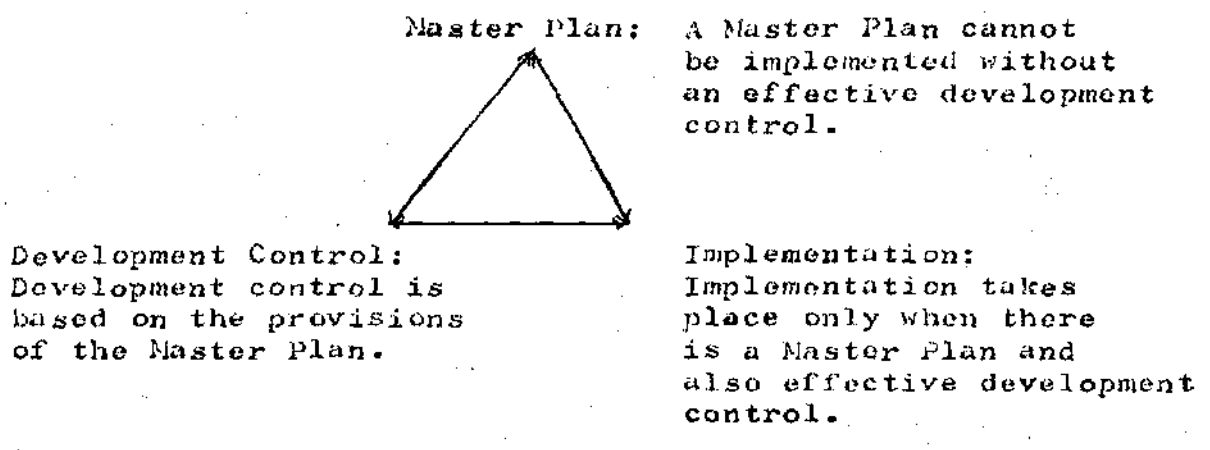



Figure 7: The Interrelationship between Master Plan, Implementation and Development Control.

To achieve the goal of a Master Plan, that is, for a town to develop in the right direction as proposed in the Master Plan, "all building plans should be scrutinized by a committee to ensure that theplan is in conformity with the scheme in force in the area".[6]

## 2.20 DEVELOPMENT CONTROL AS A TOOL FOR PLAN IMPLEMENTATION

Development control can be broadly defined as the "control of the use of land, the character, appearance and arrangement of buildings and facilities to ensure economy convenience, sightly results and aesthetics".[7] In other words the process of development control involves the regulation of the detailed aspects of physical development, about which precise guidance cannot be given in the Master Plan or the sub-division layout or local plan.

In physical planning development control is very important because it encompases some legal and administrative techniques and instruments designed to control the use of land in line with the approved landuse plans. This is with a view to preventing cases of non-conforming and conflicting landuses. It also ensures that "residential, commercial, industrial, agricultural, public and semi-public as well as other land uses are properly and carefully zoned, guided and developed".[8] The success of this depends on the bases

that every developer obtains a planning permit before commencing his work.

In England, Section 23(1) of the English Act provided that "Planning Permission is required before carrying out any development of land".[9]

In Nigeria, Section 11(1) of the Town and Country Planning Law of Northern Nigeria Cap 130 also prohibits the carrying out of any development without obtaining planning permission from the Planning Authority. Thus the whole system of development control depends on the definition of "development". Section 2(1) of the Town and Country Planning Law of Northern Nigeria Cap 130 states that "development in relation to any land includes building or rebuilding operations or any use of the land or any building thereon for a purpose which is different from the purpose which the land or building was last being used.

Building operations will include rebuilding operations, structural alterations and additions to buildings and other similar operations.

2.21 Levels of Development Control:

There are two levels of development control. These are the macro-leve and the micro-level.

Development Control at the Macro-level:

At the macro-level, the objective is to control the subdivision of land. This is the control of development of layouts or subdivisions. "The aim is to

ensure that as new areas are brough under urban use and influence, they not only form an integral part of the present overall urban structure but also fit into the future structure".[10]

Development Control at the Micro-Level:

At the micro-level, the objective is to control the development of the individual plot and structure within the subdivision. Indeed this is one of the most crucial aspects of Development Control because it involves:-

(i) The designing of building plans to satisfy specified standards and ensuring that the actual development conforms to the approved plan.

(ii) The enforcement of the relevant housing and building codes, so as to ensure that no illegal developments are embarked upon.

(iii) Ensuring that lighting, ventilation, drainage, building lines, size and lighting of rooms, height of structure, floor level, etc conform with building bye-laws.

(iv) Density coverage, plot coverage, air space and number of habitable rooms per plot are also considered.

In the next Chapter all the legal instruments for controlling development within the New Federal Capital City will be examined. These will be the basis for all evaluation of developments that are carried in the city.

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## CHAPTER THREE

### 3.00 LEGAL INSTRUMENTS FOR CONTROLLING DEVELOPMENT IN ABUJA

Legal instruments exist for enforcing development control at Abuja. These instruments have been listed below.

### 3.10 THE ABUJA MASTER PLAN

The Abuja Master Plan comprises of analysis and proposals for the development of the Federal Capital City. It also serves as a framework and provide guidelines for developing the city in a planned and orderly manner. Indeed it is the only means through which the dream of the Federal Government can be achieved, that is, to "create a most attractive environment for the national seat of government and to provide decent and healthy living conditions for all the city's residents".[1]

This condition cannot be met or fulfilled without some legal backing, protection and guide for development control which is the tool for harmonizing, coordinating, and regulating both private and public development in the city.

### 3.20 DECREE NO. 6 OF 1976

In February, 1976 Decree No. 6 of 1976 was promulgated to give legal authority to the transfer of the Federal Capital City from Lagos to Abuja. Below are the sections which give legal backing for Development

Control in the Federal Capital City, Abuja.

(i) Section One subsection one (1)(1) states that "there is hereby established a Capital Territory"[2] Section 1 (3) further vested the ownership of land within the declared Federal Capital Territory in the government of the Federation. This is with a view to making land available for development of the city.

(ii) Section 3(1) gives legal backing for the establishment of the Federal Capital Development Authority which shall consists of a chairman and eight other members. The Authority shall be corporate with perpetual succession and a common seal. This means that the Authority can sue and can also be sued by anyone who is not satisfied with any action taken by the Authority.

(iii) Section 4 empowers the Authority (F.C.D.A.) to prepare a "Master Plan for the Federal Capital City and also coordinate the activities of all Ministries, Departments, and Agencies of government within the Federal Capital Territory. This is very important because it empowers development control officers to regulate, coordinate and supervise all activities within the Federal Capital Territory. This section is also clearer than the Northern Nigerian Town and Country Planning Law Cap 130 as regards the preparation of a Master Plan.

The Town and Country Planning Law only mentioned a scheme which is vague.

Section 4(2)(d) further empowers the Authority to purchase or otherwise acquire or take over any asset, business, property, previlege, contract, right, obligation and liability of any person or body (whether corporate or unincorporate) in furtherance of its activities.

(iv) Section 6 provides that any building, crops or assets acquired on any land shall be duly compensared.

Although phase one falls within the "Fast tract strategy",[3] that is, the area which is supposed to be developed along side the planning of the city and is supposed to have been developed before 1986, the original settlers of this area have not yet been compensated, hence they are still staying in their former settlements within the phase one of the Federal Capital City Abuja. This creates alot of problems in terms of implementation and control of development.

(v) Section 7(1) prohibits any person or body within the Federal Capital Territory from carrying out any development without obtaining a written permission from the Authority as from the date of the commencement of this decree.

This section is relevant to development control. Indeed it is the section which gives a strong legal backing to the Authority. It empowers the Authority to either approve or reject any planning application received.

The second part of this section provides that the "Authority can make a general order with respect to the interim development of land within the Capital Territory and may make special orders with respect to the interim development of any portion of land within a particular area.

Section 7(2) empowers the Authority to order for the removal of any work or development done within the Federal Capital Territory without obtaining written permission from the Authority", the owner shall also reinstate the land or, where applicable the building in the condition in which it was before the commencement of such work". If the developer fails to do it, the Authority can do it and recover such expenses thereof from such person as a "debt". The above section further protects the Authority against any legal context that can come out as a result of its action against any one in

relation to the Authority's duty. Indeed the section confers wide discretionary power upon the development control officers to prohibit undesirable user of land of both private land owners and public authorities. It also empowers the development control to take positive steps to ensure that land is used for projects which are thought desirables in the public interest.

Indeed, this confirms Alder's definition which looks at development control as a "method of licensing". This method of licensing enable Development Control to coordinate, harmonize and regulate development within the Federal Capital City Abuja, thus it made it easier to coordinate the implementation of the Master Plan.

(vi) Section 8(1) provides that the Authority "shall have a right of access at all times to any land or building within the Capital Territory" For the purpose of ascertaining that the provisions of this decree are not being contravened." It also empowers the Authority to collect any information deemed necessary from any person or body who is in position of it but any false information given constitutes an offence.

(vii) Section 9(3) provides that any person who wilfully obstructs, interferes with, assults or resists any officer or servant of the Authority in the execution of his duty or incites others against the Authority commits an offence and on conviction the person shall be liable to a fine of ₦500.00 or to imprisonment of six months or to both (such fine and imprisonment). This section is also important to Development Control officers who are involved in Site Inspection Report (S.I.R.) and building inspection within the City.

(viii) Section 13 stipulates that "all laws which were applicable in the Capital Territory immediately before the commencement of this decree "shall continue to apply in the Capital Territory and all persons or authorities concerned with the administration of such laws shall continue to administer them until after provision is made by the government of the Federation".

This section implies that both the laws which were operating in the three States (Kwara, Niger and Plateau) where the Federal Capital Territory was curved out will still apply.

Secondly it means that the Town and Country Planning Law of Northern Nigeria Cap 130 of 1963

and all the building bye-laws from the three States mentioned above shall continue to apply to the Federal Capital Territory since these were the tools in existence before the promugation of the Decree. However, one can still see that most of the sections in Decree No. 6 were adopted from Town and Country Planning Law of Northern Nigeria Cap 130.

3.30 DEVELOPMENT CONTROL STANDARDS AND REGULATIONS FOR DEVELOPMENT IN THE ABUJA CAPITAL TERRITORY

Section 4(2) of Decree 6 of 1976 empowers the Federal Capital Development Aothority "to do anything which in its own opinion will help facilitate the carrying on of its activities". Section 5(3) further provides that the "Authority may appoint such other persons to be officers and servants of the Authority as it may deem fit".

In compliance with these sections above, the Authority set up the Development Control Unit which was charged with the responsibility of processing and granting planning permission for private and public developers within the Abuja Capital Territory. The Development Control Unit together with the building plans processing committee produced this document entitled "Development Control Standards and Regulations". This has been approved by the Federal Capital Development Authority and so it serves as the building regulation for the city and the Territory as a whole.

This document gives the check list for controlling development within the Federal Capital City, Abuja. It also set th development control goals which include the following:-

(i) Attainment of a balanced harmonious growth.

(ii) Assurance of a suitable environmental quality.

(iii) Prevention of the overloading of infrastructure.

3.31 <u>Requirements for Commencement of Development in the Federal Capital City, Abuja as stipulated by the Building Bye-laws of Abuja.</u>

All intending Developers within the Federal Capital City Abuja must comply with the following procedures:-

(i) Write a "formal letter addressed to the Authority attention, Director of Planning and Surveys, requesting for approval of their building plans.

They should also enclose all:-

Photo copies of their plot allocation or site, (Certificate of Occupancy), letter of acceptance of allocation, copy of cadastral map and site plan showing the allocation of the site.

Developers are also supposed to submit 5 copies of::-

. Site Plan in scale 1:500 or 1:200 showing the layout of the building and other infrastructure within the plot (prepared on contour maps), all access roads with their dimension, parking lots, drainage, percentage of plot coverage.

. Building plans on scale 1:50 or 1:100 showing details of each or all of the buildings.

. Electrical plans in scale 1:50 or 1:100 showing fittings and appliance sizes of cables, ratings load demand and balanced analysis for each building.

. Structure plans (for storey buildings) in scale 1:50 or 1:100 showing foundation, layout beams, columns, slabs, etc.

. Mechanical Plans in scale 1:50 or 1:100 showing detail sanitary fittings, sewage, plumbing, layouts.

. Necessary details in scale 1:20 or 1:10 showing stair case, concrete gutters and facials.

. Fencing details, septic tanks and soakaway pits; if building is located where no central sewage system is available.

These documents are needed to help development control check illegal developers and also to make all buildings or developments conform with the zone in which the buildings are located. Any development being carried out without first applying for planning permission is termed unauthorised and the Authority can take appropriate action against it, which usually involves demolition of the structure involved.

The system can also help prevent wrongful development of plots especially where infrastructural facilities have not been provided. It also ensures that the proposals in the Master Plan are being adhered to.

3.32 Planning and Site Requirements:

The Master Plan for Abuja was prepared by International Planning Associates (IPA). The plan apportioned land to various uses. This was made to ensure that residential, commercial, industrial, educational and recreational areas are properly demarcated into various zones to prevent cases of conflicting and non-conforming landuses and at the same time to promote interrelationships between the various landuses. To achieve this aim the "Development Control Standards and Regulations" manual stipulated the following as the maximum site coverage and minimum set backs in various zones of the city.

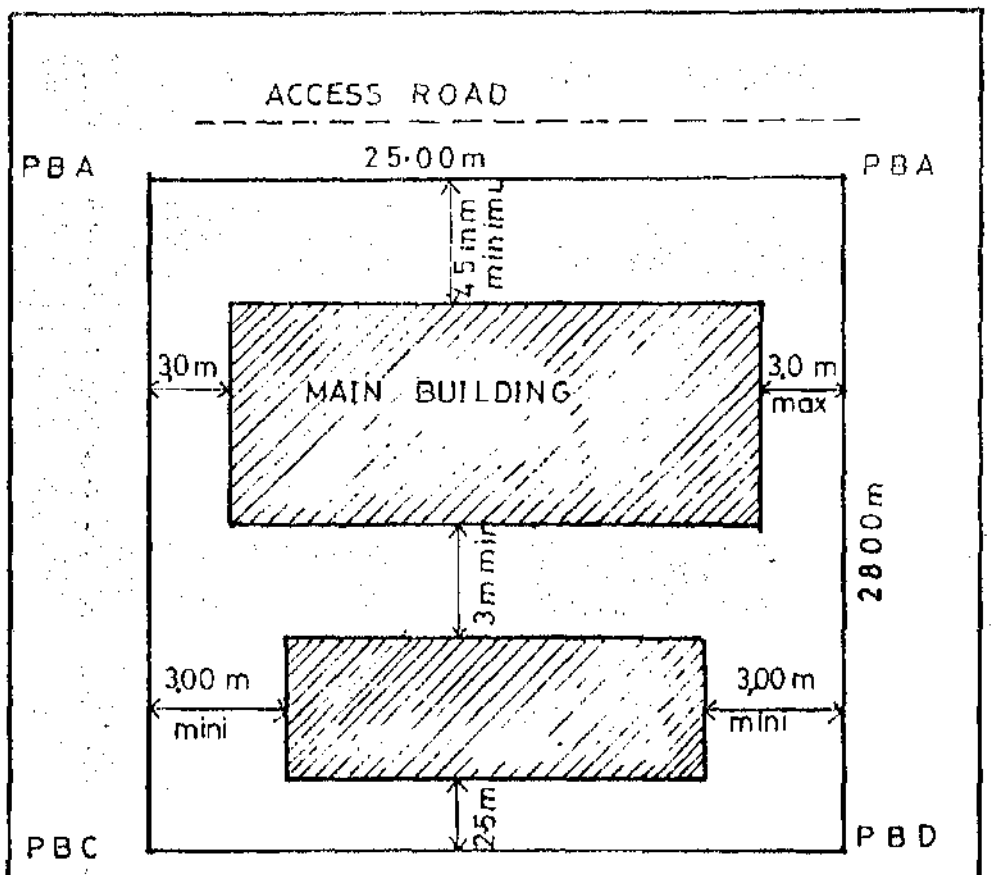
(i) Residential Districts:

The residential district is divided into 3 categories. These are:- High Density, Medium Density and Low Density. The designed standard in the various residential districts is shown in Table I and the site plan illustrations are shown in Figures 8 - 10.

| Category of Plots | Maximum Plot Coverage as % of the Total Area | Minimum Setback | | |
|---|---|---|---|---|
| | | Front | Back | Sides |
| Residential | | | | |
| Low Density | 35% | 6.0 | 3.5 | 3.0 |
| Medium Density | 40% | 5.0 | 3.0 | 3.0 |
| High Density | 50% | 4.5 | 2.5 | 3.0 |

Table 1: Maximum/Minimum Site Coverage and Setbacks *requirements in residential areas.*

Source: Development Control Standards and Regulations, P. 6.




TOTAL AREA OF PLOT 700 $m^2$

TOTAL COVERAGE AREA 356 $m^2$

% OF COVERAGE 50 % (Maximum coverage 50 %)

scale 1:200

FIG 8 ILLUSTRATION OF HIGH DENSITY RESIDENTIAL DEVELOPMENT

source·Development control standard and regulations P6

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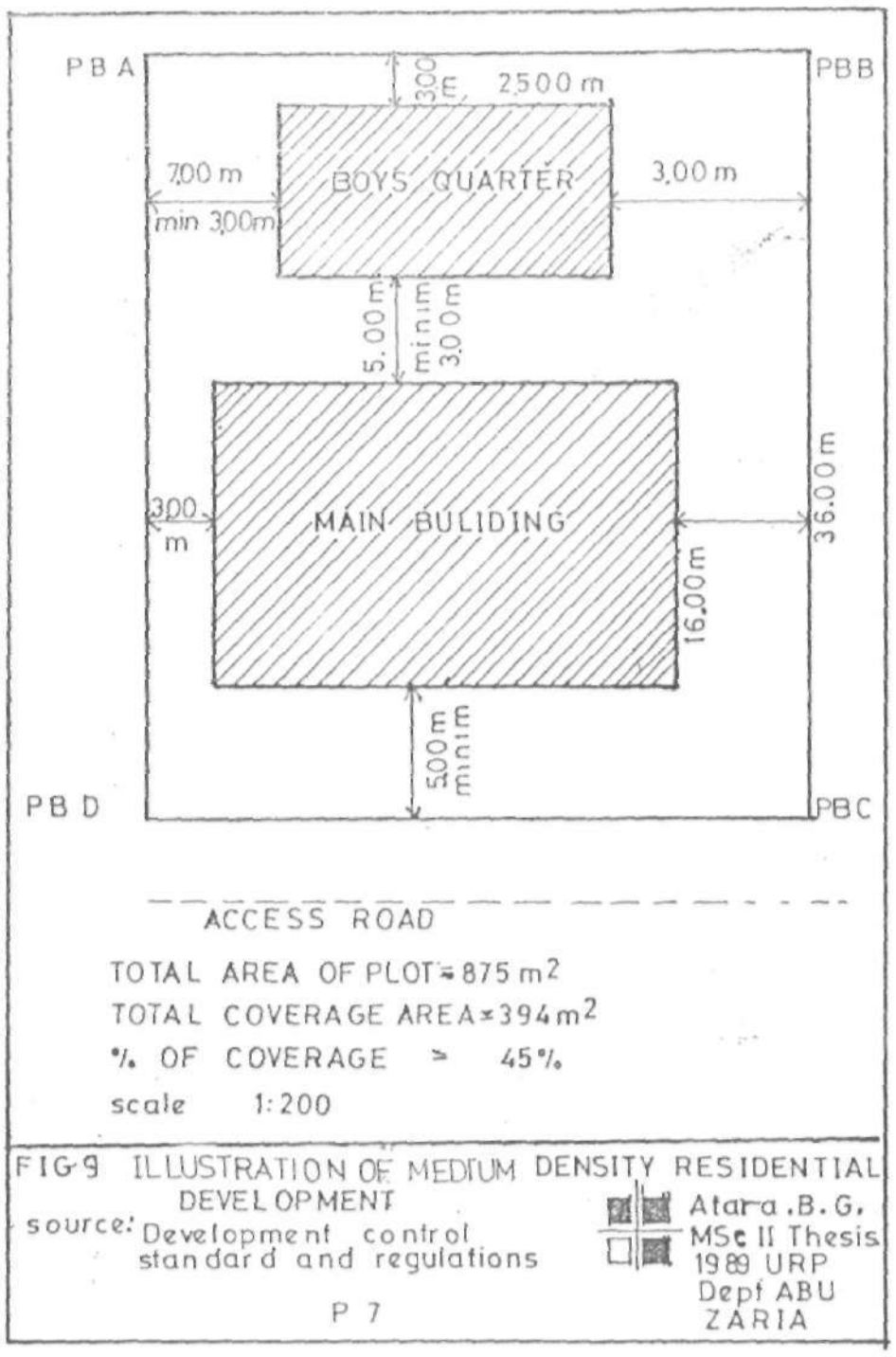
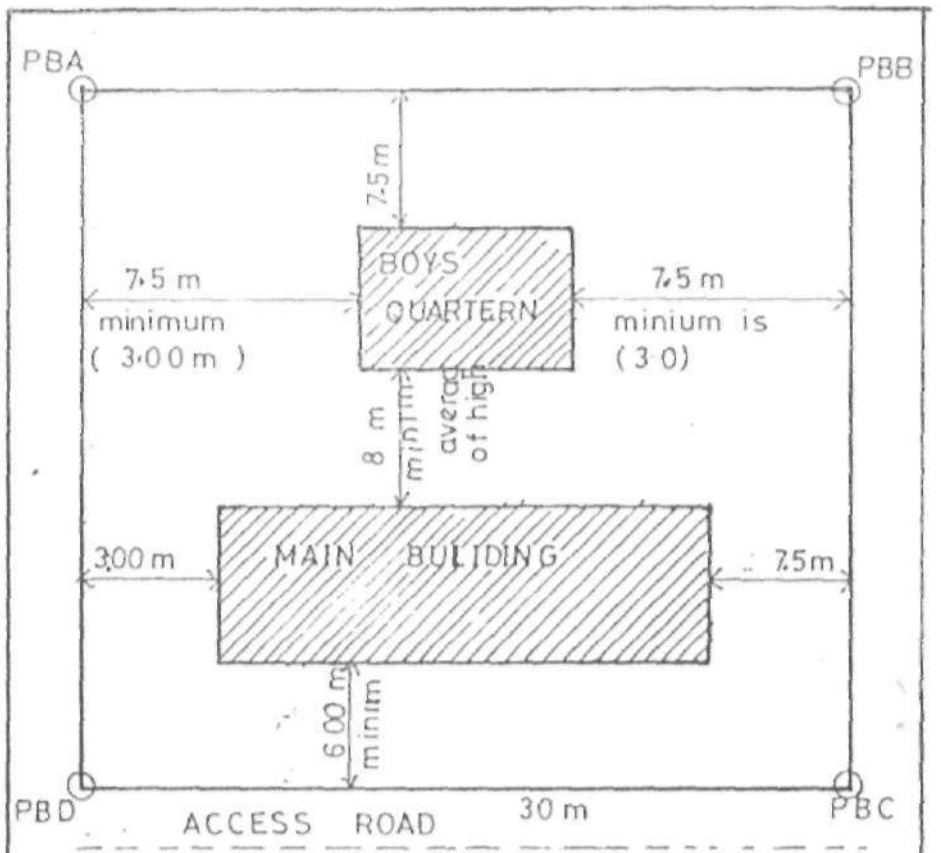



FIG 9 ILLUSTRATION OF MEDIUM DENSITY RESIDENTIAL DEVELOPMENT

source: Development control standard and regulations

P 7

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TOTAL AREA OF PLOT = 1500m²
TOTAL COVERAGE AREA - 530 m²
% OF COVERAGE = 35 %

scale 1:200

FIG 10 ILLUSTRATION OF A LOW DENSITY RESIDENTIAL DEVELOPMENT

source: Development control standard. and regulations P 8

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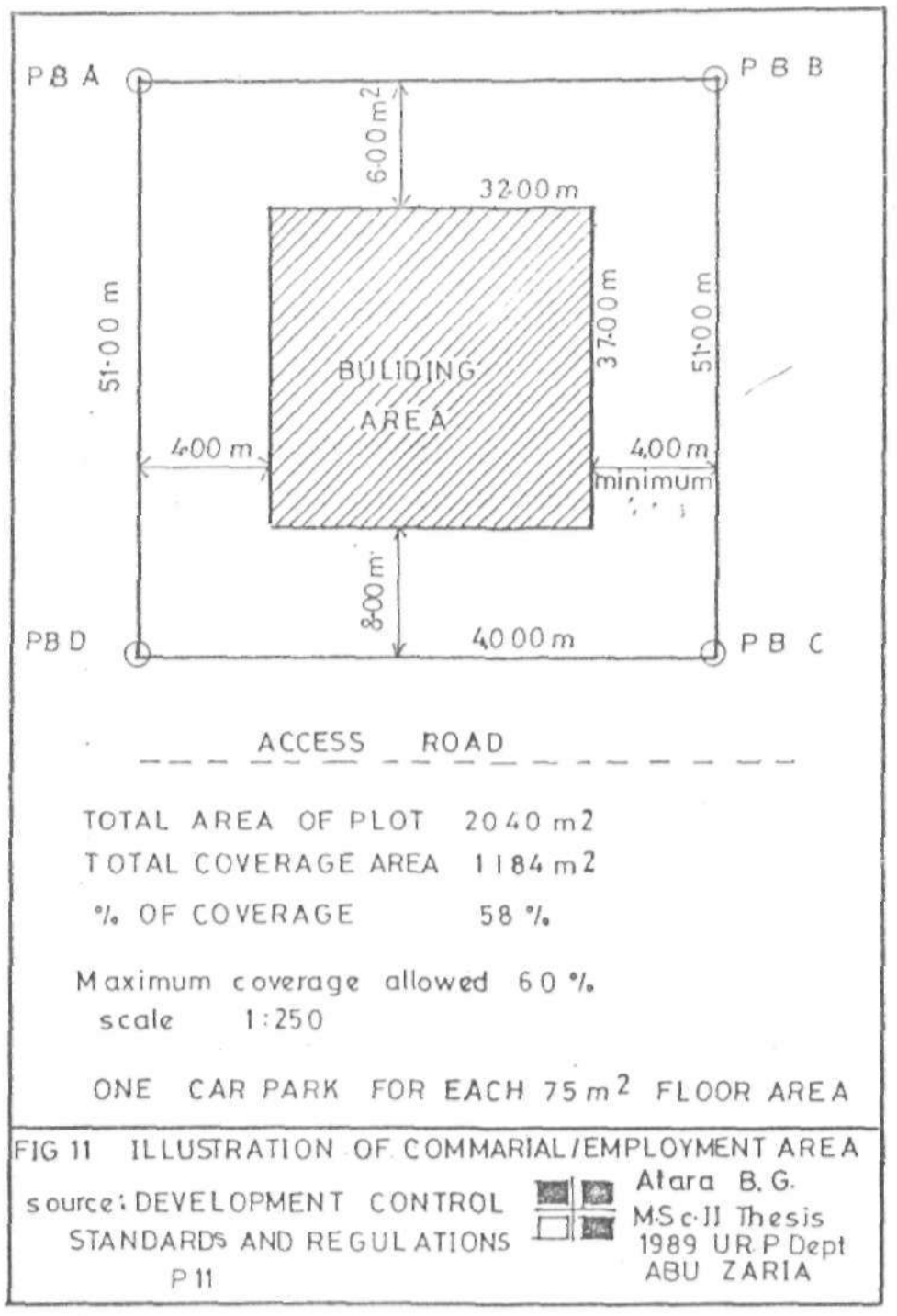



FIG 11 ILLUSTRATION OF COMMARIAL/EMPLOYMENT AREA

source: DEVELOPMENT CONTROL STANDARDS AND REGULATIONS P 11

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(ii) SPECIFIC REQUIREMENTS FOR COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL AREAS.

| Category of Plot | Maximum Plot Coverage as % of the Total Plot Area | Minimum Setback | | |
|---|---|---|---|---|
| | | Front | Back | Sides |
| Commercial/Employment | 60% | 8 | 4 | 4 |
| Industrial | 60% | 8 | 6 | 6 |
| Institutional | 60% | 8 | 6 | 6 |

Table 2: Illustration of Commercial/Employment Area.

Source: Development Control Standards and Regulations p.9.

Other building regulations or site planning requirements include the following:-

(i) No structures such as porticles, porch, varandah or steps shall project beyond the specified building lines.

(ii) Where two or more buildings are located on the same plot or site, the distance between them must not be less than the mean of the heights of the two buildings.

(iii) Property beacons must not be removed or covered during the construction work of the building or thereafter.

(iv) Proposed site must be cleared and level before site inspection is taken by the Authority and no tree must be felled on the site without permission from the Authority.

All these regulations if adhered to can help implement the Abuja Master Plan according to the proposals made in it. For instance the Master Plan recommended that trees along the riverine area (along the streams) should not be destroyed instead where they do not exist, more trees should be planted to avert erosion.

On the other hand, the idea of not allowing private developers to enclose property beacons within their fence is to prevent encroachment on other peoples plot or unauthorised extension.

(v) All windows must have adequate through and cross ventilation. At least one window opening into the external air in each room and such window shall have not less than one tenth of the floor area, and shall also be placed opposite the door or another window. For private developers to comply with this section, building inspectors must monitor the construction of the building right from the pegging and setting out to roofing level. This is to make sure that no alteration is made. This section also provide adequate coverage for officials of Development Control.

(vi) The Authority may order the corner of any building(s) proposed at road junction to be rounded or splayed to the first floor level.

(vii) No building shall be erected on water pipe or drainage.

This provision is adequate except that there must be coordination between the agencies involved in the provision of water.

(viii) The maximum height of hedges, fence or walls around plot shall not be more than 1.5m in front and 2m at the back. An application for fencing can be rejected if the Authority is of the view that such fence or hedge shall obstruct the view of a passage of road traffic.

(ix) Height of residential buildings shall not exeeeed two floors in the low density areas, three floors in the medium density and four floors in the high density areas.

In commercial, public buildings, neighbourhood centres and employment areas, the height shall be four floors excluding the basement district centre, six floors excluding the basement city centre.

Indeed the Authority may not permit high rise buildings above twelve floors in any locations within the city centre.

(x) There must be enough parking space to avoid traffic congestion and the parking provision should be proportionate to the total floor space. A minimum of one car parking space per $75m^2$ floor space is recommended or more for specialised uses.

Looking at the above the building regulation has provided enough legal backing for development control to monitor the implementation of the Abuja Master Plan.

3.33 Conveyance of Approval for Development Plan:

A developer must obtain planning permission before he commences any development on the site/plot allocated to him. The approval letter carries certain instructions which the developer must adhere to. Failure to adhere to these instructions can invalidate the planning permission obtained. Some of these instructions include the following.

(i) All sites reserved for garden should not be converted for putting up additional structures in future.

(ii) Only one entrance to the premises is allowed.

(iii) That the developer should notify the Authority any time he wants to commence development so that the officials should be around to supervise it.

(iv) All buildings must be used for the purpose which the plan was approved for. This gives a very strong legal power for the Development Control to guide against the change of use.

(v) Certificates for habitation should be collected from the Authority after the completion of the building.

(vi) This section provides that the approval lapses immediately after six months.

(vii) The last section contains a strong warning to developer, that is, any failure to comply with any of above instructions, the Authority shall regard it as a contravention of the law and it shall take appropriate action against the developer.

3.40 TOWN AND COUNTRY PLANNING LAW OF NORTHERN NIGERIA CAP 130

Town and Country Planning Law of Northern Nigeria, is the basic law in force in the field of physical planning in the Northern States. It is cited in short title as "The Town and Country Planning Law" Cap 130, Laws of Northern Nigeria (1963). It is the law, the legal tool or major legal provision for planning and development control within the Northern States.

Because Abuja is a new City, and for the fact that there is no comprehensive development control manual yet, the Nigerian Town and Country Planning Law is applicable here. These laws, (Western, Eastern and Northern Nigeria Town and Country Planning Laws) although bear different chapters, but they all have the same content. It is with this idea in mind that "The Town and Country Planning Law Cap 130, Laws of Northern Nigeria is used as a major legal provision for Planning and Development within the Abuja Capital Territory.

The various sections which are relevant to development control are stated here.

(i) Section 3 provides that " a planning scheme" can be made under this law, "whether there are or no buildings" on it with the aim of controlling development and the use of land, to secure proper sanitary conditions, amenities, convenience, and also to preserve buildings or other objects of architectural, historic or aesthetic interest or beaty and generally protecting existing amenities whether in urban or rural portions of the areas.

This section is adequately covered by section 4(1)(b) of Decree No. 6 of 1976 which empowers the Federal Capital Development Authority to prepare a Master Plan for the New City.

(ii) Section 4(1) empowers the Minister to appoint a Planning Authority anywhere he deems necessary. This Planning Authority shall be the executive authority for planning and carrying through any scheme under this law.

(iii) Section 7(2) provides that the Authority shall be coorporate and have perpetual succession and a common seal, that means, it can sue and be sued.

This section is important for controlling development within a city or town. The Planning Authority incharge of the area can sue any one who contravenes the provision of this law.

(iv) Section 10(1) empowers the Governor to declare an area a Planning Area based on the recommendation of the Planning Authority. But such declaration must be gazetted and cease to have effect ifwithin three years from the date of declaration no scheme has been approved.

This section is relevant to the Federal Capital City because it is fulfilled by section 1(3) of Decree No. 6 of 1976. The decree declared the area as the Federal Capital Territory and vested ownership of the land on the Federal Government.

(v) Section 11(1) prohibits any one from carrying out any development of land or construction, demolition, alteration, extension, repair or renewal of any building within a declared planning area.

But there is provision for granting interim development permit to any person applying in writing so as to develop any land or construct any building.

Section 11(5) provides that any one who carries out any development in a Planning Area wihtout permission commits or is guilty of an offence and on conviction "shall be liable to a fine of £20" (₦40) and shall be asked to reinstate the land or building to the condition which it was. If he fails to do it the Authority can do it and recover the money or cost from the person.

This section gives the Authority descretionary power, that is either to give planning permission or refuse.

(vi) Section 14(1) empowers the Authority to summon an owner of land or estate in an area affected by scheme to state in writing any information required by the Authority concerning the area.

Section 14(2) provides that any person who supplies false information or fail or refuse to make any statement is guilty of an offence and shall be liable on summary conviction, to a fine of fifty pounds.

This section is relevant to planning especially where it involves the resettlement of people. The Government has not been able to resettle the original settlers within the city because this section was not taken into consideration. The statistics of people taken was not correct. There were so many ommissions while others falsified information. And because some of the estate valuers cooperate with these people the estimate runs to millions of pairs which the Government has not been able to settle.

(vii) Section 15(1) provides that the Authority can enter and examine or survey any area which it intends to frame a scheme.

## CHAPTER FOUR

### 4.00 A BRIEF REVIEW OF THE ABUJA MASTER PLAN AND AN APPRAISAL OF THE EXISTING LANDUSE DEVELOPMENT OF SOME SELECTED AREAS OF PHASE ONE OF THE FEDERAL CAPITAL CITY, ABUJA.

A brief review of the plan shall only be concentrated on some aspects of the Phase One area of the Federal Capital City. Only a brief mention shall be made of those that do not involve development control since the main aim of the thesis is to identify the problems of development control and how these problems affect the implementation of the Master Plan of the City.

A quick glance at the Master Plan of the Federal Capital City Abuja reveals that land has been demarcated to various uses. In other words the city has been zoned into various landuses such as Commercial, Industrial, Public and Semi-Public, Residential, Recreational, Open Spaces, etc.

Indeed 25,498 hectares have been proposed for the whole city. Out of this the Phase One is to take 6,000 ha and this is to be developed first. The first part to be developed is the residential area and it is Garki I District which is also known as the Accelerated Dsitrct.

Going by the Master Plan the population of the city is supposed to reach 1.5 million by the year 2000 A.D. and 3.1 million when the city is fully grown. The Phase One of the Federal Capital City was supposed to have been implemented by the year 1986 with a target population of 150,000 as recommended by the Abuja Master Plan.

## 4.10 REVIEW OF THE LANDUSE FOR PHASE ONE AS PER ABUJA MASTER PLAN

The phase one Development Plan of Abuja made provisions for seven Urban Districts (see Table 3).

| S/No. | District | Land Allocated | Planned Population | No. of Neighborhood | No. of Residential Plots |
|---|---|---|---|---|---|
| 1. | Central Area | 1,658.00HA | 30,000 | - | |
| 2. | Garki I | 365.00 " | 26,000 | 4 | 383 |
| 3. | Garki II | 500.00 " | 24,100 | 4 | 1,371 |
| 4. | Wuse I | 630.00 " | 34,000 | 6 | 461 |
| 5. | Wuse II | 900.00 " | 35,000 | 9 | 598 |
| 6. | Asokoro | 879.00 " | 30,000 | 4 | 416 |
| 7. | Maitama | 1,050.00 " | 35,000 | 6 | 469 |
| | TOTAL | 6,000.00 " | 214,000 | 33 | 3,698 |

Table 3: Land Allocation/Population by District in the Federal Capital City, Abuja.

Source: Abuja: The making of a New Capital City for Nigeria, p. 9 and Ago (1984) Implementing a Master Plan: "The Abuja Experience, p. 5.

With the exception of Central Area which is the Central Business District with a population of 30,000 the remaining six Districts are mainly residential for both public and private individuals.

The planning of the city was based on the neighbourhood concept. Based on this neighbourhood

concept Phase One of the Federal Capital City was divided into seven Urban Districts with each broken into smaller units called neighbourhoods. Each District is to be served by a District Centre and each neighbourhood by a Neighbourhood Centre. The district and the neighbourhoods are designed for distribution of goods and services to residents.

Garki I and II and Wuse I are high density residential areas while Asokoro, Maitama and part of Wuse II are low density residential areas. The survey showed that all the plots have already been allocated to private developers, commercial institutions, religious institutions and some to public institutions.

4.11 A Review of the Plan For Garki I District:

Garki I District covers an area of 365 ha. Part of this land is left for open space to provide recreational areas and also to protect the soil from erosion while the remaining 250 ha is available for built development.

A population of 26,000 was proposed for the District; 160 hectares of land is available for housing and this is equally divided between dwelling and plots. The dwellings include houses and flats constructed by Federal Capital Development Authority (F.C.D.A.) for residential purposes. The plots consist of serviced land which

is available for private individuals or public agencies to build their own houses. Land allocated here can accommodate 1000 plots.

(i) Facilities:

The eastern end of this site is to be used for a high quality hotel and about 60,000m$^2$ of offices. Two post primary schools are proposed in Garki I district. One Secondary School with a population of 1000 pupils and a Vocational Training School for about 500 students.

Four neigbourhood centres were proposed. Site for religious institutions and primary schools have also been earmarked. Six primary schools, each for 500 pupils are proposed in the district (see Fig. 12, Propose Landuse in Garki I District).

(ii) Open Space:

The Master Plan recommended that the valley areas should not be build upon due to the likelihood of flooding and so will remain as open spaces. The rich vegetation will be protected. In addition many other trees and shrubs are to be retained while others are to be planted to produce a pleasant environment. (Milton Keyness).

(iii) Transportation:

Adequate roads have been proposed to avoid future traffic jam. A system of expressways is proposed

outside the residential areas while parkways run the centre. A system of arterial roads within each residential sector provides main circulation within the residential areas. These arterial roads link the resiential areas with the expressways.

(iv) Services:

Services through the district are distributed along the arterial and collector roads. The layout specifies locations for each major service pipe and the detail design of the road system incorporates developments for extension of these services.

(v) Waste Water Services:

The waste water sewer system follows the river and the steam valleys of the city. These are densely forested and this restricts the economic design of the sewer system if destruction of the forested areas is to be avoided. The design of this District (Garki I) involves the provision of parallel sewers on each side of the river valleys.

(vi) Surface Water:

The intensity of rainfall and the steep gradients of the streams flowing through the Accelerated District (Garki I) produce high contractions of water for short periods. The substantial increase in the built up areas as Abuja is developed will make this problem worse. Flood levels and structural openings

have therefore been designed accordingly. The provision of drainage channels runing parallel to the contours will limit the water flow across open ground and this design will further prevent erosion.

4.12 A Review of the Plan for Garki II District:

Garki II District is also a high density residential district. Although the Master Plan of this area has also been prepared, the original settlers are still occupying some parts of this District. This was not indicated on the Master Plan.

500 hectares are allocated to this District with proposed population of 24,000, four neighbourhood centres, and 1,371 private plots. The Federal Capital Development Authority is to provide infrastructures for this area before private developers can commence work on their plots. But a substantial number of people have already developed their plots.

4.13 A Review of the Plan for Wuse I District:

Wuse I District has an area of 630 ha and measures three kilometres from north to the south and four kilometres from west to east. A proposed population of 34,000 is provided with 461 private plots and six neighbourhood centres. Like Garki I District, it comprises of dwellings and plots. The dwellings are houses constructed by F.C.D.A. for residential purposes

while the plots are for private and public institutions. The six neighbourhoods proposed are to cater for the population within the district. It also has a District Centre.

Like Garki I District areas along the river valleys are proposed for open spaces and to be left as green areas to protect the soil from erosion. An amusement park and a garden are also proposed for the Districts.

4.14 A Brief Review of Wuse II District:

Wuse II District covers an area of 900 hectares with a proposed population of 35,000 and nine neighbourhood centres. It is a mixed density residential area. Infrastructural facilities proposed in this District have not yet been provided although private developers have commenced work on their sites.

Three villages inhabited by the original settlers of the area are still occupying their former villages. Like Garki II District the Phase One Development Plan did not indicate the existence of these villages.

In Maitama village plots have already been demarcated and allocated to private developers yet the settlers have not been compensated.

4.15 A Review of the Plan for Maitama District:

This District is located at the northern extreme end of Phase one of the Federal Capital City Abuja. It shares boundary with Wuse, Asokoro, and Central Area.

Maitama District is characterised by marshy areas in the North-eastern corners of the District and low rocky hills with intervening valleys in the North-eastern side.

The Master Plan recommended the preservation of such areas for their scenic value, since they add diversity to the gently undulating landscape of the area. The plan also recommends the avoidance of "development in areas with slopes over 15% because of extensive earth moving frequently require in such area" (IPA, 1979). These areas mentioned above are of course problem areas because there is a potential for erosion and runoff and subsequent sedimentation and water quality degradation on disturbed steep slopes in addition to problems of structural failure on exposed and whethered bedrocks.

As per the Abuja Master Plan recommendation, 3 - 8% slope is ideal, while below 3% there will be constraint due to poor drainage; 8 -15%; there may constraint i.e moderate constraint to most development while over 15% is not adviceable.

4.16 A Review of Central Area

The Central Area will form the Commercial and Business Core of the City. It is the area that will house all Federal Ministries, Central Mosque, and the National Ecunemical Centre. Indeed, the highest structures or buildings in the city shall be sited here. It is with this view in mind that the Abuja Master Plan recommended for an adequate soil test for the area.

4.20 AN APPRAISAL OF THE EXISTING LANDUSE DEVELOPMENT OF SOME SELECTED AREAS OF PHASE ONE OF THE FEDERAL CAPITAL CITY, ABUJA.

In appraising the existing landuse development in Phase One of the Federal Capital City, Abuja, the assessement shall be based on the comparison between the proposed land use in the Master Plan and the existing landuse development. This is to enable one see the degree of conformity or disperity between the proposed plan and the implemented part.

At the micro-level the assessement shall be based on the relevant laws guiding development in the Federal Capital City. These include the contents of Decree No. 6 of 1976, Development "Control Standards and Regulations" for developers in the Federal Capital Territory, Abuja, letter of conveyance of approval of "Development Plan", Town and Country Planning Law of Northern Nigeria Cap 130.

4.21 APPRAISAL OF GARKI I DISTRICT AT MACRO-LEVEL:

The implementation of the Abuja Master Plan in Garki District has not been carried out exatly as proposed. Deviations are seen here and there.

Although the Master Plan should be dynamic and so can be altered to take in various alterations, these changes should be based on sound judgement.

The reconnaisance survey in Garki I District shows that there were some deviations or changes on the proposed plan. These deviations include the following:-

(i) Change of the Original Site for Primary School in Area I Section II:

Fig. 12 shows the proposed Master Plan for Garki I District. On this plan there is a proposal for a Primary School in both Area One Section One and Area One Section Two, but during the Political era, the site for the Primary School in Area One Section Two was converted to a religious centre (see Fig. 13).

This alteration has a serious effect on the plan of the area because:-

. The Primary School in Area One Section One was planned for only 500 pupils. Now it has to take another 500 pupils from Section Two. Presently the Primary School is being over stretched as there are well over seven hundred pupils in it.

. Secondly, the alteration has exposed school-going-children in Area One Section One to hazards of having to cross the Express road (Festival Road) before going to school. As this is the bussiest road in Abuja and because these are small children, at least 4 accidents have been recorded here.

. Thirdly, this has gone against one of the goals of the Master Plan, that is, to prevent overuse or under use of the planned infrastructures, utilities and services.

Provision for Primary Schools:

The plan made provision for six primary schools with a population of 500 pupils each. Yet only two primary schools have been built.

Going by the provision of the Master Plan which recommended six persons per household and with 3,661 housing units completed in Garki I District (Table 4). The total population now should be well over 20,000 excluding those residing in illegal structures and private houses. Again the plan was not implemented here.

Provision of Public Housing Units:

In terms of provision ofPublic Housing Units in Garki I District the Plan has achieved 90% of the proposed housing units as shown in the table below.

| Housing Type | No Proposed | No Completed | % |
|---|---|---|---|
| 1 Bedroom House | 352 | 352 | 100 |
| 1 " Flat | 384 | 384 | 100 |
| 2 " House | 400 | 400 | 100 |
| 2 " Flat | 1472 | 1400 | 95 |
| 3 " House | 193 | 193 | 100 |
| 3 " Flat | 604 | 604 | 100 |
| 4 " House | 102 | 102 | 100 |
| 4 " Flat | 226 | 226 | 100 |
| TOTAL | 3,733 | 3,661 | |

Table 4: Provision of Public Housing Units in Garki I District.

Source: Development Control Record Office, Abuja.

(ii) Location of Motor Park:

At the junction of Festival Road and Ring Road I the area was earmarked for housing and private plots as shown on the proposed plan but the survey showed that a motor park which gulped more than a million Naira has been constructed there as shown on the existing landuse map of Garki I.

In the first place the motor park is too close to the road and so this has led to disruption of traffic on the Festival Road.

Secondly it has distorted the orginal plan of the area which will in turn affect other plans. The number of plots planned in this area can never be achieved again and so the infrastructures meant for residential areas will be underused, so also are the services. Therefore, implementation of the plan here has failed.

(iii) Open Space:

The Master Plan made provision for open spaces. The plan recommended that the trees or forests along the river valleys should be left and that where there are no trees these should be planted to prevent likelihood of flooding and soil erosion.

The rainfall in Abuja is concentrated between 3 - 4 months; 60% of the rainfall is between July, August and September. This concentration calls for adequate tree planting or grass so as to prevent soil erosion. Also this will prevent the blockage of structural openings along roads.

But the field survey revealed that:-

60% of the open spaces have been converted to farmlands,

35% are poorly managed;

2% are occupied by illegal structures;

3% are well maintained (see Fig. 14).

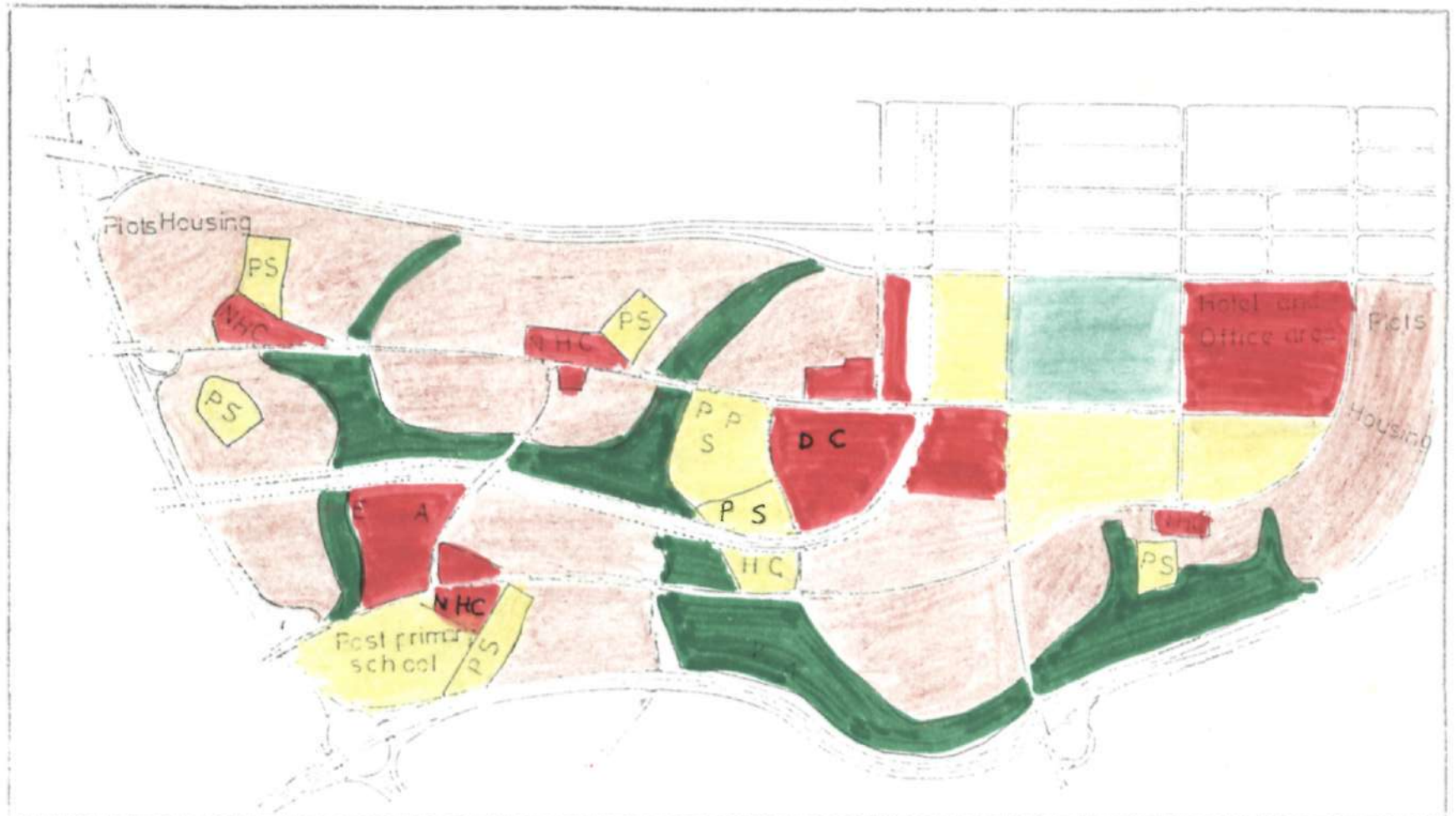



FIG 12

# LAND USE PLAN FOR GARKI I DISTRICT

LEGEND

PS Primary school
HC Health centre
PPS post p. school
DC District centre
NHC Neighbourhood
VA Valley area
EA Employment area
Plots housing
open space

Scale 1:20,00

Source; Abuja The plan for the Accelerated district The Federal capital development authority

FIG. 13 EXISTING LAND USE IN GARKI 1 DISTRICT

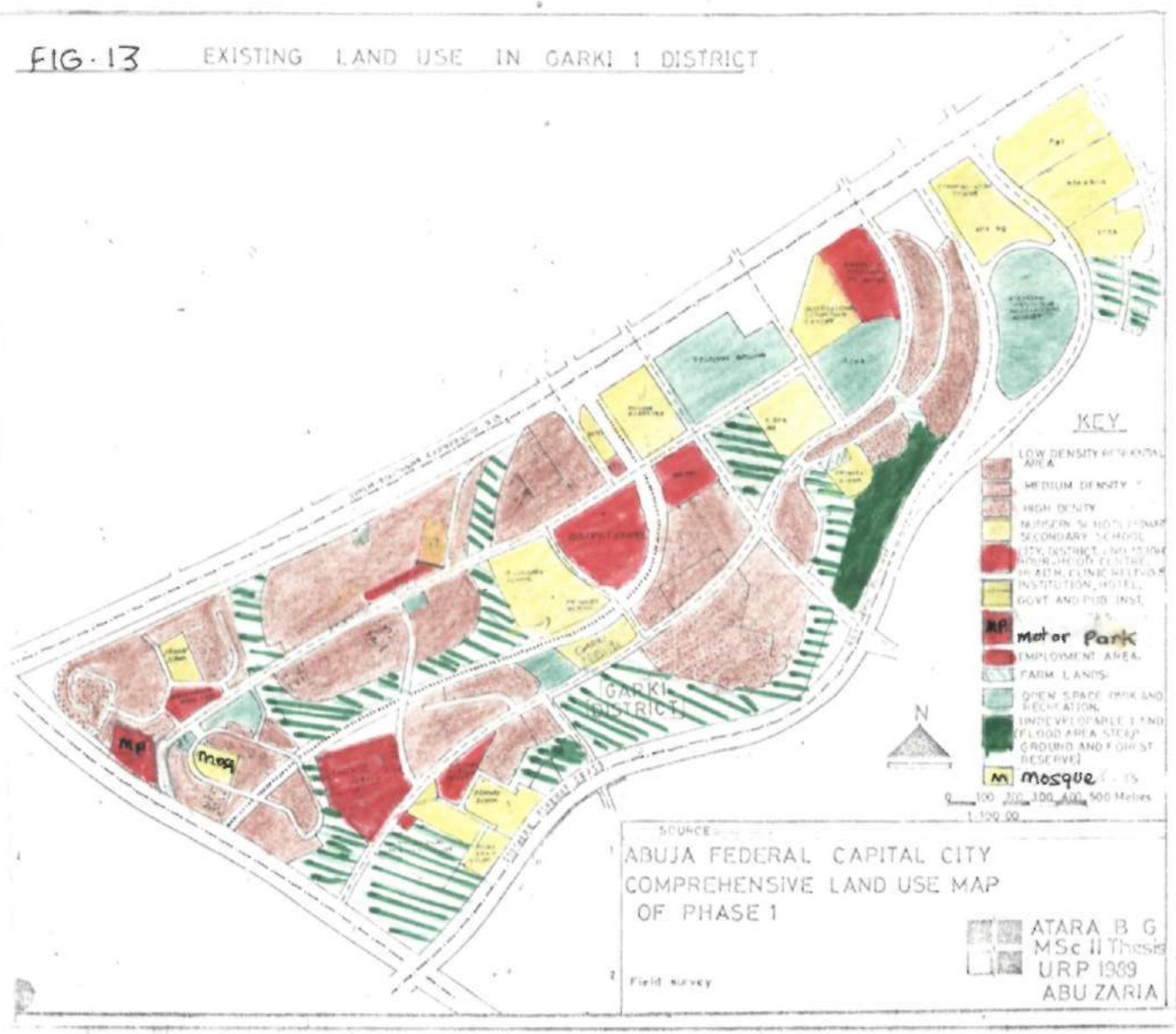
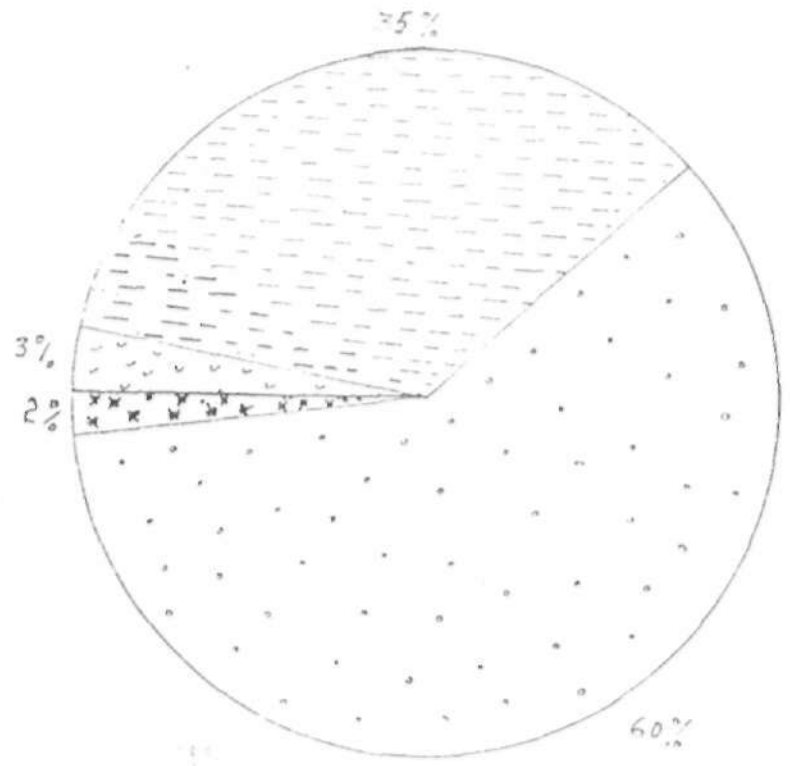


FIG. 14 MANAGEMENT OF OPEN SPACES GARKI 1. DISTRICT




KEY

- POORLY MANAGED
- CONVERTED TO FARMLAND
- OCCUPIED BY ILLEGAL STRUCTURES
- WELL MAINTAINED

SOURCE: FELD SURVEY, 1989

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Considering the large acrage of land allocated to Open Spaces (32.55% (8,300ha) of the total land to be used for the development of the City) in the city, Development Control must monitor the use of these Open Spaces to make sure that the areas are not turned to farmlands as this will accelerate soil erosion within the city. Already several sewers are being blocked by earth eroded from farmlands by rain storms. This is because the proposals in the Plan wer not implemented.

(ii) Provision of Services, Utilities and Infrastructures:

Four neigbourhood centres were proposed in the Master Plan for Garki I District. Two have been implemented and under use now. One District Centre was proposed, 40% has been implemented and the remaining 60% is still under construction. Thus in terms of services 60% of the proposal has been achieved.

4.22 An Appraisal of the Existing Landuse Development of Garki I District at the Micro-level as it Relates to Development Control:

1. Private Developments:

The appraisal of the existing landuse development of Garki I District at the Micro-level (as it related to Development Control) was based on the following parameters:-

(i) Setbacks.

(ii) Plot coverage.

(iii) Height of building

(iv) Distance between two buildings (applicable to only cases where two or more buildings are

located on the same plot).

(v) Height of fencing.

(vi) Number of entrances to the premises through fence.

(vii) Material used for fencing.

(viii) Whether fence was perforated in front or not.

(ix) Whether the building was used for the purpose for which planning permission was granted or not.

In order to obtain the above information a reconnaisance survey was carried out within Garki I District. Private buildings were surveyed.

First of all information on the number of applications for planning permission received, number of applications approved and those private developers who have commenced work was collected from the Development Control Office Wuse - Abuja (see Table 5).

| | |
|---|---|
| Number of applications for Planning Permission Received | 215 |
| Number of Planning Applications Approved | 150 |
| Number of Private Developers who have Completed Work | 100 |

Table 5: Number of Applications for Planning Permission Received in Garki I District Abuja between 1982 - 1988.

Source: Development Control Office, Abuja.

From the above table 150 applicants have been given Planning Permission and only 100 private developers have completed development on their plots. Out of the 100 private developments 20 were randomly selected using random sampling method (see Table 6).

| | |
|---|---|
| Number of Private Developers who have completed work | 100 |
| Sample Interval | 1 - 5 |
| Sample Size | 20 |
| % of Sample Size | 20% |

Table 6: Sample Frame for Garki I District.

Source: Field Survey, 1989.

As stated above, 20 out of the 100 private developments on site were randomly selected; and the following criteria (setbacks, plot coverage, height of wall/fence, usage, number of entrances to the premises and material used for fencing) were used to assess whether development control was effective enough to monitor, coordinate and harmonize all these private developments so that every structure or development complies with the proposals in the Master Plan for that area.

The 20 buildings were randomly selected from Areas I, 2, 3, 7, 8, 10 and 11. Physical measurements of the set-backs in the selected buildings were taken using the recommended set-backs provided by the "Development Control Standards and Regulations" in the Federal Capital Territory, Abuja. The aim was to ascertain the degree of compliance with the approved plan. For the set backs, the minimum set back requirements for Garki I is supposed to be 4.5 metres in front, 2.5 metres at the back and 3.0 metres at the sides. This is the recommended set backs for high density residential areas which Garki I District falls within.

The assessement was not based on set backs alone, but other items like height of wall and fence, plot coverage material used for fencing, block fencing to be perforated in the frontage and whether the developer adheres strictly to the "letter of conveyance of approval" which stipulated thatonly one entrance should be provided, were also considered. All these were looked into during the field survey and the degree of contravention and compliance with the Building Regulation are shown in Figures 15, 16, 17, 18 and 19.

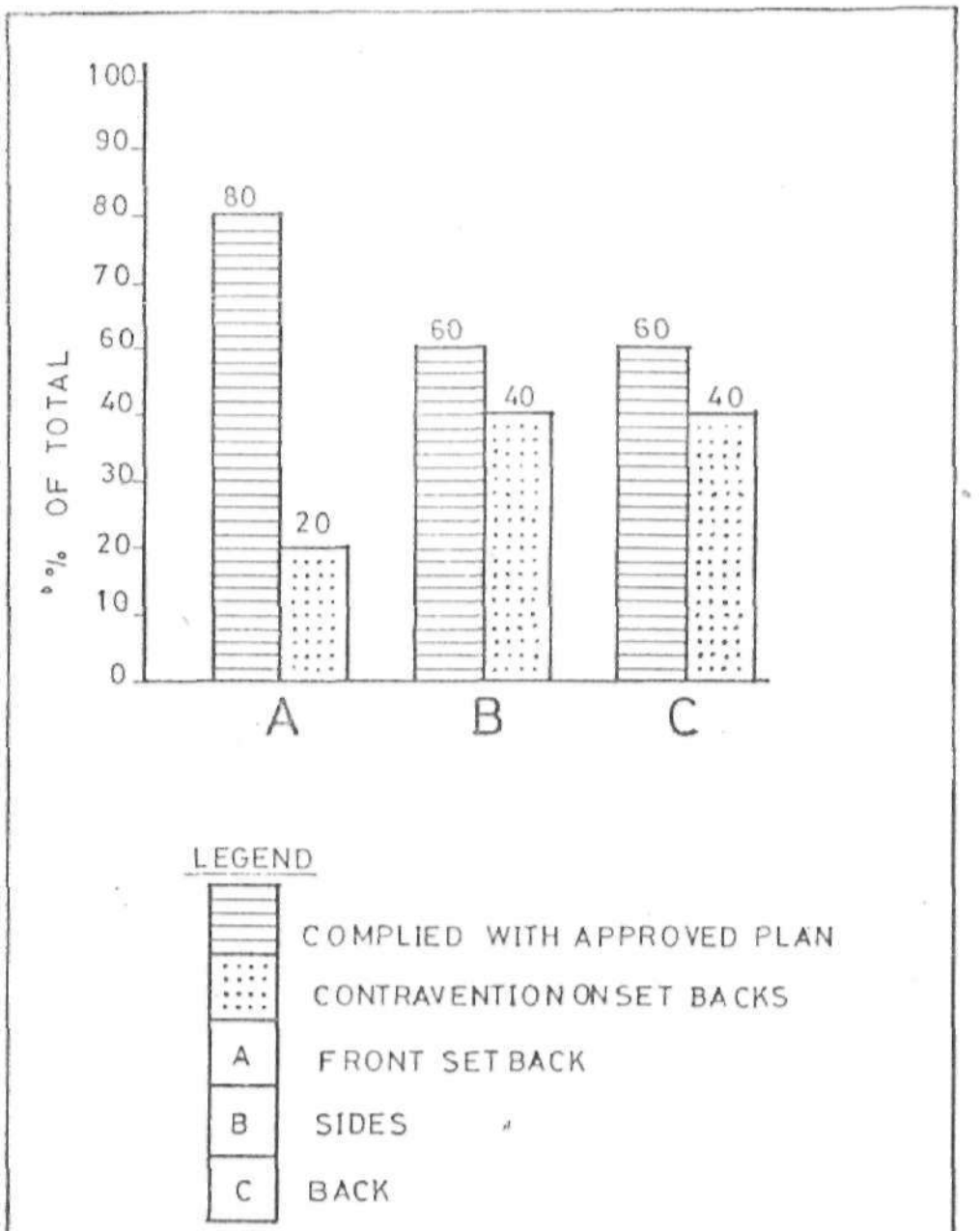



FIG 15 DEGREE OF COMPLIANCE / CONTRAVENTION ON SET BACKS IN GARKI I DISTRICT ABUJA

Source field survey 1989

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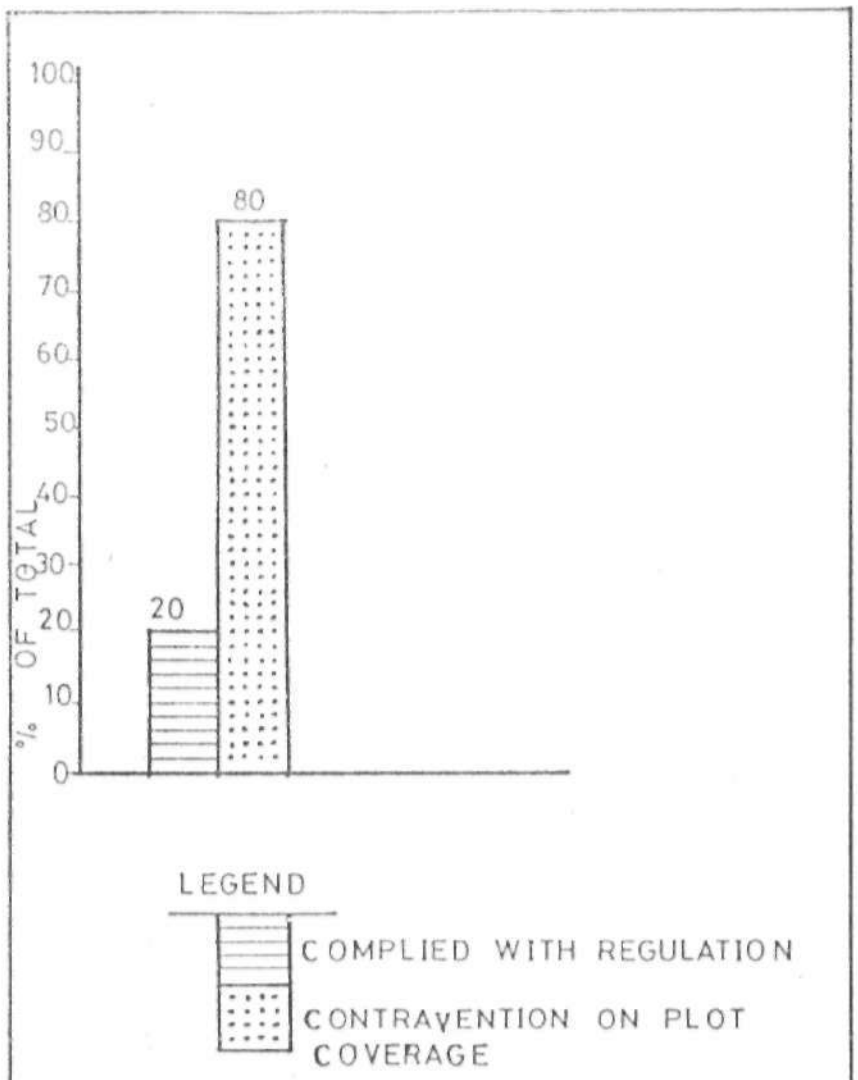



FIG 16 DEGREE OF COMPLIANCE /CONTRAVENTION OF PLOT COVERAGE IN GARKI I ABUJA

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1989 URP
Dept ZARIA

source· field survey 1989

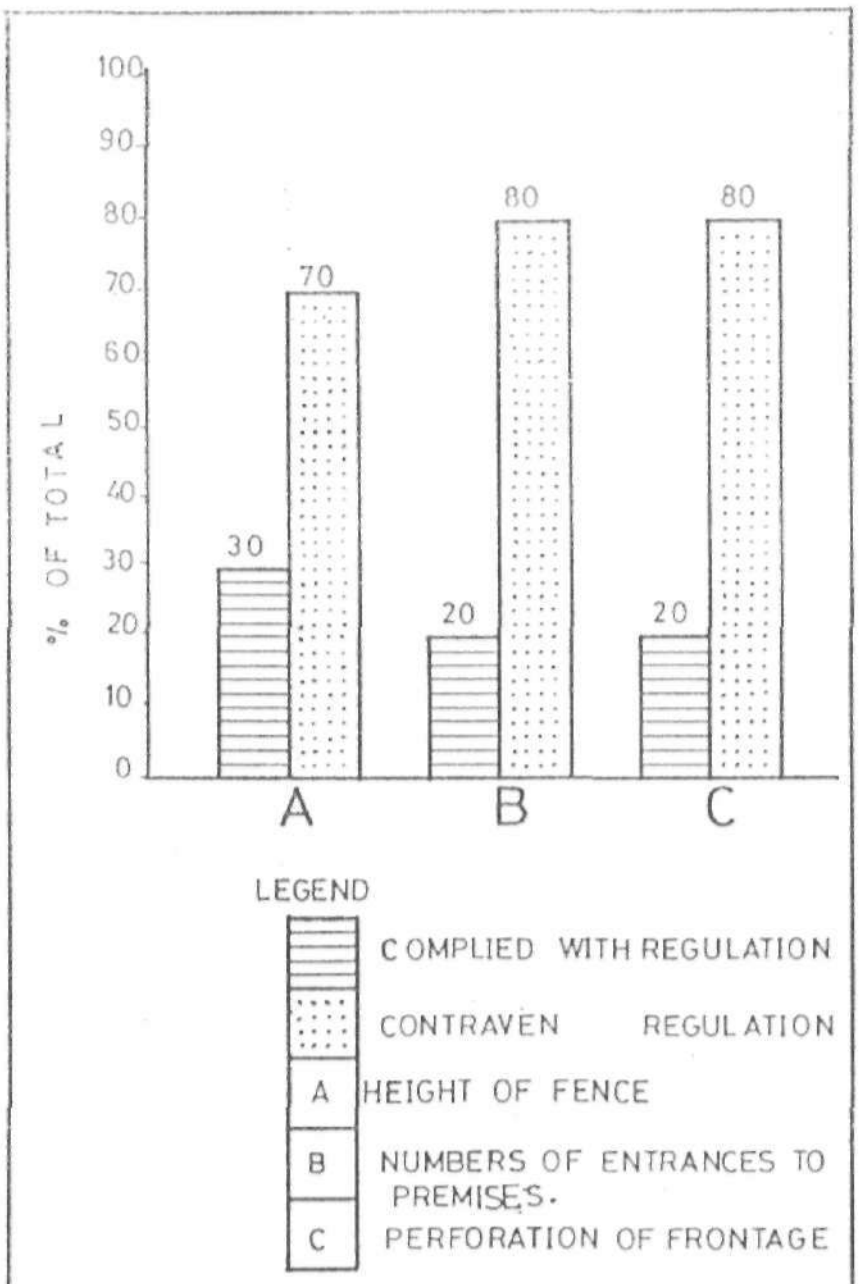



FIG 17 DEGREE OF COMPLIANCE/CONTRA-VENTION OF FENCING REGULATION IN GARKI 1

source field survey 1989

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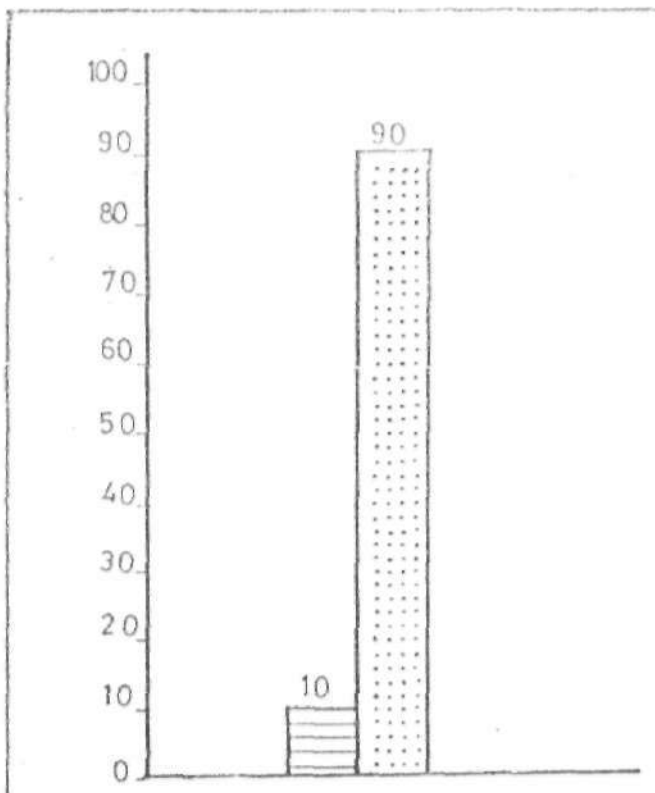
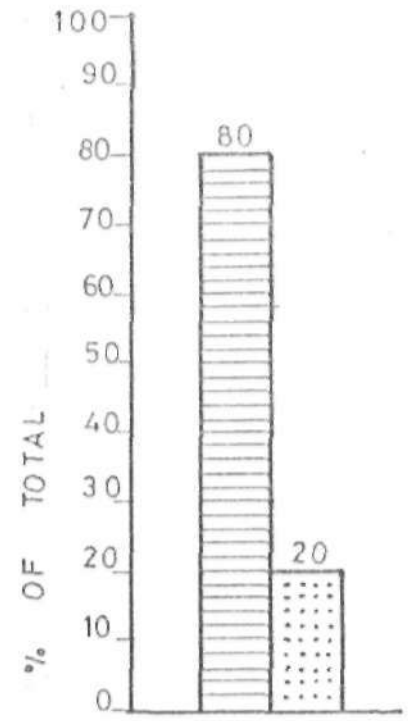



FIG.18 USE OF BUILDING FOR THE PURPOSE WHICH PLANNING PERMISSION WAS GRANTED IN GARKI I

source field survey 1989.

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LEGEND

COMPLIED WITH REGULARTION

CONTRAVENTION ON HEIGHT OF BUILDING

FIG 19 COMPLIANCE /CONTRAVENTION ON HEIGHT OF BUILDING IN GARKI I

source field survey 1989.

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ABU, ZARIA.

Looking at the figures one can see that the implementation of the plan at micro-level is being distorted, in other words Development Control has failed to implement the plan as itis supposed to be.

The survey showed that only the set back has greater compliance with the building regulations with 80% of the developers adhering to the front set back while 60% adhered to the back and sides (Fig. 15).

There is a poor compliance with the plot coverage regulation (see Fig. 16). Only 20% of the developers complied with this while 80% of them contravene the regulation. This is attributed to the fact that most of the plots are too small. The tendency therefore is to maximize the whole plot which resulted in poor plot coverage. Indeed Ago (1984) noted that some of the plots had to be merged to form single plot due to their small sizes.

Fencing is another area where private developers have failed to comply with the regulation guiding its construction. All the regulations guiding construction of fence were contravened. Clause III of the "Letter of Conveyance of Approval for Development Plan" states that developers are to maintain a fencing height of 1.5m in the front elevation and must either be of iron grille or perforated if blocks are used and 2.0 metres height allowed at the rear and sides elevation respectively.

Indeed only 20% of the developers complied with the regulation that only one entrance leading to the premises should be provided while 80% contravene it by providing two entrances to their premises (see Fig. 17).

In terms of the purpose for which Planning Permission was granted, 90% of the developers did not adhere to this regulation (Fig. 18). Indeed 90% of the private residential buildings were rented out to commercial institutions such as Insurance Companies and Banks while others were converted to Guest Houses or offices. This turned the District into a mixed landuse residential area. Another implication is that the utilities, services and infrastructures provided are being over used in certain areas while others are being under used. Where a residential house has been converted to an office for instance water and sewage will be underused while electricity is overstretched due to air conditioners. Above all the change of use contravenes section (VII) of the "Regulations guiding approval of Building Plans which provided that "the building(s) if constructed shall only be used for the purpose for which the plan approval is sought and non change of usage is allowed without the formal consent of this Authority".

2. Public Developments:

As already stated, 3,733 housing units were proposed and 3,661 units have been completed. These housing units are supposed to be for residential purpose only. But the survey showed that 5% of these were rented out to commercial banks; hotels and offices carry 2% as at the time of this survey (Table 7). But since these were only interim measures the research does not take them into consideration.

However, the remaining 93% being used for residential purpose have one contravention or the other.

| | | % of Total |
|---|---|---|
| No. of buildings completed | 3661 | 100 |
| No. of buildings used for Offices | 183 | 5% |
| No. of buildings used for Commercial | 73 | 2% |
| No. of buildings used for Residential | 3405 | 93% |

Table 7: Use of Government Residential Quarters in Garki Dstrict.

Source: Estate Division, Public Works Department, F.C.D.A., Abuja.

Of the 3,405 housing units being used for residential, 1057 are bedroom houses while 2348 are bedroom flats. The bedroom flats are highrise buildings

while the bedroom houses are not. By far of the 1,057 units 5% of these were surveyed, that is 52 housing units were surveyed. The commonest contravention was the construction of fences around car parks which in most cases was done without obtaining planning permission from Development Control Office.

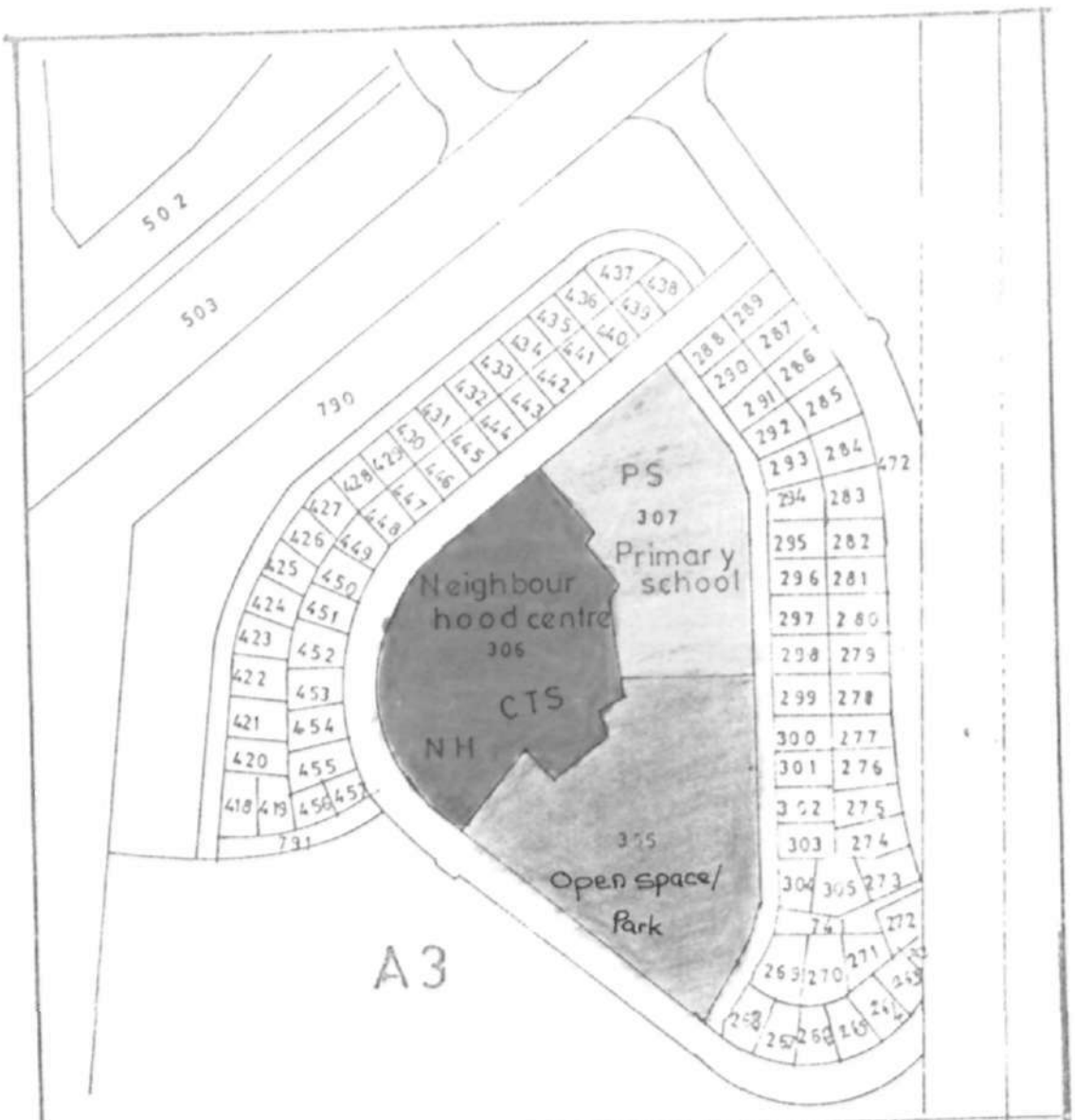
4.23 An Appraisal of Existing Situation in Garki II District:

Garki II District is purely a residential district and consists of plots. In other words it is going to be 99% a private development district. Therefore, the implementation of this District will require more supervision by the Development Control Division.

Unfortunately the Master Plan was prepared without taking the problem of the original settlers into consideration. Looking at the Phase I comprehensive landuse map one will see that the whole area has been planned and there is no indication of the existing Garki settlement (see Fig. 20). Yet these original settlers are still residing in their former village which is situated right inside Phase I of the Federal Capital City.

Implementation of this area is a problem. People or private developers who were allocated plots around the village area cannot develop them beause:-

(i) The original settlers are still residing in Garki Village and they still continue to expand




FIG·20 Approved land use on present site of Garki village as per Abuja Master plan.

source; Cadastral map of Garki II. District Abuja.

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since the population is dynamic and new households are formed, they have the right to build new houses.

Section 39 of the Town and Country Planning Law of Northern Nigeria Cap 130 provides for compensation for any person whose property is affected by the coming of a scheme. Again section 6 of Decree No. 6 of 1976 also provides for compensation to be paid to any one whose "building or land" is affected by the coming of the Federal Capital Territory. But this has not been done and therefore Development Control staff have no right to prevent the original settlers from building new houses. Indeed an attempt to demolish these newly built houses in 1987 was met with stiff resistance. Therefore, the implementation of this District has not been carried out successfully. Above all infrastructural facilities have not been provided within the area. For these reasons, illegal developments are rampant here as non-indegenes also seize this opportunity to erect temporary structures. In fact some of the property beacons within this area have been removed by illegal developers. The area also accomodate temporary mechanic workshops

4.24 <u>An Appraisal of Existing Landuse in Wuse I District:</u>

Wuse I District is purely a high density residential District with an area of 630ha and a proposed population of 34,000 with 461 privates plots.

1. At the Macro-Level:

The proposals for Wuse I District have undergone some few changes at the macro-level. These include encroachment on or conversion of open spaces to plots, change of sites proposed for educational institutions and commercial (Fig. 22 shows the proposed land use map of Wuse I while Fig. 23 shows the existing landuse).

(i) Open Spaces:

Wuse I District has a large chunk of land which was proposed for amusement park, forest reserve (that is along river valleys), areas on steep ground which are undevelopable and areas liable to flood. All these areas were to be left as open spaces as to protect the soil and also for aesthetics.

But the field survey showed that 5% of open spaces have been carved out as plots; 70% of other open spaces including forest reserves, undevelopable areas (steep land and areas liable to flood) have been converted to farmland. The objective of the Master Plan of providing so many hectares of land for open space is therefore deflated.

The Master Plan is designed to provide a long-time guidance for the orderly implementation of the new Capital City. Development Control within the city must be efficient in monitoring the development.

FIG. 21. APPROVED LAND USE IN WUSE 1 DISTRICT






FIG 22 EXISTING LAND USE IN WUSE 1



PLATE I: AN OPEN SPACE CONVERTED TO FARMLAND IN MUSE I DISTRICT.



PLATE 2: AN OPEN SPACE CONVERTED TO FARMLAND IN GARKI I DISTRICT.

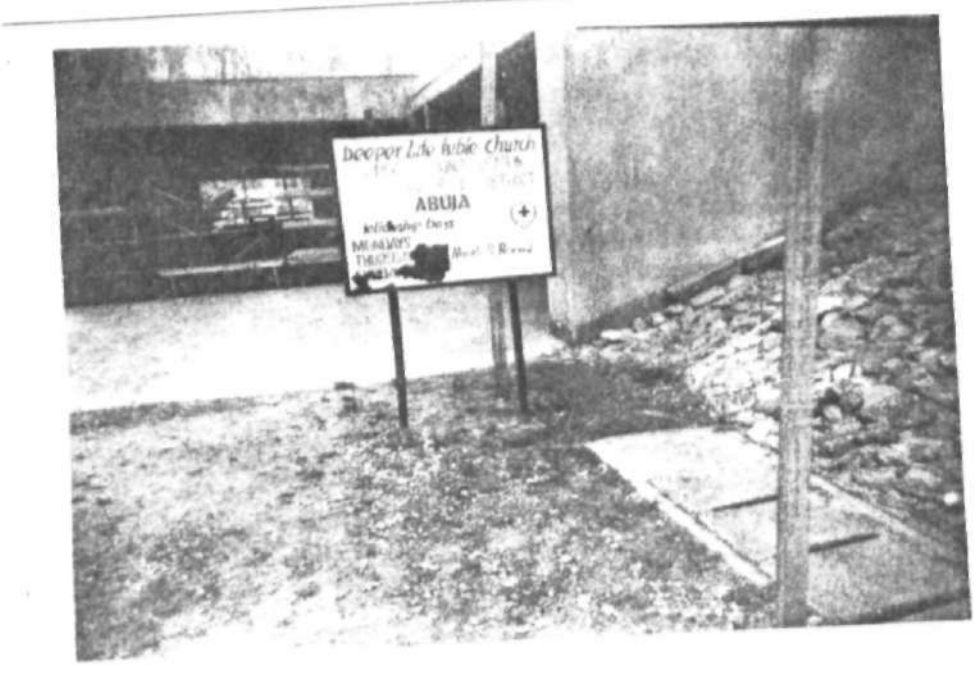



PLATE 3(a): AN UNDERGROUND SHOPPING STALLS CONVERTED TO A PLACE OF WORSHIP IN WUSE I DISTRICT

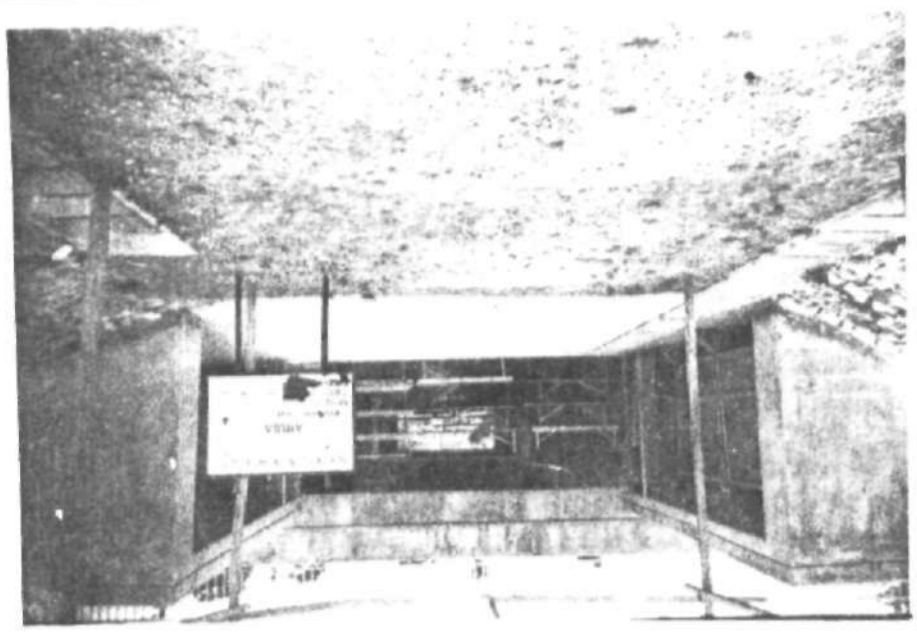


PLATE 3(b): THE OUTSKIRT OF THE CHURCH.

Presence of farmlands shows the inadequacy of Development Control. Cassava farms, maize, guinea corn and sugar cane farms can be seen everywhere within the city (see Plate 1 and 2). Again shopping facilities provided under some bridges were also converted to places of worshop (plate 3).

(ii) Services, Utilities and Infrastructural Facilities:

Six neighbourhood centres were proposed for this area (See fig 23a). None of these has been implemented. Therefore the residence of this area have to go to Garki I or Garki II (Garki Village) for all their shopping needs except on Wuse Market. The only District Centre is under construction and 60% of this has been completed. Because of the absence of these facilities, conversion of residential houses into shops is common within the District.

(iii) Site For Wuse Modern Market:

The present site for Wuse Modern Market was initially proposed for a Secondary School (Fig 23b). With the construction of the market in this site, the people living in Zone 6 and 5 have to trek to Zones 3 or 4 to attend any Secondary School. Ironically the areas provided for neighbourhood centres are unutilised. One would have thought that a market could have been constructed at the District Centre. But this was not the case.

FIG 23a PROPOSED NEIGHBOURHOOD FOR WUSE DISTRICT

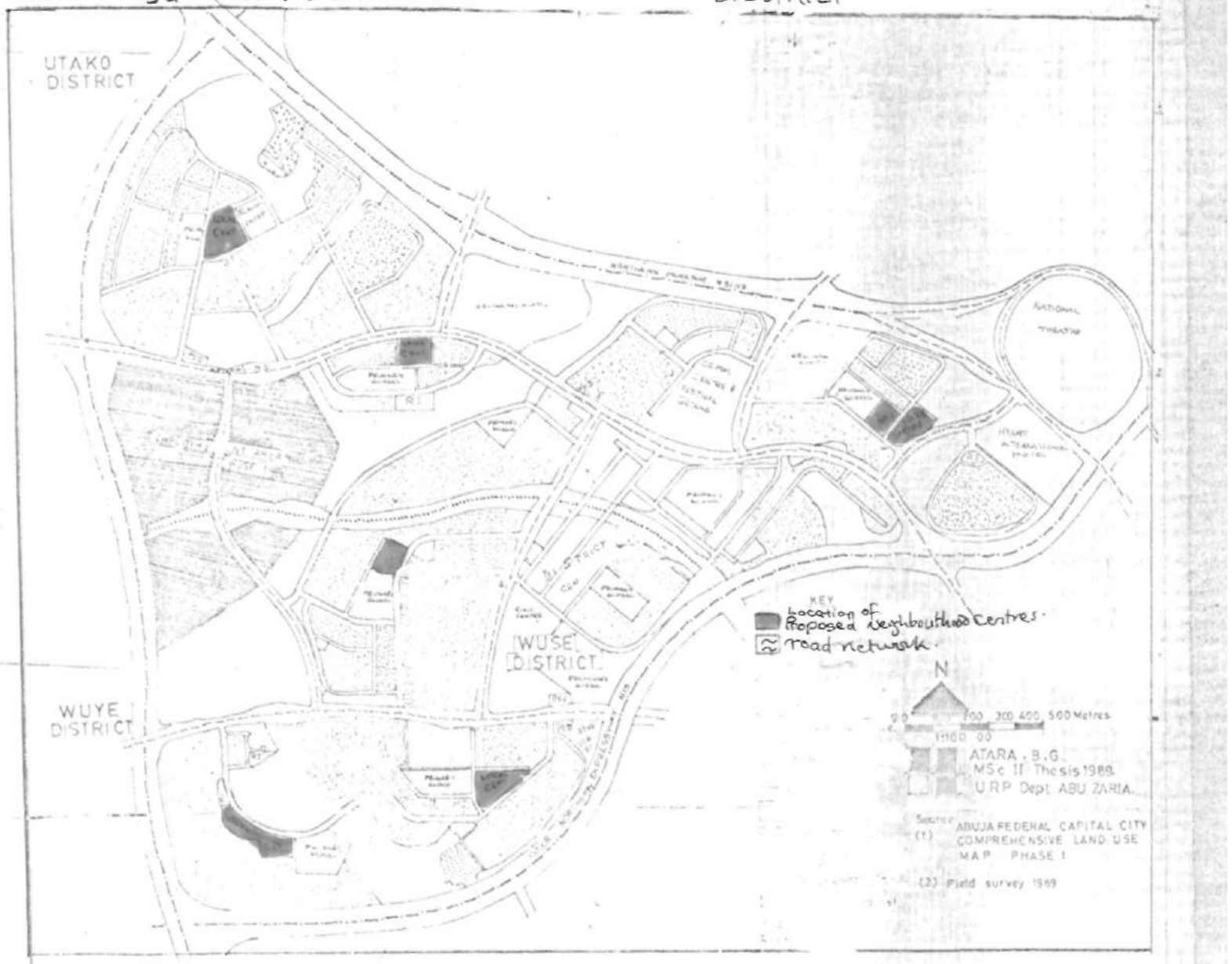
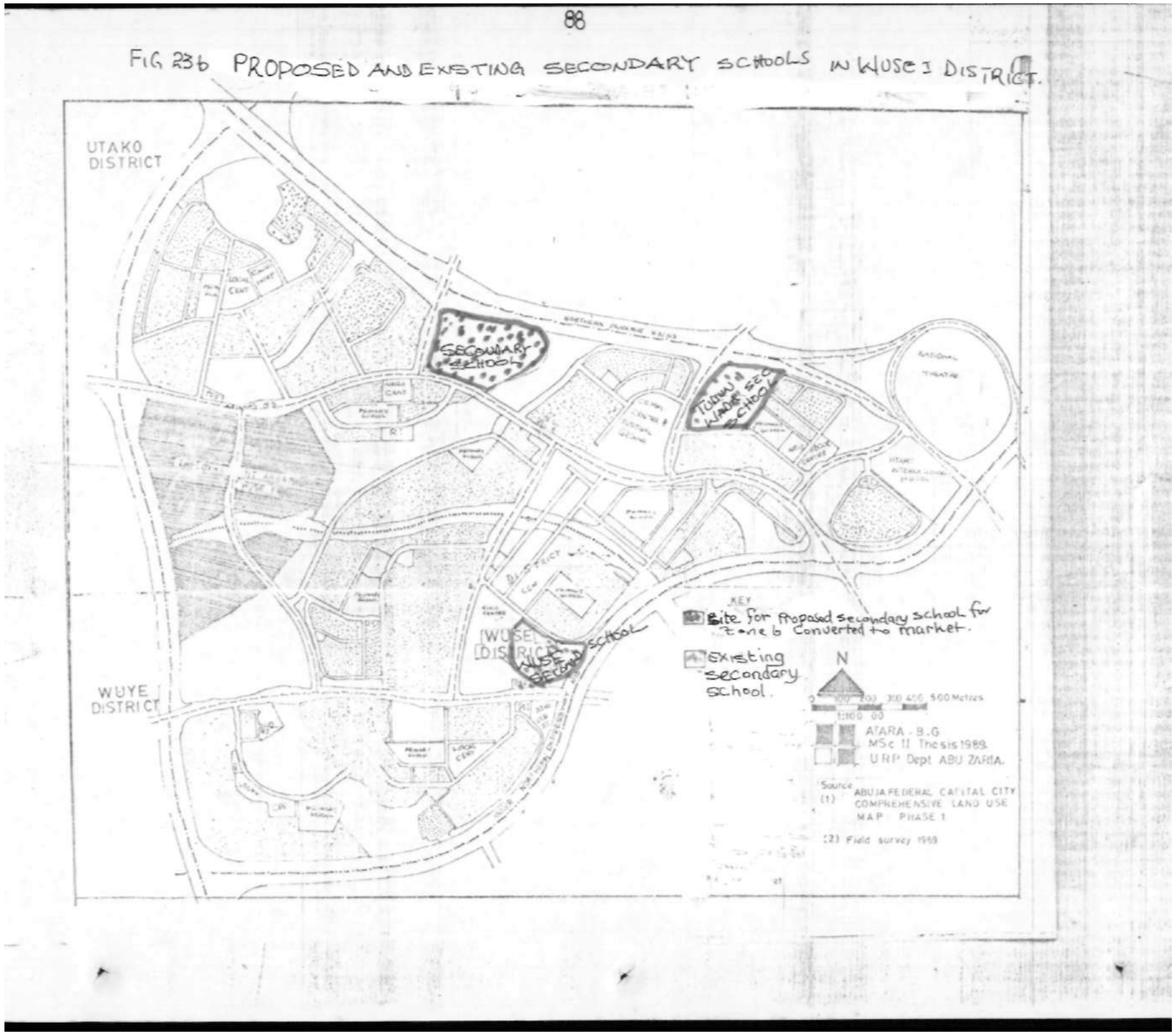


FIG 23b PROPOSED AND EXISTING SECONDARY SCHOOLS IN WUSE I DISTRICT.



2. An Appraisal of the Existing Landuse Development of Wuse I District at the Micro-Level:

Just like Garki I District the appraisal for Wuse I at the micro-level was also based on Guidelines and Regulations guiding development within the New Federal Capital City. The parameters used include:-

(i) Setbacks

(ii) Plot coverage

(iii) Height of building

(iv) Fencing

(v) Use of the building for the purpose which planning permission was sought for and granted to developers.

Statistics for number of developers who applied for planning permission was obtained from Development Control Office (see Table 8).

| | |
|---|---|
| Number of applications received for planning permission | 305 |
| Number of application approved | 216 |
| Number of private developers who have commenced/complete work | 150 |

Table 8: Number of Applications received for Planning Permission in Wuse I District between January 1982 - December 1988.

Source: Development Control Office, Abuja.

From the above table, 216 applicants have been given planning permission while only 150 have completed development of their plots. Out of the 150 developments 30 were randomly selected using random sampling method (see Table 9).

| | |
|---|---|
| Number of private developers who have completed work | 150 |
| Sample Interval | 1-5 |
| Sample Size | 30 |
| % of Sample Size | 20% |

Table 9: Sample Frame for Wuse I District.

From table 9 above 30 buildings were randomly selected and the set backs, height of building, plot coverage, usage and fencing were all considered. Physical measurement was taken to determine the items as was done for Garki I District. The result is shown in Figures 24, 25, 26, 27 and 28. Compare to Garki I, Wuse District recorded more contraventions at the micro-level than Garki I District while Garki I District has a higher distortion of the implementation of the plan at macro-level.

90% of the developers contravene the plot coverage in Wuse District (Fig. 24). In Wuse District problems of over building on a plot arise mostly in a condition where more than two buildings are sited on the same plot.

Section 3.02 of the "Development Control Standards and Regulations" provides that "where two or more buildings are to be sited on the same plot/ site the distance or space between the two buildings should not be less than the mean of the two buildings". This is a pure ticket for overbuilding. Where, for instance two bungalows are located on the same plot, the minimum height provided by the Development Control Regulation is 2.8 metre high. Where two bungalows are sited on the same plot the mean will be 2.8 metres. This means that the developer only needs to give a gap of 2.8 metres between the two buildings. This setback is too small. Indeed a whisper in one building can be heard in the second one.

The regulation on fencing was also highly contravened. 40% of the developments complied with the height of the fence while only 10% conform to the regulation on number of entrances to the premises. The guidelines on standards and regulation provides for only one entrance to the premises. This regulation has not taken the problem of safety into consideration especially when there is fire break out or any other disaster. Indeed in terms of fire hazard, one gate is not enough considering our socio-cultural environment. A single man may have up to 4 to 5 cars. In this case

having one gate will not be conducive to such people. No wonder, the regulation was not adhered to by most of the developers.

With regards to the perforation of the frontage of the fence, only 10% adhered to this regulation (Fig. 25). All these failures are manifestation of the failure of Development Control to monitor these developments.

The survey showed that there is a greater adherance to the regulation on height of building. Only 20% contravene this regulation (Fig. 26). These few cases range from the introduction of basement to increase on the normal height of 2.80 - 30 metres allowed. But the regulation that receive a fair compliance is that of set back (see Fig. 27). 70% of the developers adhered to the front setback while 60% conform with the back and side setbacks respectively.

The use of the building for which planning permission was granted had high contravention. Only 30% of the private developers put the building to the use for which planning permission was granted (see Fig. 28). This is a serious case because any change of use can lead to a case of non-conforming landuse. Indeed a change of use on residential building can have a serious effect on the planned infrastructure

of the area. This effect is both on the residents of the area and the environment itself.

The survey showed that of the 70% of the developers who change the use of their buildings, 5% were used as clinics or medical laboratories while 35% were used for offices and the remaining 30% were converted to hotels and guest houses.

Use of Government Residential Buildings in Wuse I District, Abuja.

Although the use of public reisential housing units for offices is an interim measures, it is necessary to point out that even within a short a short period such action has an effect on the plan infrastructure of the area as well as the implementation of the Master Plan. Among the effects are generation of traffic within the office area, over use of electricity due to many air conditioners which inturn lead to breakdown of transformers.

Indeed 4,381 public housing units were planned for Wuse I District and out of these 4,000 units have been completed and allocated to various people and departments.

Out of these 4,000 housing units only 65% of it are being used for residential. The remaining 35% is converted to offices while 1% is rented by private companies or is being used for commercial purposes (Figure 29).

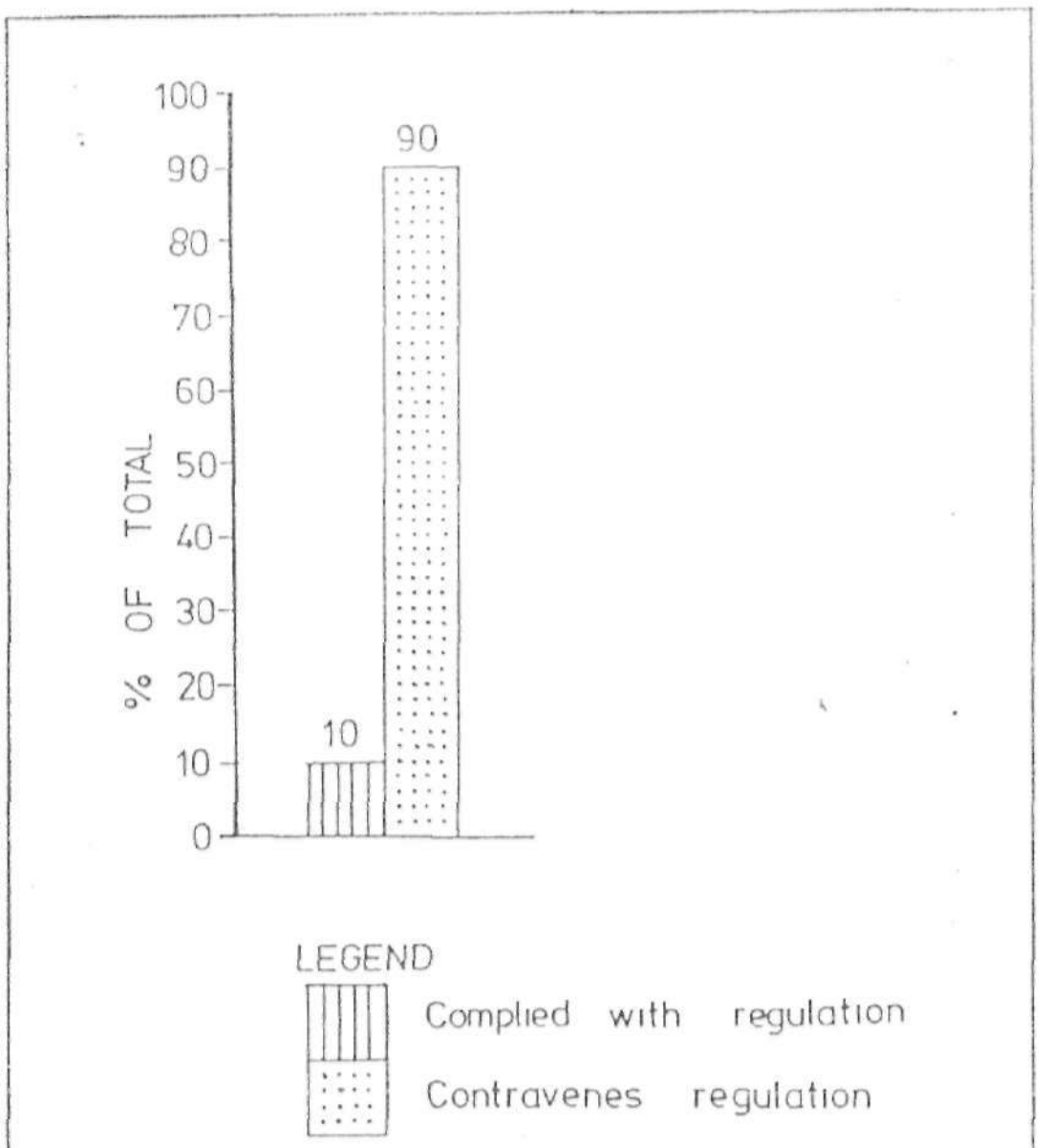



FIG. 24 COMPLIANCE / CONTRAVENTION OF PLOT COVERAGE IN WUSE I DISTRICT ABUJA

ATARA B. G.
M. sc. THESIS
U.R.P. DEPT.
A.B.U. ZARIA.

Source : Field survey 1989

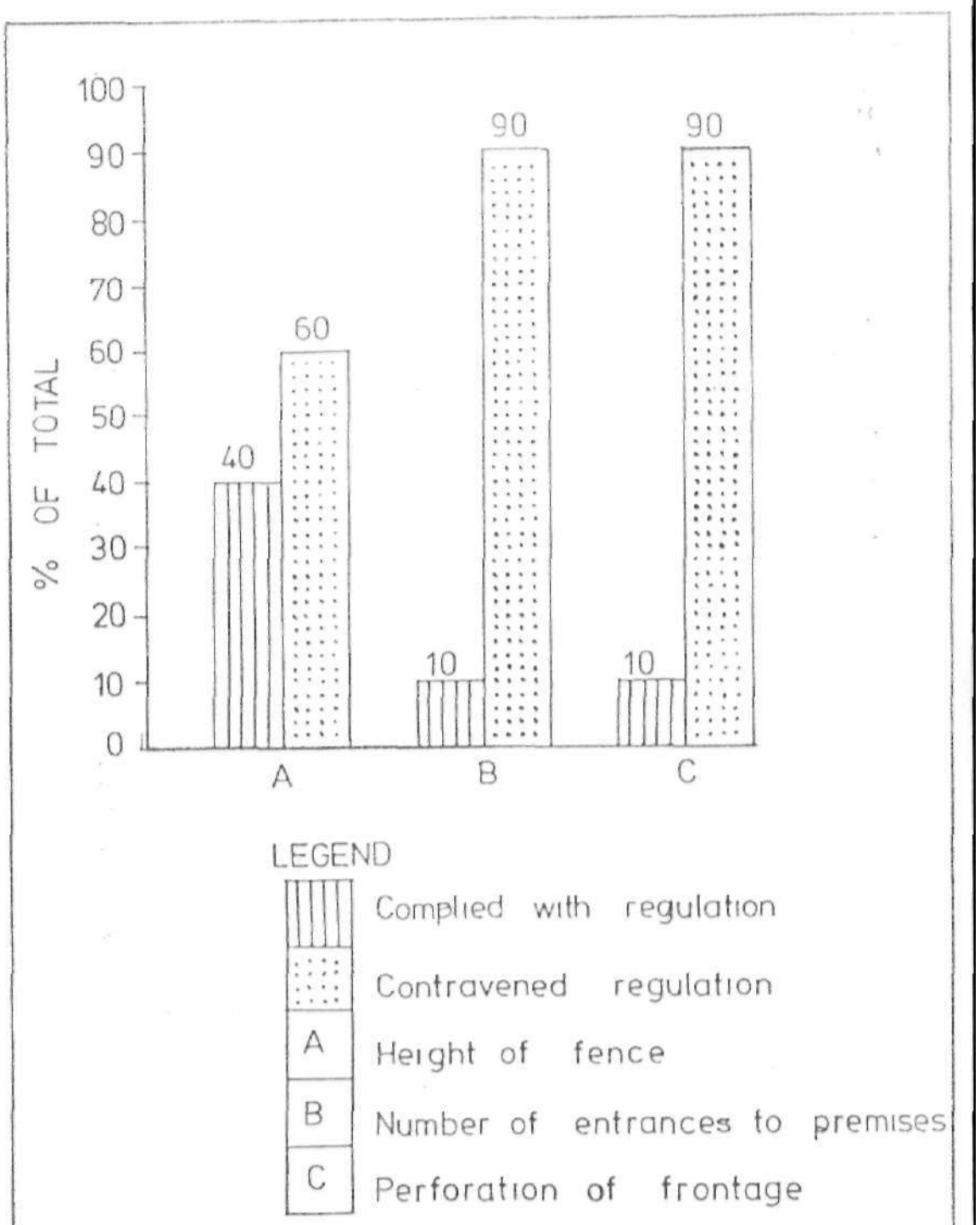



FIG. 25 COMPLIANCE / CONTRAVENTION OF FENCING REGULATION

ATARA B. G.
M. sc. THESIS
U. R. P. DEPT. A. B. U. ZARIA

Source : Field survey 1989

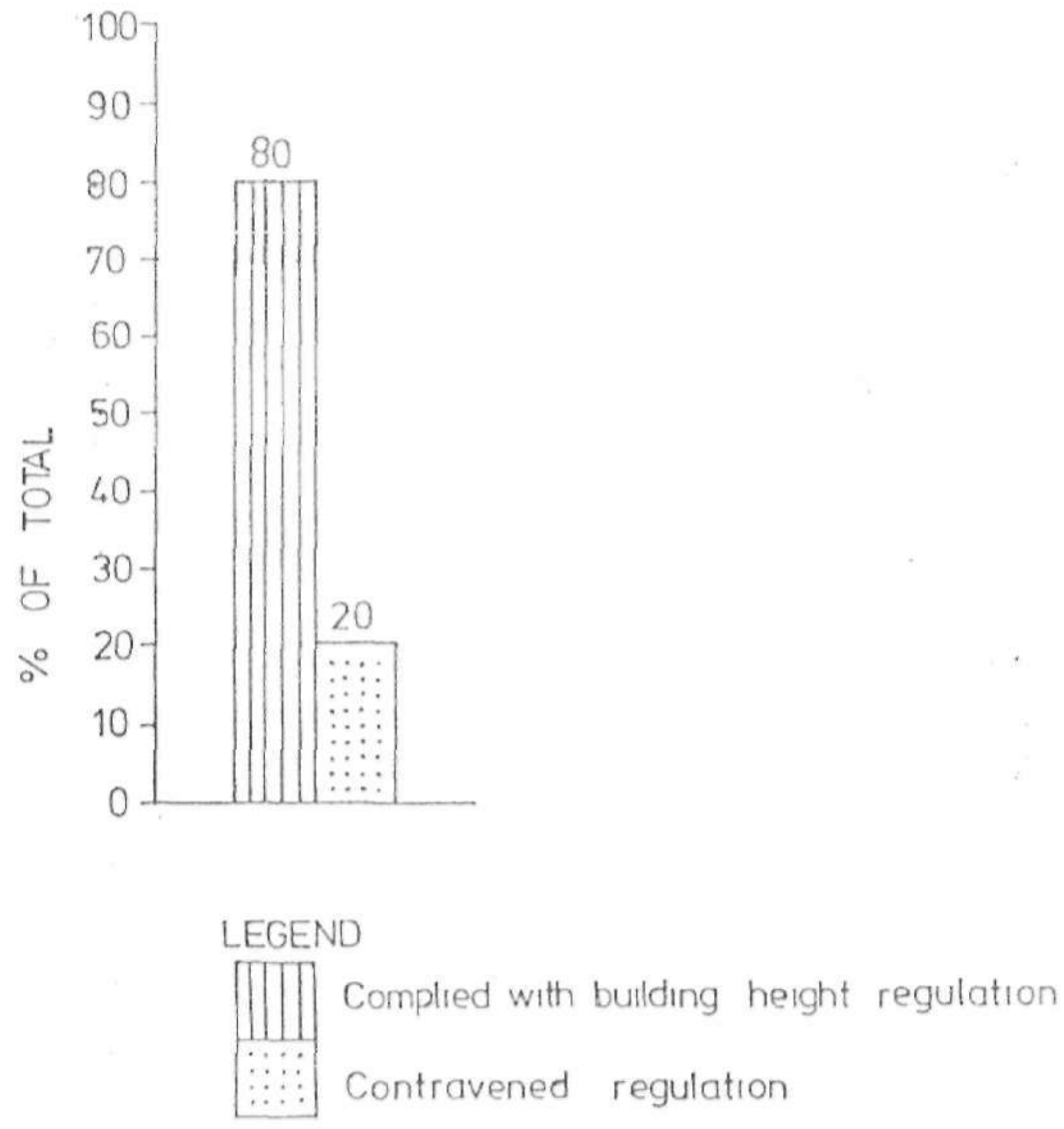



FIG 26 COMPLIANCE / CONTRAVENTION OF BUILDING HEIGHT REGULATION

ATARA B. G.
M. sc. THESIS
U. R. P. DEPT.
A. B. U. ZARIA

Source Field survey 1989

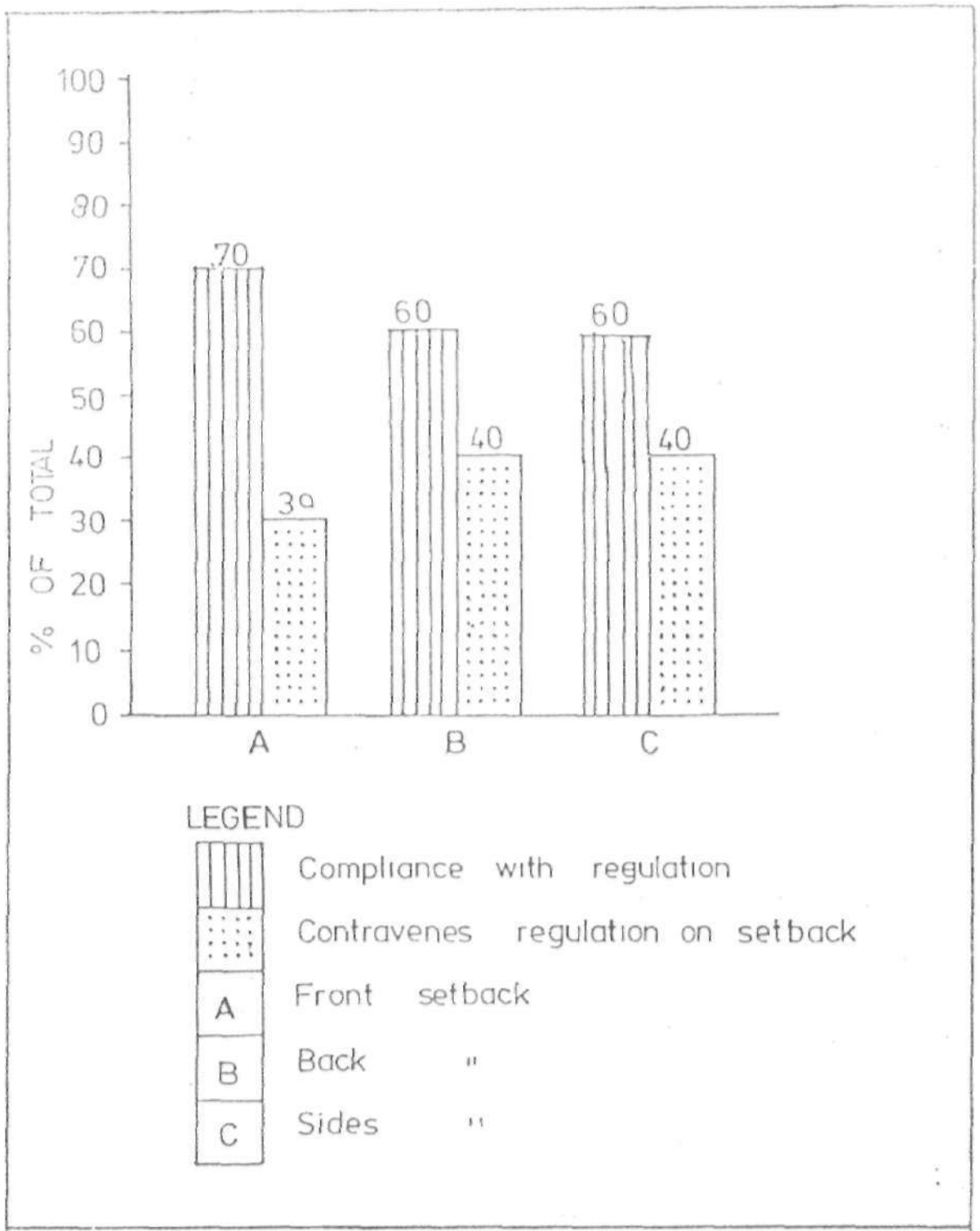



FIG 27. COMPLIANCE/ CONTRAVENTION ON SETBACKS IN WUSE I DISTRICT

Source Field survey 1989

ATARA B. G.
M. sc. THESIS
U.R.P. DEPT. A.B.U. ZARIA

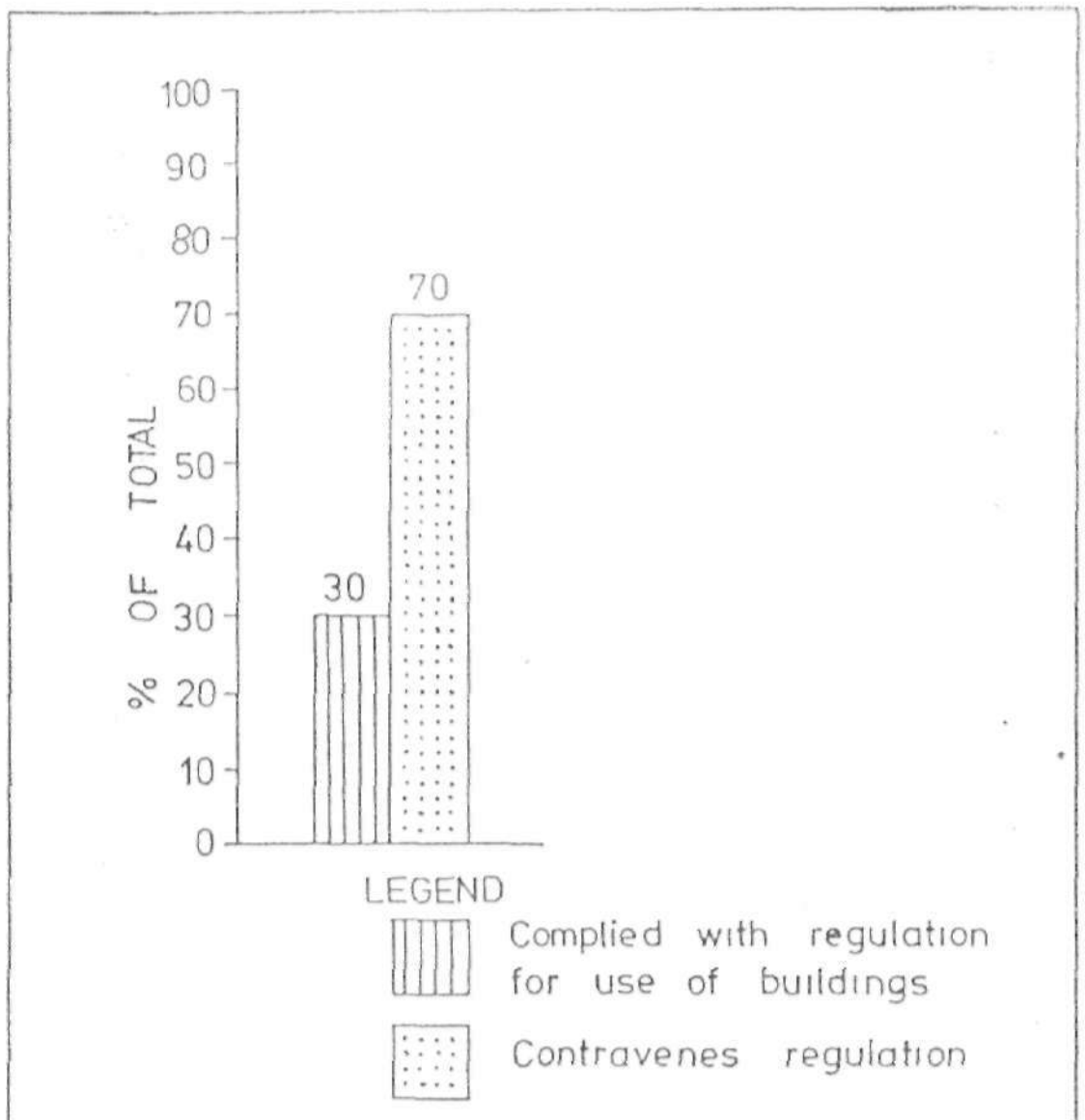



FIG.28 COMPLIANCE / CONTRAVENTION OF USE OF BUILDINGS FOR WHICH PLANNING PERMISSION WAS GRANTED IN WUSE I DISTRICT

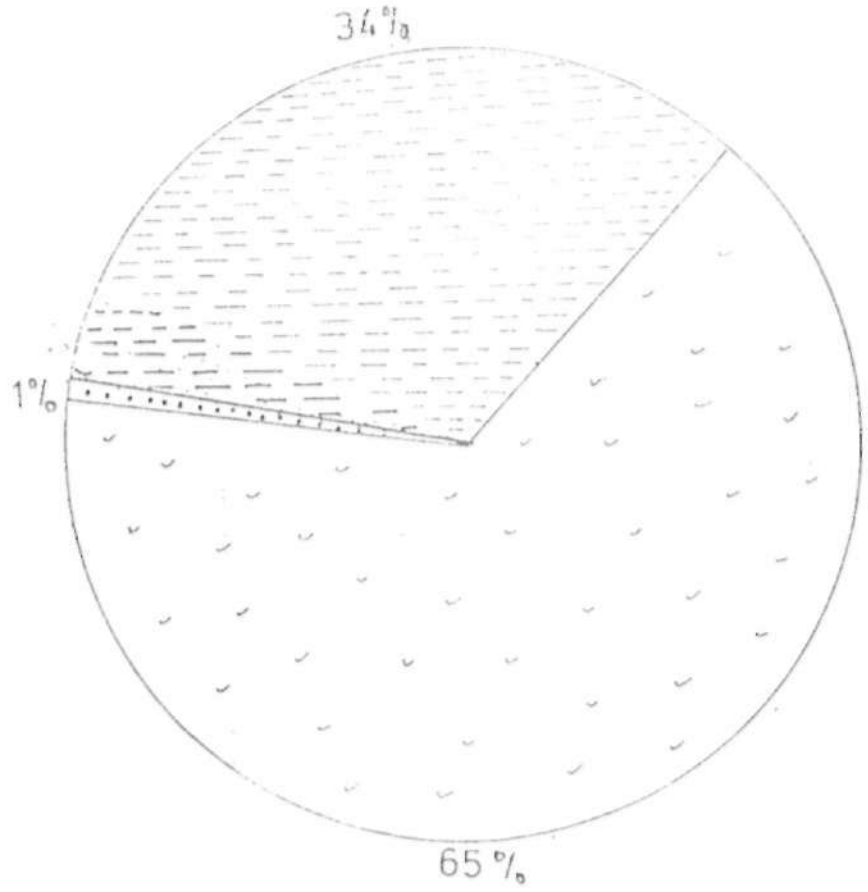
ATARA B. G.
M. sc. THESIS
U. R. P. DEPT.
A. B. U. ZARIA

Source: Field survey 1989



PLATE 4: ONE OF THE PRIVATE RESIDENTIAL BUILDINGS CONVERTED TO A HOTEL IN WUSE I DISTRICT

FIG. 29 USE OF GOVERNMENT RESIDENTIAL QUARTERS IN WUSE 1 DISTRICT.




KEY

RESIDENTIAL

OFFICE

COMMERCIAL

SOURCE: FIELD SURVEY, 1989.

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ABU. 1989

A break down showed that 85% of the public residential housing units in Zone III and 80% in Zone II have been turned to offices while 55% and 30% in zones VIII and I have also been converted to offices respectively. Zone VI also has 30% of its residential turned to offices while zone V and IV have 30% respectively.

But the most important thing here that concerns planners is the fact that the conversion was made without obtaining any planning permission and this means that the planning which was made in respect of the various areas have been rendered useless. On the average a damage is being done to the infrastructure planned for the area hence the implementation will also be affected since no one knows when permanent offices will be completed.

## CHAPTER FIVE

## 5.00 A REVIEW OF DEVELOPMENT CONTROL PROBLEMS IN THE FEDERAL CAPITAL CITY, ABUJA.

From the foregoing chapters it is now obvious that the authority in development control in Abuja are facing alot of problems. These problems are manifested in the failure of private developers to abide by the building bye-laws guiding development within the city, the conversion of some open spaces by the Authority to plots, the rampant change of use for which planning permission was not given and clearing of reserved forest and trees for farming within the Federal Capital City, Abuja. It is these problems that necessitated a review of Development Control activities in Abuja in order to know the root causes or obstacles which can tamper with the implementation of the plan for the New Federal Capital City, Abuja.

Indeed there are several p roblems facing the Authority in development control in the Federal Capital City, Abuja. These problems can be classifed into administrative, technical, financial, political, social and legal.

### 5.10 ADMINISTRATIVE PROBLEMS

#### (i) Multiplicity of Agencies involved in the Implementation of Abuja Master Plan:

Although section 4(1)(e) of Decree No. 6 of 1976 made it clear that the Federal Capitalt Development Authority (F.C.D.A.) shall be responsible for the "Co-ordination

of the activities of all ministries, departments and agencies of the government of the Federation within the Capital Territory", yet some of these agencies do not liase with development control authority when they are executing a project under their jurisdiction within the city.

NEPA in particular did not liase with the Development of Planning and Surveys when they were installing their Transformers and Overhead High Tension Cables in various parts of Wuse I and Garki I Districts.

In Zone 6 of Wuse I District for instance (see Figure 3) many private developers who wanted to commence the development of their plots could not do so because NEPA Transformers were installed ten (10) metres into the plots. Since Wuse I District is a high density residential area, the plots are very small (18 metres wide by 36 metres long); going by the approved set backs for this area which is 4.5 metres in front, the poles and transformers were installed within the area that is supposed to be occupied by the proposed building. The development control officials wrote several letters to NEPA Office but no reply was obtained.




FIG 39 - INSTALLATION OF ELCTRICT TRANSFORMERS AND OVERHEAD HIGH TENSION CABLE ON RESIDENTIAL PLOTS.

(ii) Lack of Coordination between the Agencies involved in the Development of the City:

The Civil Engineering Division supervises all Civil Engineering works relating to construction of roads, sewer, lying of pipe line, etc. After the provision of these facilities and utilities, the map of the area indicating the exact location of these facilities or utilities should have been deposited in the development control office so that when private developers come, the officers will know exactly where the utility lines pass. But this is not done, therefore, the planner incharge of that area has to run up and down to locate the map. Again this can delay any action being taken on any building plan or project.

On a more serious note is the problem that some of the property beacons are sometimes removed during the construction of these roads and no report is usually made to Development Control Unit A or the parent Department (Planning and Surveys) for reinstatement. Location of such beacons removed becomes a problem in subsequent time. Once property beacons are removed the implementation of the proposals of that area becomes difficult because the property beacons are the only indication of the exact location and boundary of any plot in the city.

(iii) Allocation of Sites for Temporary Food Canteens:

The Development Control Division in Department of Planning and Survey allocates site to applicants for construction of temporary food canteens. The Municipal Government also does.

Indeed the survey showed that 60% of the temporary food canteens at the Municipal Local Government Office were allocated by the Municipal Government. This has created a problem for development control staffs because it now becomes difficult to fish out illegal food canteens from approved ones since they are not the only agent allocating temporary sites for it. Illegal food canteens, there, become common even in the Federal Secretariat Garki (see Plate 5).

(iv) Process of Building Plan Approval:

Section 7(1) of Decree No. 6 of 1976 provides that no one is allowed to carry out any development within the Federal Capital Territory without obtaining a written permission from the Authority. In other words both public and private developers are supposed to submit their building plans for approval before they commence any development on their sites or plots. But the process of approving building plans involve a long procedure becuase several departments are involved in scrutinizing the plans.

An investigation in the Development Control office revealed that building plans go through several channels before the plans are finally approved. The process is as follows:-

Applications for planning permission are submitted to the Director of Planning and Surveys in Area Eleven in Garki I District. The application is then sent to the Head of Development Control Division in Zone Six in Wuse I District. This application is filed by the clerk and minuted to Secretary, Building Plans Processing Committee to check or to screen the Certificate of Occupancy and the number of building plans submitted.

The file is then sent to the unit head for Site Inspection Report (S.I.R.). The unit head in turn sends the file to the site officer incharge of the area who visits the site to verify as to whether the developer is the real owner of the plot after which he minutes the file back to the Secretary.

The file is then sent to the Federal Secretariat at Area Eleven in Gariki I District to Department of Public Works. Here the Architectural Design is scrutinized and then the file is sent to the Director of Engineering Services where the electrical, mechanical and and structural engineering designs are screened to make sure they conform with the laid down regulations in the Federal Capital Territory.

Finally the file is sent back to Development Control Division. If there are corrections a letter is written to the developer to make the corrections. If there are no corrections the file is sent to Director of Planning and Survey for final approval after which a letter of conveyance of approval for development plan is sent to the developer (see Fig. 31).

From figure 31, one can see that the process of building plan approval in Development Control Office, Federal Capital Development Authority ( F.C.D.A.), Abuja is too long and cumbersome. Because of this long bureaucratic process, missiong files cannot be so easily traced.

Secondly, delayance cannot be so easily identified as it involves so many professionals from different Departments.

Thirdly, the system is also responsible for some of the contraventions like set backs which are witnessed in the city. This happens because when the developers are tired of waiting for approval letter without seeing any, they sometimes commence work without obtaining planning permission.



PLATE 5: ILLEGAL FOOD CANTEENS IN GARKI I DISTRICT.



PLATE 6: ANOTHER SCENE OF ILLEGAL DEVELOPMENT AT THE GARKI HEALTH CENTRE.

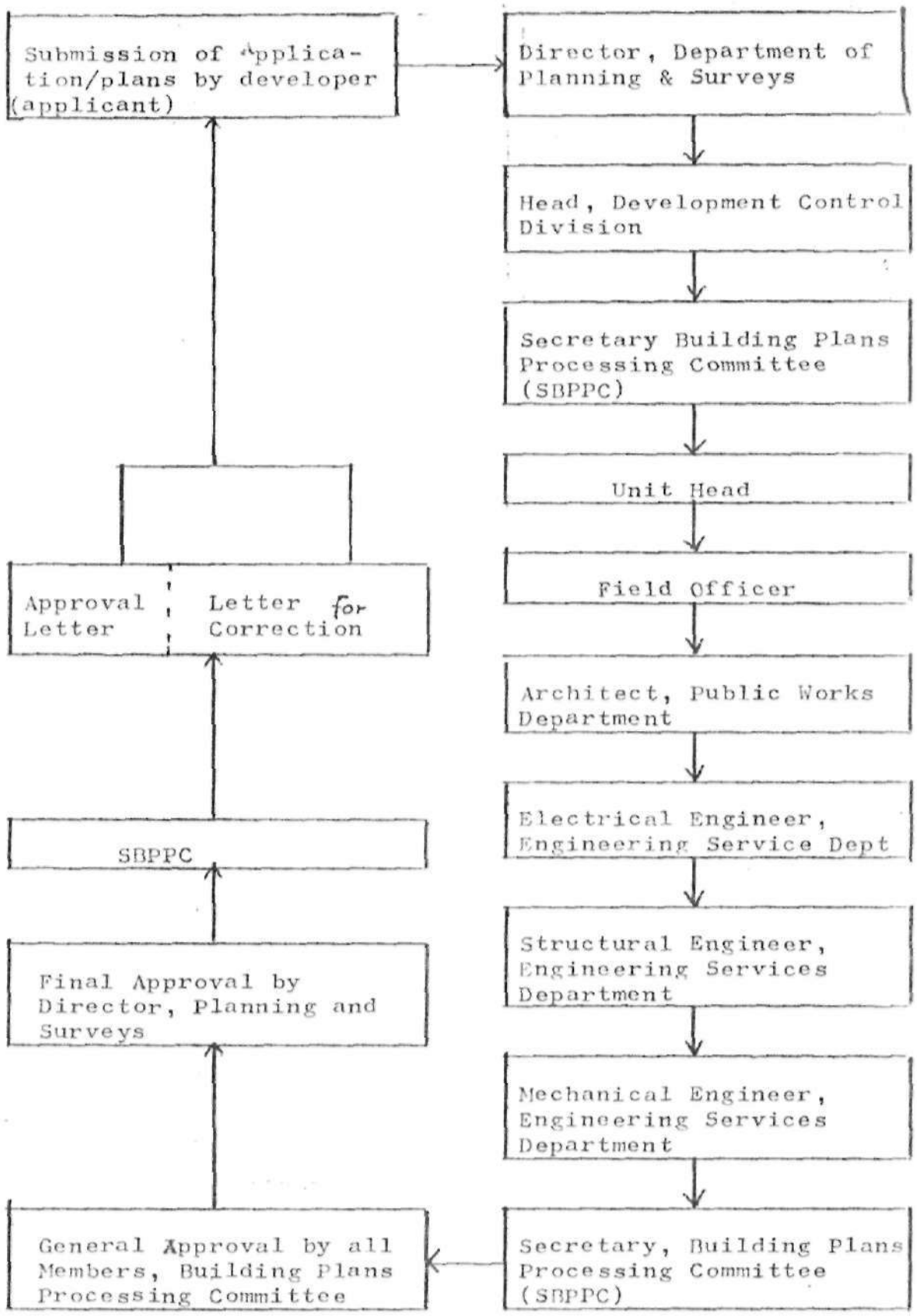



FIG. 31: EXISTING PROCESS OF BUILDING PLANS APPROVAL IN DEVELOPMENT CONTROL, F.C.D.A. ABUJA.

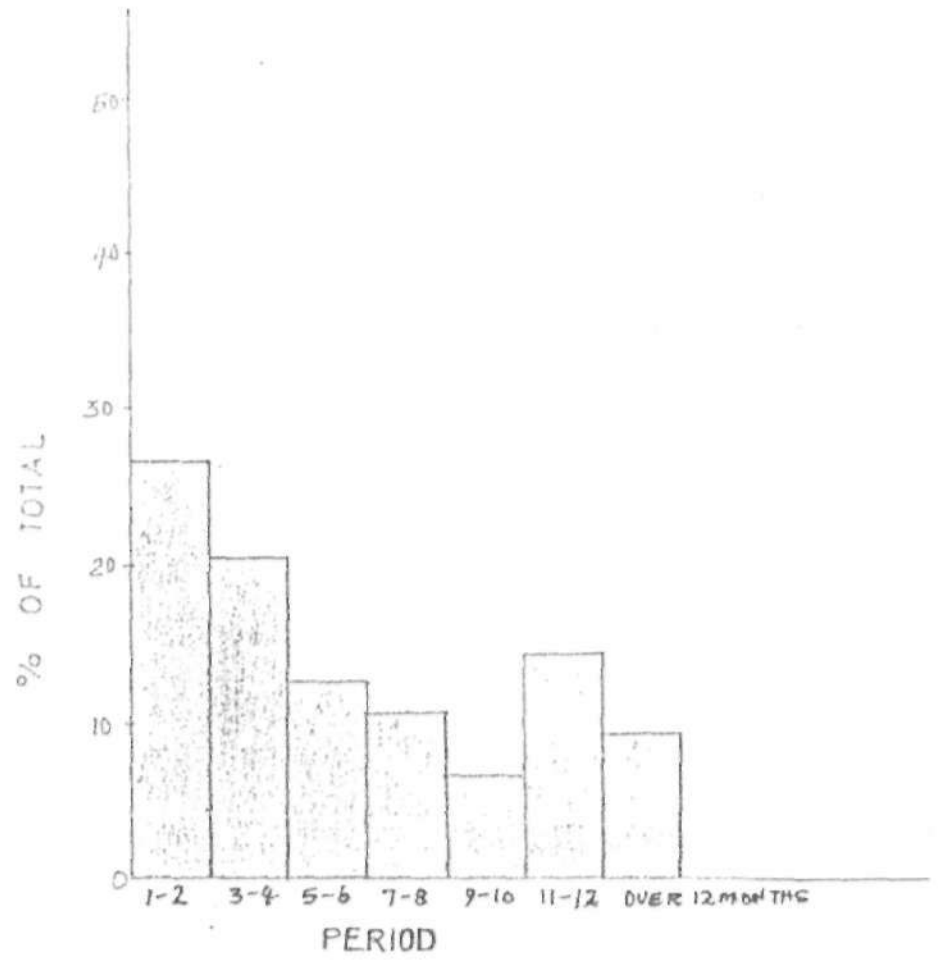
Source: Development Control Division, F.C.D.A. Abuja.

The system is also a problem to development control because all the departments are not in the same office. While the Development Control Division is located at Wuse I District, the Departments of Engineering Services and Public Works are situated in Garki I District, a distance of six kilometres between them. All the files submitted by developers have to be monitored by Development Control Division, and when there is no vehicle to convey the messenger to Area Eleven, the files remain there in Area Eleven. As a result of this several files or applications have been abandoned by private developers.

Investigation showed that 800 applications for planning permission were received in Development Control Division between January 1982 to December 1988. Out of these 87.5% (700) were for residential development while 12.5% were for commercial, religious institutions and light industrial development.

The survey showed that only 5% of plans submitted took less than one month to get approval while others took as long as three years before getting approval letters (see Fig. 32). Considering the importance plan approval play in physical planning, this should be taken as a serious problem since Development Control is the only "licensing agent" authorised to give planning permission in the Federal Capital City Abuja. It is only when planning permission is controlled that implementation of the city can be achieved.

FIG 32 DURATION OF PLAN APPROVAL




SOURCE. FCDA DEVELOPMENT CONTROL OFFICE, ABUJA, 1989

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5.20 *MANPOWER/TECHNICAL PROBLEMS*

The Phase I of the Federal Capital City, Abuja covers a total area of 6,000 ha and measures 20.5km form noth to south and 15 km from west to east. Yet there are only four professional Town Planners and four Higher Technical Officers to supervise this vast area (Table 10).

Officials of Development Control Division Abuja are responsible for approving all building plans in the whole Federal Capital Territory, that is, including satellite towns, yet the division has only 25 staff members including supportive staffs like clerks, messengers, accountant and architects. Therefore the presence of illegal structures even within the city would have arisen due to shortage of manpower in the Division.

| S/N | Profession | Number |
|---|---|---|
| 1. | Physical Planners | 4 |
| 2. | HTO (Planning) | 4 |
| 3. | Architects | 2 |
| 4. | Building Engineer | 1 |
| 5. | Accountant | 1 |
| 6. | Draughtsmen | 2 |
| 7. | Technical Assistnts | 2 |
| 8. | Clerical Assitants | 3 |
| 9. | Typists | 2 |
| 10. | Messengers | 2 |
| 11. | Driver/Buldozer operator | 2 |
| | Total | 25 |

Table 10: List of Staff Members in Development Control Division.

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Secondly, delayance cannot be so easily identified as it involves so many professionals from different Departments.

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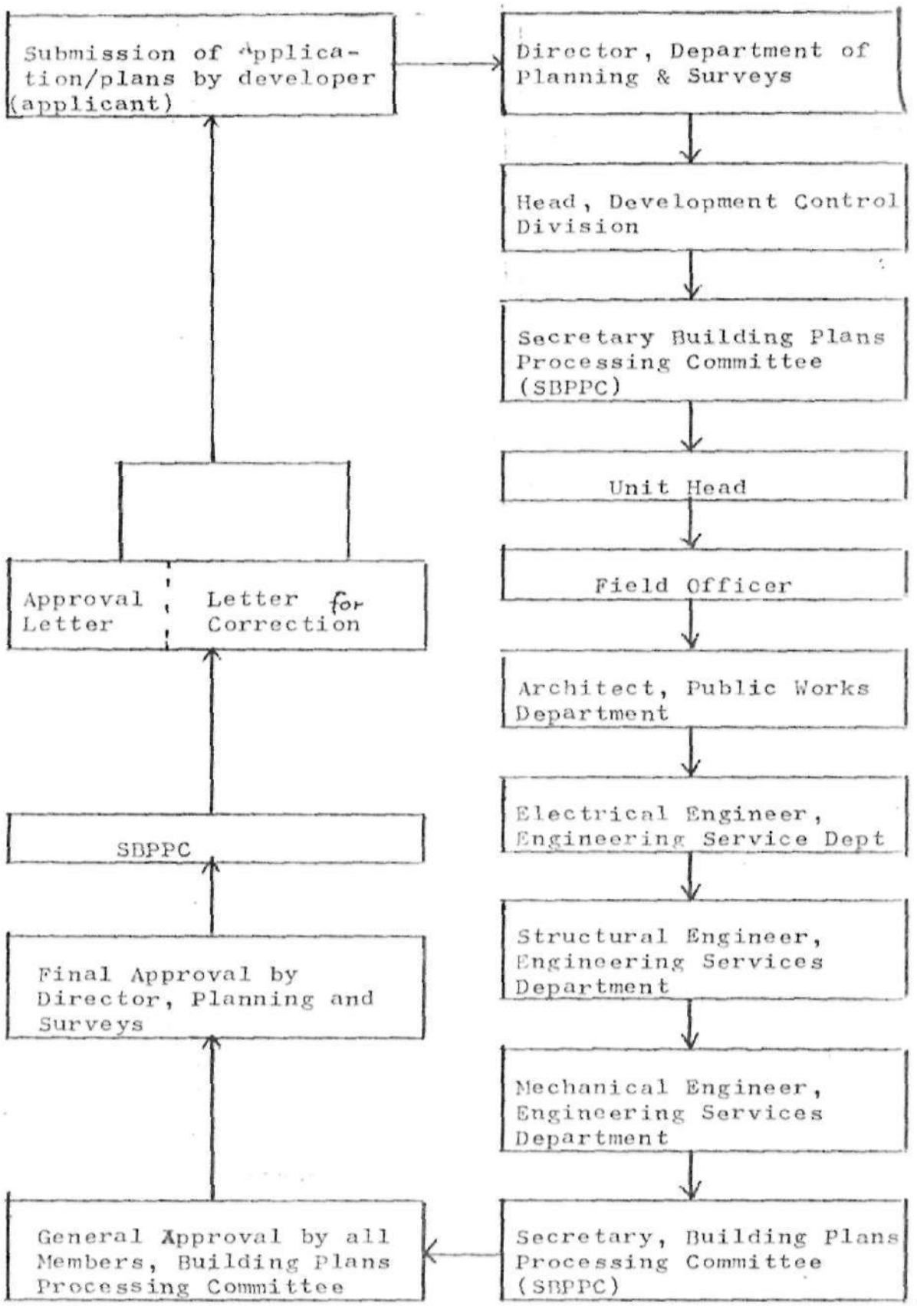



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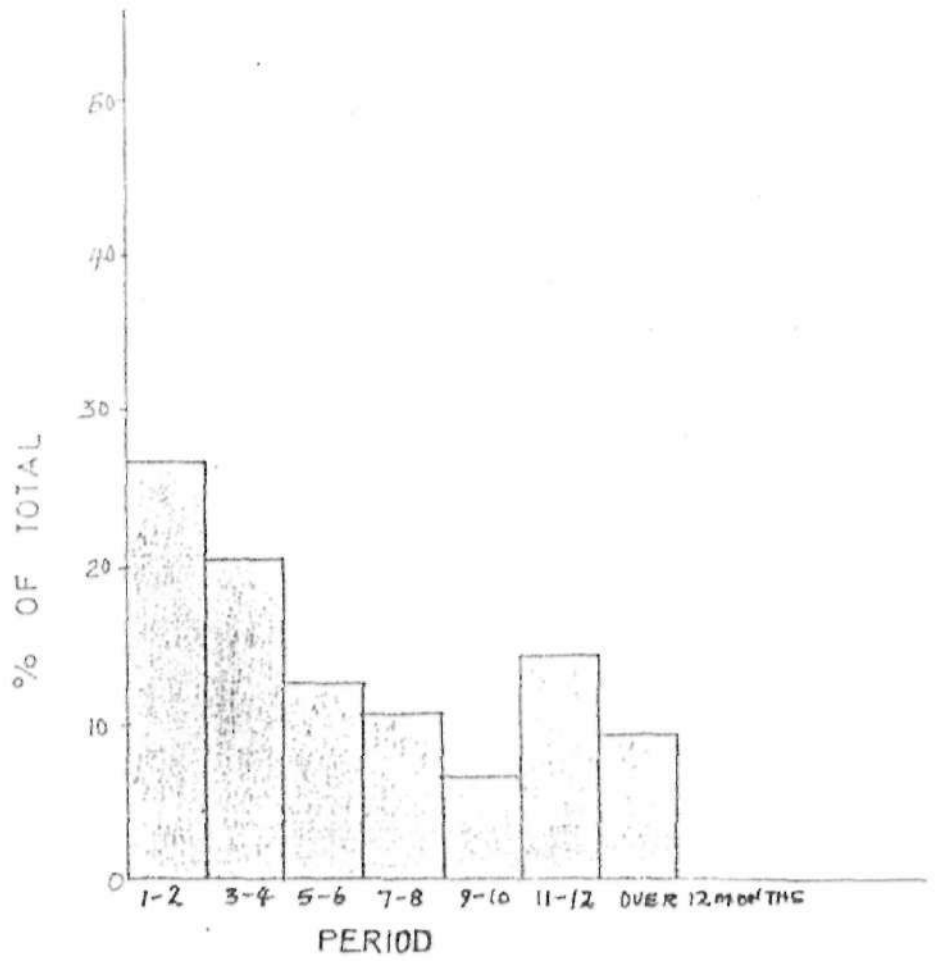
Source: Development Control Division, F.C.D.A. Abuja.

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FIG 32 DURATION OF PLAN APPROVAL




SOURCE. F.C.D.A DEVELOPMENT CONTROL OFFICE, ABUJA, 1989

5.20 MANPOWER/TECHNICAL PROBLEMS

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| 9. | Typists | 2 |
| 10. | Messengers | 2 |
| 11. | Driver/Buldozer operator | 2 |
| | Total | 25 |

Table 10: List of Staff Members in Development Control Division.

The Development Control staffs are supposed to monitor every development from the date approval was given for pegging and setting out to the time the building is completed. But because of the vastness of the area couple with shortage of staff and lack of project vehicles this has not been possible. Thus developers seize this opportunity to deviate from the approved plan granted to them.

In Wuse I District, for instance, building plans which were approved without car parks suddenly included these during construction, while others made structural changes within the buildings, hence it has been possible for these types of developers to change the use for which planning permission was granted.

The problem with F.C.D.A. is not that they lack professional planners but the fact is that only few professional planners were posted to Development Control Division.

Lack of vehicle is another problem facing development control at Abuja. Becuase there are no vehicles areas far away from the office annot be effectively monitored. The result is the proliferation of illegal developments within the city.

Location of Development Control Office and the Organisational Structure of the Division.

As stated above, the Development Control Office is situated in the western part of Wuse I District. The remaining departments involved in plan processing are at Area Eleven in Garki I District so this poses a problem of communication between the professionals involved in plan approval.

Secondly, the office is centralised; that is, all staff members have their office at Wuse I District and they operate from this District in other Districts. With a vast area of 6,000 ha and with only four professional planners, this is bound to cause problems of monitoring development in the Phase One area of the New Federal Capital City. Asokoro, for instance is over ten kilometres from Wuse, yet the planners stay at Wuse to approve plans for this District and the other Districts.

Even if there are vehicles, the time spent in moving from Wuse to Asokoro is another problem

The organisational Structure too is another problem area. With few planners, it is difficult to organise effectively since this will mean one planner taking charge of at least two districts. Therefore this too need reorganisation. Below is the existing organisational structure of Development Control.

setbacks, plot coverage, and height of buildings are made. The worst hit problem here is that of plot coverage. From the survey on Garki I District and Wuse I, plot coverage carried only 10% compliance while 90% of the developers did not comply with this.

(ii) Existing Villages in Phase One: Another serious problem facing development control is the problem of the original settlers who are still within the Phase One area.

Layouts have been prepared on the present sites being occupied by these settlers. These plots have been allocated yet the owners of the plots cannot take possession because the indigenes have not moved out from the area.

Section 6 of Decree No. 6 of 1976 provides for compensation for any one whose property or land is affected by the coming of the Federal Capital City. It is only after they have been compensated that they can move out or be called illegal squatters on the land. But in this case, the three villages (Garki, Maitama and Maitama Sabo) have not been compensated yet the Authority wants staff of Development Control Division to monitor their development. It is true that they (Villagers) are within the institutional framework of the planned area but it is only fair to prevent them from building new houses if they have been compensated.

Since population is dynamic, new households must be formed and that means increase in housing demand. But the irony is that in building a new house, the new couple are developing someone's plots who has already paid for his Certificate of Occupancy (C of O). The case of Garki village shown in Figure 20 is a typical example.

Secondly, as these indigenous people remain in their settlements, people from other areas who move in to trade hire these houses from the indigenes thus stimulating them to build more houses. Therefore, for development control officials to monitor illegal developments within the original settlements, the Authority has to compensate them.

Another social problem is the fact that a great number of people in Nigeria cannot divorce the use of land from the traditional ownership of land. To these set of people possession of plots means you can develop any type of building you wish. Therefore, some of them commence development even before getting planning permission.

5.50 LEGAL PROBLEMS

The inability of the Authority to provide a comprehensive development control manual is another problem. What development control officers use now is just a guideline and regulations on developments. Indeed

development control involves more complex things than this. In the Central Area where the tallest buildings are supposed to be sited, excavation has been going on in the area. This has accelerated soil erosion within the area, thus creating some few gullies.

Clauses 3.02 of the guidelines for development control in Abuja provides that where two or more buildings are to built on the same plot or site the distance or space between the two buildings should not be less than the mean of the height of the two buildings. This law encourages over building of a plot. In Nigeria where people want to maximise their plots, if they adhered to this law it shall be an advantegous to them. For instance where two buildings with a height of 2.80 metres are located on the same plot the developer only needs to give a gap of 2.80 metres between the two buildings, which is not appropriate.

5.60 POLITICAL PROBLEMS

The effectiveness of Development Control can also depend on the political era. In Military regime, for instance the authority tend to support planning. A great number of alterations in the Master Plan were done during the Civilian regime; e.g the change in the site of the Primary School to Mosque.

Open spaces are being carved out as plot yet the Development Control Division is helpless. The conversion of Primary Schools in Area One into a mosque during the civilian regim was done to score a political support.

In Wuse District for instance, areas that Development Control officers complain will be liable to flood were being carved out as plots. Therefore the success of Development Control at a particular time depends on the political era, that is, if the Minister has interest on planning then development control has less problems because when the division turns to the higher authority, she is sure of getting both moral and material support to face any problem, for instance of illegal developments.

# CHAPTER SIX

## 6.00 PROPOSALS AND CONCLUSION

## 6.10 PROPOSALS ON THE IMPLEMENTATION OF THE ABUJA MASTER PLAN AND DEVELOPMENT CONTROL

The Abuja Master Plan contained the prescription of the modes and pattern of physical developments that should be carried out in the course of building the New Federal Capital City. Unfortunately some alterations have been made due to political interference on the development control division of the Federal Capital Development Authority, which is mandated with the duty of carrying out the implementation of the New City. These alterations have created problems. It is for such problems that a proposal is hereby made.

Two types of proposals are made. The curative and the preventive aspects. The curative is to find solutions to the already committed mistakes while the preventive is to guide against a repetition of such mistakes. As regards the implementation of the New Federal Capital City, Development Control has to be autonomous with wide descretionary power to perform its duty before the plan can be perfectly implemented.

## 6.20 PROPOSALS ON DEVELOPMENT CONTROL

### 6.21 Proposal on Location of Development Control Office and the Organisational Structure of Development Control Staff:

Presently development control office is centralised. All the staff members have an office at

Wuse I District and they all operate from there. The system is inappropriate and because of lack of vehicles, coupled with the vastness of the area, other districts far away from Wuse District are not properly monitored. Since the department has problems of vehicle and even lack funds to repair the available one, it is hereby proposed that the seven urban districts in Phase I of the Federal Capital City, Abuja be provided with zonal offices headed by a professional Town Planning Officer I. The Town Planning Officer of every zone shall be called DistrictResident Town Planning Officer. He is to be assisted by supportive staff like Architects, Building Engineers, Typist, Accounts Clerk, HTO (Planning), Assistant Technical Officer (ATO) and messenger.

To eliminate the usual bureaucratic bottle-necks in processing of building plans and approval, all simple buildings or development that are not complex, for instance, bungalows, and single storey buildings shall be approved by the District Resident Town Planning Officer in conjuction with the Architect and the building engineer. A copy of the approval letter shall be sent to the Development Control Head Office. All complex buildings shall be approved in the Headquarters by a group of professionals.

The proposed new system of building plan approval shall be as follow:-

All building plans should be submitted to Director of Planning and Surveys. These will be sent to the Head, Development Control Division.

The Building Plans are then sent to the District Resident Town Planning Officer. Here the District Resident Town Planning Officer (DRTPO) sends for site inspection report immediately after cross checking all the documents (Certificate of Occupancy, Right of Occupancy, ect). The DRTPO comes together with the architect and the building engineer to approve the plans (see Figure 35). Whether the building plans are approved or not a letter should be written to the applicant within one week informing him of the progress of the application.

Approved pegging and setting outs should be monitored by the site officers (Assistant Technical Officer (ATO), building engineer and the ATA's upto roofing level. This is with a view to preventing any structural change that might be effected by the developer.

In the Head Office, all complex building plans for development such as two storey buildings and above, office complex buildings, hotels and industries should be approved by the Head Office headed by the Head of

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Development Control. This will involve the mechanical engineer, structural and electrical engineers respectively (see Fig. 36).

All these professionals should be brought under one umbrella; that is all of them should be redeployed to Development Control Division. This will prevent delays in approval of building plans which usually discourage private developers and sometimes led to abandonment of plans or commencement of work before approval.

Indeed the following category of staff should be found in the Headquarters:-

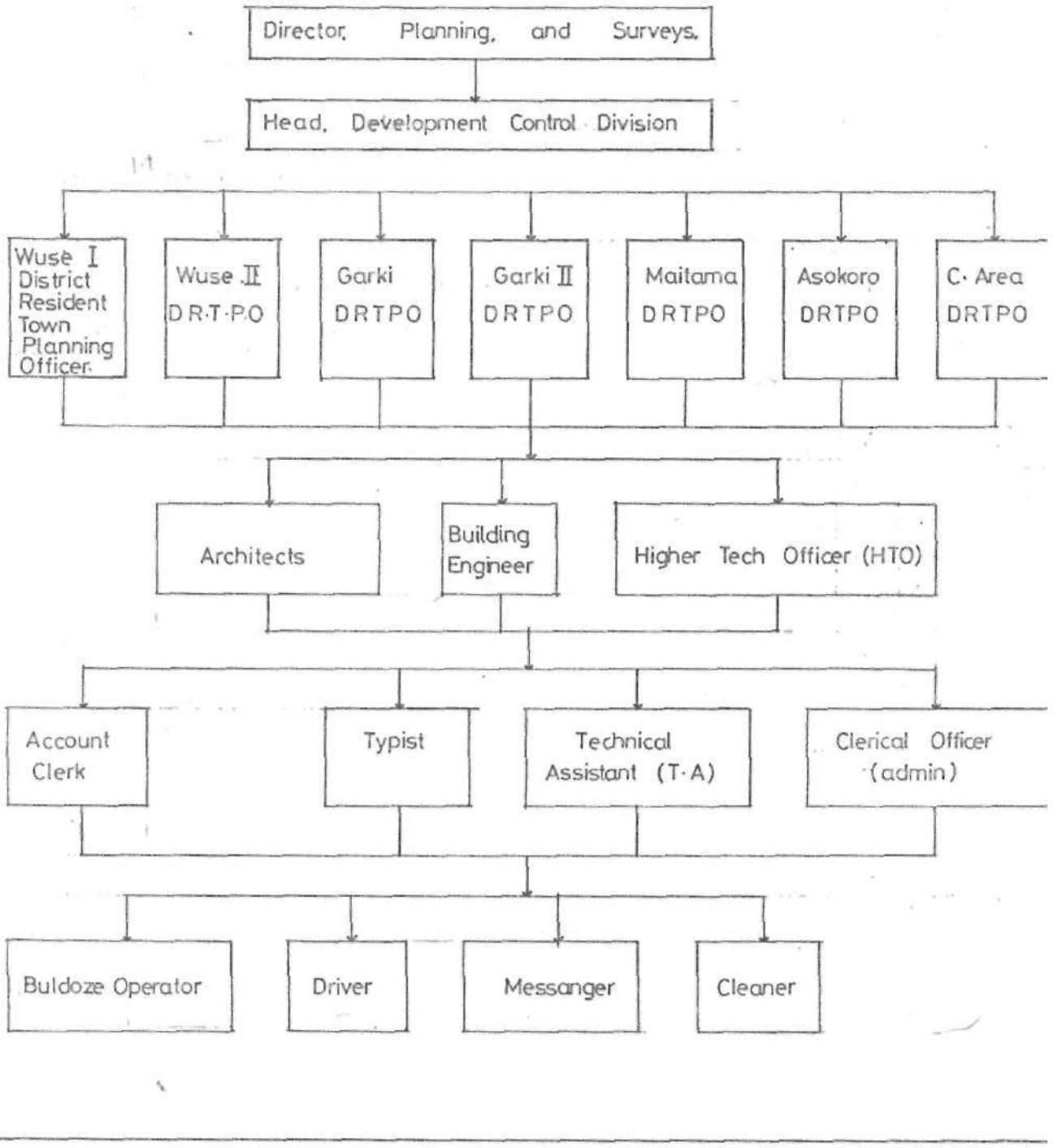
(i) Professional Town Planners
(ii) Architects
(iii) Structural Engineer
(iv) Electical Engineer
(v) Mechanical Engineer
(vi) Accountant
(vii) Typists
(viii) Clerks
(ix) Messengers
(x) Draughtsmen
(xi) Cleaners.

The Town Planners shall be incharge of scrutinising the site plans while the Architect will take care of the building design. The Structural Engineer for structures, and the Mechanical and Electrical Engineers for mechanical and electrical designs respectively.

Since all officers are in the same office, the approval can be obtained within one week. This will remove the frustration which developers sometimes faced. This delayance sometimes force an impatient developer to commence work before approval letter was granted to the applicant or developer resulting in contraventions of the building bye-laws of the Federal Capital City.

Figure 34 shows the administrative structure of the proposal.

FIG. 34. PROPOSE ORGANISATIONAL STRUCTURE FOR DEVELOPMENT CONTROL F.C.D.A. ABUJA.



(ii) Proposal on various Agencies involved in Development of the New Federal Capital City, Abuja

In order to achieve a perfect implementation of the Abuja Master Plan, all agencies involved in the development of the city should liase with Development Control Division before embarking on any job. After all section 4 of Decree No. 6 of 1976 provided that "the Authority shall be charged with the coordination of the activities of all Ministries, Departments and Agencies of the Government of the Federation within the Capital Territory".

In view of this it is hereby recommended that any agency involved in the provision of any utilities within the city should deposit at least a copy of such utility map in Development Control Office. This will save the embarassement development control officers often go through when they go for Site Inspection Report (S.I.R.), that isproblems of identifying utility lines

6.22 Recommendations for Social Problems:

The development control division should embark on public enlightenment campaign. Many people can hardly divorce the use of land from the traditional system of land ownership. Once they have certificate of occupancy they move straight to the site. These

set of people, have to be enlightened.

The original settlers of the Federal Capital City who are still staying within the Phase One should be compensated so that implementation of these areas can be possible. The idea that these people can be integrated within the Phase I of the Federal Capital City will produce a negative result since these people are farmers.

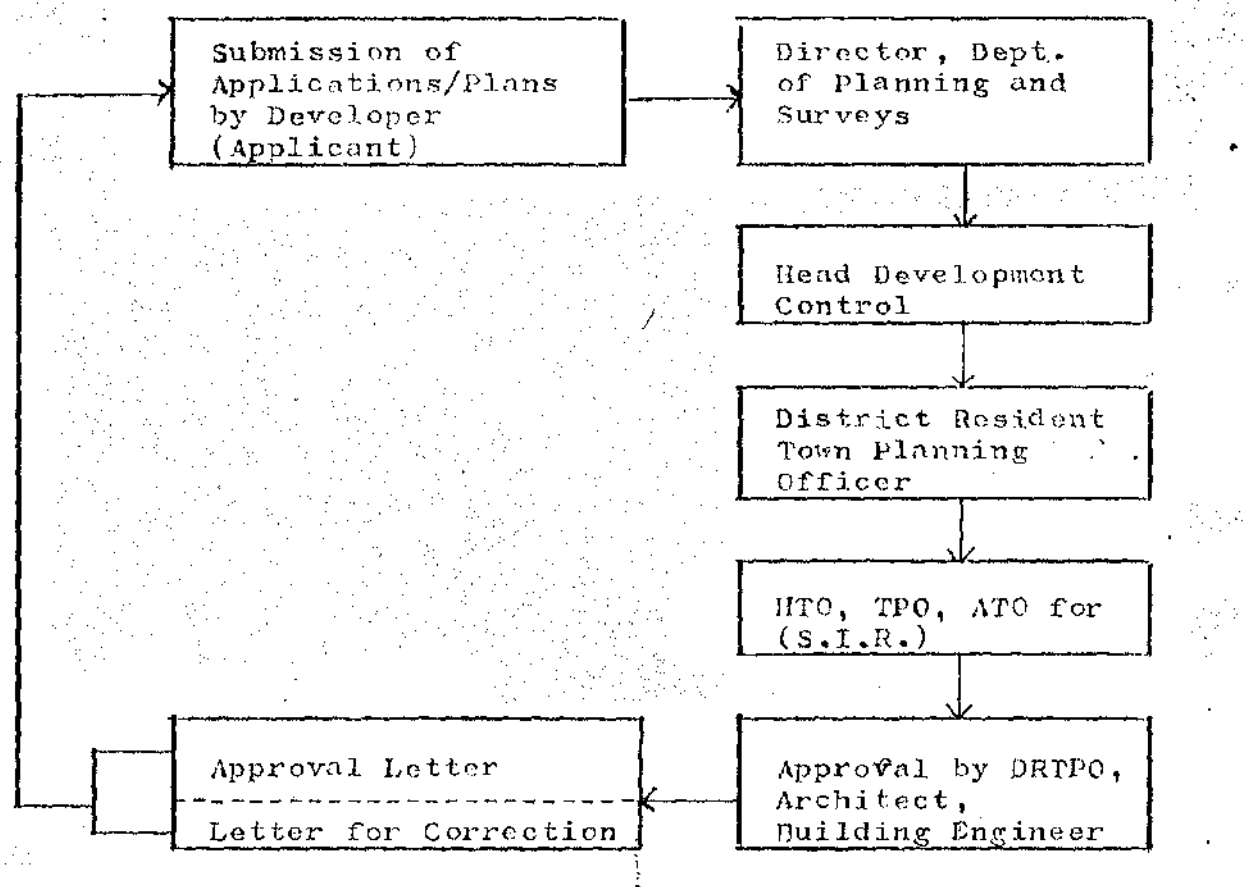



FIG. 35: Proposed Process of building Plans processing and approval for simple buildings/developments.

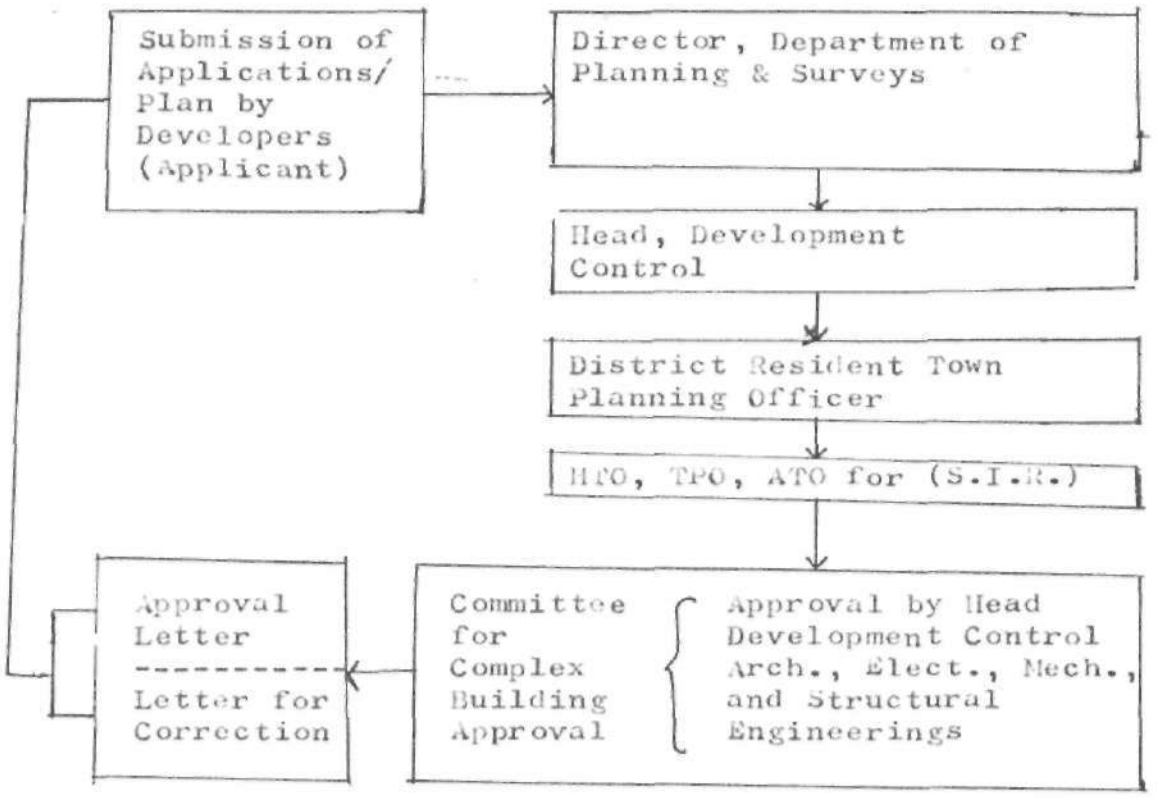



Fig. 36: Proposed Process of complex building plans approved.

6.23 Operational:

Lack of autonomy to Development Control Officers has affected their performance which in turn affected the implementation of the Master Plan for the Federal Capital City, Abuja. If Development Control officials are autonomous, they would not have allowed people to carve out plots from open spaces. Indeed the Development Contron Division should be directly under the Office of the Minister. In this case interference from other departments will be minimised.

6.24 Recommendation for Legal Problems:

Clause IY in "Development Standards and Regulations is inappropriate and it encourages people to overbuild their plots. The idea that the distance between the two buildings sited on the same plot should not be less than the mean of the two buildings is ill founded and should be changed. Instead it should be the same set back applicable to that area. In that case enough gap will be given between two buildings located on the same plot.

The contents of Decree 6 should be followed adequately.

6.30 CONCLUSION

This study has examined the implementation of the Abuja Master Plan and the problems facing Development Control Unit.

The study showed that implementation involved several tools such as political, social, economic, administrative and legal. But the legal tool was singled out and this was treated.

The legal tool which borders on development control has to be effective before implementation is carried out according to the specification in the Master Plan. But the study showed that development control Unit is faced with several problems. These range from lack of co-ordination between agencies operating in the New City or other agencies involved in the development of

the city to problems of administration in Development Control Division itself. Problems of building plans approval which in turn affect private developers performance. However, the study revealed that development control need to be revatlised in order to carry out the coordination of the town as it is suppoed to. This is due to the findings of the study. Indeed development control in the city is lacking both at the macro and micro-level.

At the macro-level, Areas Plans for are not being used for it e.g the Primary School and the Motor Park at Garki. While the Primary School was converted to a mosque, the motor park was sited on the alignment of the road.

At the micro-level, there are encroachment on setbacks, lack of adherance to plot coverage, change of use without planning permission and above all conversion of open spaces to farmlands or plots.

However, a number of proposals were made. If implemented these shall go along way to reduce the problems faced by development control staff. Such recommendations include the decentralisation of Development Control and the administrative set up.

In conclusion a vigilant monitoring of developments by development control officers will ensure a perfect implementation of the Federal Capital City, Abuja.

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