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PLANNING LEGISLATIONS AND URBAN RESIDENTIAL SEGREGATION IN NIGERIA: EVIDENCE FROM METROPOLITAN LAGOS

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ABSTRACT

Planning legislation are the legal backing that supports all planning control activities such as zoning, development control and land acquisition and compensation. However, it is evidenced that most planning laws and regulations do not encourage the growth of socially integrated cities, as formal strategies of exclusionary zoning encourage the growth and sustenance of residential segregation by social class leading to the growth of cities in city. This study examines how planning legislations influence residential segregation in Nigeria with emphasis on Lagos, the fastest growing metropolis in the country. Data used include various planning legislations in Nigeria as they affect segregation of Lagos metropolis into formal and informal neighbourhoods. The manifestation of zoning (density, height and use zoning) in the dichotomy of Government Reserved Areas and native communities was also examined.

Findings showed a completely lopsided pattern in the distribution of services in the gated communities and native areas. While the poor lack requisite wherewithal to build standard and regulations-compliant houses, and concentrated mostly in areas like Mushin, Ketu, Ajegunle, Ebutte- Metta, and Isale Eko, among many others, the Government Reserved Areas such as Ogudu, Lekki, and Ikoyi among others are well serviced with state of the art drainages, roads and other facilities. It is therefore recommended that since the path to urban sustainability lies in greater realism in building and managing more inclusive and socially equitable cities, the policy instruments and tools to tackle the issues of residential segregation and divided cities must be multi-dimensional. There must be a massive provision of serviced land at affordable prices and at appropriate locations; regularization of land tenure / upgrading of informal settlements; and review of existing planning legislations among other policies.

Keywords: *Planning Regulations, Residential Segregation, Sustainability, Equitable Cities, Zoning.*

INTRODUCTION

Planning, in different contexts and conceptualisations, has been referred to as "Urban and Regional Planning (URP)", "Town Planning", "Urban Planning", "Town and Country Planning" or "Physical Planning". Despite these familiar nomenclatures describing what planners do, there appears to be no agreed definition of planning and writers have struggled with whether a definition can be provided. Vickers' (1968) definition, "planning is what planners do" looks like a tautology, but it offers a pragmatic answer to the question. Adams and Watkins (2014) aver that a useful way to understand planning is to start by thinking about its broad purposes, that is, to concentrate first on its ends rather than its means. However, it

would be difficult to distinguish the core value of planning if this approach is adopted. MacDonald (2005: 25) concludes that he "is unsure about what planning actually is". One of the commonest definitions of planning found in the literature is that of Keeble (1969:9), who defines planning as "the art and science of ordering the use of land and the character and siting of buildings and communication routes so as to secure the maximum practicable degree of economy, convenience and beauty". In line with this definition, professional bodies have also made attempts to describe what planning is, or what planners do.

According to the Nigerian Institute of Town Planners (NITP) (1993), Town Planning is concerned with the spatial ordering of land use both in the urban and rural settings for the purpose of creating functionally efficient and aesthetically pleasing physical environment for living, working, circulation and recreation. Planning is a dynamic profession that works to improve the welfare of people and their communities by creating more convenient, equitable, healthful, efficient, and attractive places for present and future generations (American Planning Association (APA), 2015). Physical development plans are developed after a careful analysis of land use compatibility with economic, environmental and social trends, giving consideration for a wide array of issues, such as sustainability, air/water pollution, crime, traffic congestion, land values, legislation and zoning codes/regulations.

The basis of planning is guided by planning legislations. These legislations are the legal backing that supports all planning control activities such as zoning, development control and land acquisition and compensation. What should, however, be noted is that most planning laws and regulations do not encourage the growth of socially integrated cities. For example, formal strategies of exclusionary zoning encourage the growth and sustenance of residential segregation by social class. Residential segregation occurs when two or more groups live separately in different parts of the urban space (Aguilera and Ugalde, 2007). This article examines how planning legislations influence residential segregation in Nigeria with emphasis on Lagos, the fastest growing metropolis in the country. Current research suggests that the path to urban sustainability lies in greater realism in building and managing more inclusive and socially equitable cities (UN-Habitat, 2012; Tshuma and Jari, 2013).

Conceptual Anchor and Related Literature

The concept of equitable city provides the conceptual anchor for this paper. Equity is a normative concept, one which has a long history in religious, cultural and philosophical traditions and is concerned with equality, fairness and social justice (World Bank, 2005; Jones, 2009). Equity comes from the idea of moral equality, the principle that people should be treated as equals. Therefore, equity implies that, ideally everyone should have a fair opportunity to attain their full potential and, more pragmatically, that no one should be disadvantaged from achieving this potential, if it can be avoided (Le Grand, 1982). Equity is, therefore, concerned with creating equal opportunities and bringing differentials down to the lowest level possible. Equal access implies equal entitlement to available services for everyone, a fair distribution throughout the city, region or country based on needs and ease of access in each geographical area, and the removal of other barriers to access. An extreme example of unequal access arises when people are denied access to formal housing and formal city because of their inadequate income, gender, race/ethnicity, religion or other factors. A philosopher, Richard Arneson argue that equality of opportunities underlie the concept of equity (Arneson, 2002). This means that the worst-off people should be

prioritized and be given extra weight in the process of granting access to formal housing in the formal city. This is the basis on which the concepts of inclusive cities and equitable cities are based.

Equity is central to the development of housing and human settlements. While vertical equity focuses on bridging the gap in monetary income across the society, horizontal equity is hinged upon access to resources in the political, social and cultural realms. Discrimination against people based on social class, sex, ethnicity, religion, location, and type of economic activity/employment are consistently cited as determining factors in creating housing and city inequity. This inequity has a negative effect on urban growth, poverty reduction, social cohesion and voice (Jones, 2009). An equitable city is a just, fair city where every citizen has equal access to adequate housing units and neighbourhoods irrespective of their differences.

Equity can be perceived both in terms of its intrinsic as well as its instrumental value. While intrinsically perceived as ensuring the human rights of the most underprivileged, the instrumental view presents equity as an instrument for growth and social cohesion. A fair and equitable distribution of available resources will benefit the whole population of a city, including the most marginalized and deprived population living in the informal city. Equity approach entails addressing the specific deprivations of the most marginalized in societies. Integrating the concept of equity in the distribution of housing resources and housing units in a city helps to create an equitable/socially-integrated city. According to Australian Government (2011), the development of equitable cities will ensure that cities are globally competitive, productive, sustainable, livable, well placed to meet future challenges and growth and socially inclusive. The World Bank's twin goals – ending extreme poverty and promoting shared prosperity – place the topic of inclusion front and center (World Bank, 2005). Also, Sustainable Development Goal 11 calls for “inclusive, safe, resilient and sustainable” cities. Sustainable cities create more convenient, healthful, efficient, attractive and equitable places for present and future generations.

The ultimate goal of sustainable cities is to improve the social, economic as well as environmental quality and the living and working environment of all people, irrespective of social class. Sustainable development of towns and cities combine economic development with social development, and environmental protection with full respect for all human rights and fundamental freedom, including the right to security of tenure and offers a means of achieving a world of greater stability and peace, built on ethical and spiritual vision. Effective urban land control and management particularly in areas with rapid urban sprawl such as Nigeria is crucial to tackling growing land use problems such as slum formation; rising costs of land, accessibility to urban land for housing, incompatible use, flooding, overcrowding and congestion among others for the purpose of achieving sustainable city development and ensure the safety and health of the people (Aribigbola, 2008).

Planning for equitable, inclusive and sustainable cities in Nigeria is necessary because cities serve as 'engines' of growth by providing opportunities for employment, education, knowledge and technology transfer and ready markets for both industrial and agricultural products. People move from rural to urban areas and from agricultural to non-agricultural occupations. Urban population has been growing at an unprecedented rate. In 1950, the population of urban dwellers in Nigeria was less than 15 per cent but this increased to 23.4 per cent and 43.3 per cent in 1975 and 2000 respectively and further to 45.9 per cent in 2004

(The Human Development Report, 2004). It is estimated that half the nation's population of about 167 million (2011 estimate) lived in urban areas (FGN, 2012).

Evolution of Planning Legislations in Nigeria

The traditional settlement development approaches gave way to colonial approaches with the annexation of Lagos as British Colony in 1861. In 1863, the Town Improvement Ordinance was promulgated by the colonial government in Lagos to control development and urban sanitation. The Ordinance which was enforced by the Lagos City Council's Department of Health was meant to control urban development and sanitation in Lagos, the then Federal Capital of Nigeria. Following this is the Cantonment Proclamation of 1904 which emphasized the creation of European Reservation Areas (GRAs)

In 1917, the Town Improvement Ordinance of 1863 was amended to Township Ordinance (Ordinance 29 of 1917) so that its influence could be extended to all other urban centres especially with the 1914 amalgamation of Southern and Northern Protectorates. Thus, it can be said that the first Statute on Town and Country planning in Nigeria was the 1917 Township Ordinance. Planning under this law gave rise to the development of several new towns including Aba, Port-Harcourt, Enugu, Jos, Minna, and Kaduna. The Ordinance was also reputed for classifying cities in the country into First, Second and Third Class Township. These categorized cities were obviously given more attention by the colonial administration than cities that were not in any of the categories. The principles of the Ordinance were applied to limited number of indigenous towns. They were used for the planning of suburban expansions to indigenous towns where it gave rise to the development of the Government Reservation Areas. The all-encompassing Township Ordinance (No.29) of 1917 was mainly concerned with broad principles of municipal responsibility such as public health, sanitation and development control (Adeniyi, 1981). However, the Ordinance did not provide for the re-planning of existing traditional settlements (Olujimi, 2011). The dichotomy between the new towns and traditional towns were clear.

In 1924, Town Planning Committees were established for the Northern and Southern Protectorates to vet planning schemes and initiate new ones where necessary. In 1925, there was an outbreak of bubonic plague in Lagos and as a means to ensuring a planned environment that could continuously provide safe and healthy living conditions and possible checks on future outbreaks of the plague, the Lagos Town Planning Ordinance of 1928 was enacted. The Lagos Executive Development Board (LEDB) was set up under this Ordinance. The Board was expected to undertake comprehensive land use planning and development in the Federal Territory of Lagos including housing, slum clearance (re-development) and resettlement schemes.

The Town and Country Planning Ordinance of 1946 was the foremost comprehensive urban and regional planning law in Nigeria and it was modeled after the United Kingdom (UK) Town and Country Planning Act 1932. The commencement date of the Ordinance was March 28, 1946. The Ordinance empowered local planning authorities to initiate urban plans, coordinate and facilitate the construction of public utility services, transport, communications, and other public services as well as conserve and develop the resources of the area concerned (Adeniyi, 1981). Not all sections of the country were covered in the Town and Country Planning Ordinance of 1946. For example, none of the 17 Town Planning

Authorities (TPAs) established in the then Western Region between 1947 and 1954 was in the Ondo Province (Modupe and Olujimi, 1989). In this province, all activities related to physical planning, such as approval of building plans, were carried out by the village-heads or chiefs in collaboration with sanitary inspectors attached to the local government councils. This aided haphazard development in the traditional towns and the development of non-integrated and non-equitable cities in all parts of the country.

While the 1946 Town and Country Planning Ordinance had very comprehensive provisions, it was still supported by other legislations and subsidiary legislations to make its provisions more comprehensive. Such supportive legislations are the: building line regulation of 1948 which provided for the positioning of building and other obstructions with reference to roads; Public Health Laws of 1957 which was enacted to control overcrowding, diseases and general urban squalor; Building Adoptive Laws of Western Nigeria, 1960; and Local Government Reform Laws of 1976 which empowered councils to establish Town Planning Authorities to carry out town planning functions within their areas of jurisdiction.

The 1946 Town and Country Planning Ordinance was retained at Independence in 1960 and operated in the existing three regions of the country. In the Northern region, there was the Northern Nigeria Town and Country Planning Law Cap 130 of 1963; Eastern Nigerian Town and Country Planning Laws Cap 126 in the Eastern region; and Western Nigerian Town and Country Laws Cap 123 of 1959 in the Western region. With the creation of twelve states in 1967, each state of the federation, except Lagos derived its Town and Country Planning Laws from those existing in the three original regions from which all existing states were carved out. Lagos state derived its own Town and Country Planning Law from the Lagos Town Planning Ordinance, 1928 Cap 96 of the 1958 edition of the Laws of Federation and Lagos. The Northern Nigeria Town and Country Planning Law Cap 130 of 1963 was made applicable to all Northern States, including Federal Capital Territory (FCT), Abuja. While some writers assert that the Town and Country Planning Ordinance of 1946 constitutes a drawback to rational urban development since it restricts the activities of a planning authority simply to estate development and building control, Mabogunje (1981) asserts that the Ordinance limits planning to providing a physically attractive layout with architecturally well-designed houses, but does not give planning authorities sufficient powers to implement major plans. Generally, it is considered to be an ineffective tool for controlling national urban development (Taylor, 2000).

The Nigerian Town and Country Planning Ordinance introduced by the colonial regime in 1946 remained virtually unchanged until 1992, not because it was working satisfactorily but because it was largely ignored and by-passed by rapid growth and spontaneous development (Nwaka, n.d). After almost five decades of implementation of the 1946 law, it became repealed by the promulgation of the Urban and Regional Planning Decree No. 88 of 1992 and with amendment Decree No. 18 of 1999. Thus, the first indigenous planning legislation is the Urban and Regional Planning Law of 1992. Although a revised Nigerian Urban and Regional Planning Law was introduced in 1999 to address some of the anomalies of the 1992 law, the administrative and technical institutions needed to implement the provisions of the new legislation are yet to be put in place (Egunjobi, 2002). Thus, existing planning legislations are partially implemented or not even implemented in some places. Changes in administrations at all levels also negatively impacts planning institutional framework

resulting from frequent replacements of key players in physical development. In addition to the Urban and Regional Planning Law of 1992, each of the administrative states in Nigeria has other enabling laws that provide legal framework for physical planning development and administration.

For example, in Lagos State, such laws include:

- * Guidelines for Approval of Layout Plans published under LSLN No. 6 of 1983 as amended;
- * Town and Country Planning (Governing conditions for Development of Estates by Private Developers) Regulations, 2005;
- * Lagos State Building and Civil Engineering (Construction) Materials Quality Control Laboratory Law, 2006 (Sections 2,3,4,9,12,13,&17);
- * Lagos State Emergency Management Agency Law 2008, a law for promotion of activities of relevant agencies in prevention and management of disasters in the State with particular reference to cases of building collapse, distressed buildings/structures and relevant use of technology in the removal of such affected structures (Sections 5 (1) (2) (3) (4)).
- * Lagos State Model City Development Authority Law, No. 15 of 2009 (Sections 1 – 30);
- * Lagos State Physical Planning, Urban Development, Urban Regeneration and building control law 2010 (Sections 47 (a) (f) & (i));
- * Physical Planning, Urban Development, Urban Regeneration and Building Control Law 2010 (Sections 1-103); Lagos State Public Private Partnership Law 2011 (Sections 9 (5) (6) & (7)); and
- * Lagos State Special People's Law 2011 (Sections 20 (1) (2); 24 (1) (2) (6a & b)); and Lagos State Safety Commission Law 2011, etc. (Section 9).

In its bid to transform the state and make it one of the world's megacities, Lagos State appears to have a penchant to initiate policies and enact laws regarded as capitalist and elitist in nature (Akintayo, 2014).

Planning Legislations and Residential Segregation:

Evidence from Metropolitan Lagos, Residential pattern that existed in pre-colonial Nigerian cities was altered by the Cantonment Proclamation of 1904 which emphasized the creation of European Reservation Areas (GRAs) which after independence was re-named Government Reservation Areas. Also, the Township Ordinance of 1917 among other provisions emphasised the guidelines for the physical layout of urban areas, particularly the Government Reservation Areas (GRAs), which were specifically meant to harbour the colonial masters and very few well-placed Nigerian civil servants. This led to residential segregation by race and social class. Residential segregation was defined by Kemper (1998) as the spatial separation of population sub-groups within a given geographical area such as a large city. The policy of segregation was the most resented features of the colonial rule and the Africans disapproved the heavy investment of their tax money in providing reservations and bungalows for the Europeans, the removal of well-to-do Africans from their large homes, and the absolute neglect of the local towns (Muhammed et al, 2015). Under the Lagos Town Planning Ordinance of 1928, slum clearance, land reclamation and the development of residential and industrial estates were embarked upon. The government

of the defunct Lagos Colony brought into existence by law the Lagos Executive Development Board (LEDB) which was charged with the responsibility of planning and development of the capital city of Lagos and produced the residential layout of Ebute Metta. But, this housing scheme had only civil servants as its beneficiaries. It was only possible to sell the units of houses in that estate to civil servants through payroll deduction system. During the early colonial period, housing activities and policies of Government focused mainly on the provision of quarters for the expatriate staff and for selected indigenous staff in specialized occupations like Railways, Police, Armed Forces, and Marines, etc. No effort was made by Government to build houses either for sale or rent to the general public and nothing was done to encourage the growth of settlements outside the Government Reserved Areas (GRAs). In preparation for independence, the slum clearance of Central Lagos resulted in the building of additional houses in Surulere adjoining the Workers' Estate. It was the first real attempt at housing production and urban renewal. Planning and housing were used as instruments of segregation and social policy - to ensure that the small community of Europeans and top civil servants were protected in segregated high quality residential reservations (Nwaka, 2005).

Planning legislations which give legal backing to zoning regulations and zoning bylaws are the most practical means to implement physical development plan. For example, the Lagos State of Nigeria's Urban and Regional Planning and Development Law of 2010 makes provisions for the review and preparation of development plans, granting of planning permits and residential building regulations. The permissible developments are highlighted in the existing physical development plan for an urban area or part thereof. Any development or development application at variance with this is disallowed. Zoning is defined as the regulation by law of the use of land and (or) buildings and of the height and density of buildings in specific areas for the purpose of securing convenience, health, safety and general welfare of the community (Rangwala, 2011).

Zoning is related to the following three important aspects: density zoning; height zoning; and use zoning.

(a) **Density Zoning:** The following regulations were approved for each of the residential densities in Lagos.

Zone 'A': Low Density Residential Area – Maximum number of dwelling units (flats) permissible is 30 per hectare (i.e. 12 units per acre).

Zone 'B': Medium Density Residential Area – The maximum number of dwelling units (flats) permissible is 30 per hectare (i.e. 12 units per acre).

Zone 'C': High Density Residential Area – The maximum number of dwelling units (flats) permissible is 60 per hectare (i.e. 24 units per acre) and 850 dwelling rooms per hectare (340 rooms per acre), for apartment type of development.

(b) **Height Zoning:** The height limits in some districts are contained in Table 1. The power to restrict the intensity of use of land is not restricted to the height of buildings alone but also to the use to which land is put.

Table 1: Number of Floors Permitted

S/No.	District	Average Plot Size (Metres)	Existing No. of Floors	New No. of Floors
1.	Ikotun (Association Avenue)	30 X 15	5	10
2.	Ketu	30 X 15	3	6
3.	Agege	36 X 18	3	8
4.	Ijaiye	36 X 18	3	8
5.	Iju	36 X 18	3	8
6.	Ogba	36 X 18	3	8

Sources: Lagos State Government, 1983; Ministry of Physical Planning and Urban Development, 2016.

(c) **Use Zoning:** Most of the planning legislations and by-laws for housing development appear to be reminders of colonial segregation and oppression, and have very little current relevance to contemporary situation in the country. For example, residential buildings are now widely used for home based activities in complete disregard to the official zoning regulations to separate areas of presumed incompatible uses.

Zoning and other government land use controls such as green belt offer certain public amenities but they also creates an adverse impact on land supply and prices. Competition among residential land users sets prices and determines the pattern of housing production. Land prices are highest in places designated by planners as low and medium residential density areas. In these prime locations, the elites have developed gated communities with adequate housing units for the high and upper-middle income groups. This division of housing into three groups led to a distinction in the quality of houses (Edewor, 2011) with the high density areas being the most deplorable in terms of urban safety, security and neighbourhood conditions (Asiyanbola, 2003).

The distinction between zoning and reservation should be clearly understood. Zoning is applied to certain types of general uses while reservation is confined to the uses of specific nature such as reservation for gardens, schools, markets, police stations, fire-brigade stations, parks, playgrounds, etc. As a result of the immense pressure for housing in the state, especially the poor's housing, the Lagos urban poor are transforming the state to meet their housing needs according to their income levels, and this most times is in violation of official laws and plans (Olugbenga and Adekemi, 2013).

Many people, especially the low-income earners have resorted to buying land allocated to other uses or reserved as conservation zones or even marshlands in the Master Plan of Lagos from the traditional land owners and build houses without official approval from the relevant land agencies and planning authorities. Housing production has taken place in areas designated as water catchment, conservation and marshland. In this regard, major areas affected are Ishashi, Iba, Egbe, Badore, Thomas, Ajegunle, Majidun, Ajah and Langbasa. They also developed land that was not in locations approved for residential development. This is the case in Isepe, Mushin, and Obele, which were formerly designated as forest reserves, as well as Sangotedo and Awoyaya, which are reserved for agricultural purposes. Even though, these neighbourhoods are often neglected and deprived of basic amenities.

they contribute significantly to reducing the housing deficit. This shows the preponderance of informal settlements and its contribution to housing the poor (Keles and Yilmaz, 2007).

While it is true that the way we build is shaped by geography, cultural values and by the availability of raw material, development control systems enforced by urban planners in Nigeria 'favours sophisticated western-type house designs, materials and layouts rather than being rooted in the nature of local demands and available resources' (Ikejiofor, 1998:302). Housing in the urban poor areas of Lagos is majorly the Brazilian 'face me I face you' type of rooms in houses where occupants share kitchens, toilets and other conveniences (Lawanson, 2010). Low-income housing, most especially, the Brazilian 'face me I face you' type is carried out informally or "illegally" by absentee landlords, owner-occupiers or squatters (by stage construction) in marginal places such as slums and squatter settlements. Over 90% of the housing supply in Lagos is from this sector with the resultant effects of lack of standardization and distorted urban planning system (Akintayo, 2014).

Lagos exhibits a glaring discrepancy in its human settlement with both the poor and the rich housed in juxtaposed neighbourhoods. Be it government owned or organized private sector's housing estates, virtually all the gated communities in the city share boundaries with slums and squatter settlements. Typical examples are Isheri North Residential Scheme and Isheri native; Ogudu GRA and Ogudu native; Gbagada Estate and Gbagada native; and Abijo GRA and Abijo native. Thus, in addition to the exponential growth of slums from 42 in 1985 to over 100 in January 2010, Lagos appears to have been stratified between the rich and poor through usage (Akintayo, 2014). The debate over the rationale of housing the poor and the rich in the same neighbourhood is, therefore, inevitable. This is particularly so because the pace and volume with which the informal settlements are mushrooming and more significantly, encroaching into the formal settlements, is alarming and calls for further research.

Social polarization dynamics reveal the existence of a widening gap between the rich and the poor within a social entity. The appearance of such social polarization has been encouraged by the operations of the land markets and the existing planning legislations and zoning regulations. The low-income group in distinct residential zones and the high-income group in specific locations have created two new ends of the spatial divide. The low-income group comprises largely of unskilled people who are mainly engaged in informal economic activities. Similarly, the high-income group consists of the elitist business people, politicians and professionals who by virtue of their positions in either the government or private sector have managed to develop or purchase residential units in highly secluded localities. Residential segregation by income groups has resulted in systematic and uneven spatial distribution of public services including schools, transportation, health care, and water and sanitation. Socio-economic segregation has led to the exclusion of the disadvantaged from access to public goods.

Therefore, planning legislations and zoning policies assist in the process of restricting cohabitation to only related individuals and the exclusion of multiple dwellings or apartment houses in the gated communities of the rich. While planning laws and zoning regulations constrained the poor to build houses and live in the informal city with its communities of despair, it affords the rich the opportunity to segregate from the poor by constructing their houses in the 'gated communities' which constitute the formal city otherwise known as the 'city of the real men' (Toepfer, 1999). The tale of two cities within a city, Toepfer (1999) argues, is one of the greatest failures of the urban revolution as it alienates and marginalizes one part of the urban population from the other.

Residential Segregation and the Tale of Two Cities within a City

There are contrasts between poor people living in informal/illegal settlements and exclusive gated communities for the rich. The informal city of the poor is characterized by housing of poor quality and with inadequate provision of water, sanitation and drainage that put the lives and health of residents under continuous dangers; while the gated communities of the ruling elites in the formal city enjoys the advantages of city life usually at the expense of the informal city. While the occupancy rate in high income/low density areas like Victoria Island, Ikoyi, Lekki and Eti-Osa averages 1,4 per room, and 3,6 in the middle income/medium density areas of Surulere and Apapa, the occupancy rate in the low income/high density areas of Mushin, Ketu Ajegunle and Ebutte- Metta, among others, averages 8,0 per room (Oduwaiye, 2006; Lawanson, 2014; Akintayo, 2014).

The dichotomy between the rich and the poor has solidified into a permanent divide creating a new apartheid (Ibrahim, 1997). The implementation of the new apartheid (which emphasizes class discrimination) by the physical planners operates within residential space in towns and cities. In such urban agglomerations, there is a physical duality and exclusion: 'on one side, concentrations of wealth in voluntary self-secluded areas, and on the other, concentration of misery characterised by absence or poor maintenance of basic public utilities and infrastructure (water and sewages, waste disposal, roads, public transport, electricity...), poor living conditions and largely unplanned land use pattern' (Corubolo, 1998:7). A person with no access to adequate housing is likely to be homeless and wandering, exposed to the vagaries of weather and having his or her rights to dignity, privacy, family life, health, among others, violated (Akintayo, 2014).

In general, housing estates for the rich in the formal city are serviced with basic infrastructure to varying levels, depending on the income groups that they are undertaken for. Infrastructural facilities as well as the utility services provided include tarred road network, estate security services (24 hours), central sewage system, electricity and portable water supply. The provision of residential infrastructure encourages formal housing development and it also enhance the value of such houses thereby making them attractive to house developers. Physical planning activities ensure orderly development of such neighbourhoods. The informal city of the poor is reputed to be the dirtiest, most unsanitary, least aesthetically pleasing and dangerously unsafe for living (Agbola 2002). It is characterized by non-functioning infrastructural facilities and intensively dotted with illegal structures. Most of the houses in the informal city are substandard and in violation of planning laws and building regulations. This, according to Akintayo (2014) is because the poor lack requisite wherewithal to build standard and housing regulations-compliant houses. Areas most affected are Mushin, Ketu, Ajegunle, Ebutte- Metta, Isale Eko, Makoko, Oshodi, Ojo, Orile, Olusosun, Shitta, Ipodo-Ikeja, Idi- Araba, Yaba and Onipanu, among many others. Moreover, due to the effects of global climate change, informal city is increasingly becoming unsafe by being more prone to disasters and risks such as flooding, rising temperatures, air pollution, and erosion (FRN, 2012).

The informal city of the poor is not only a manifestation of mismanaged urban planning but it is also a sign that the slum is a crucial element of contemporary urbanization in Nigeria. Most urban dwellers in Nigeria (Lagos included) today, according to studies (Egunjobi, 1988; Agbola, 2005), live in shanty-towns that are characterized by extremely deprived conditions

and indecent/dilapidated houses. Kintrea and Atkinson (2001) argue that there is widespread acknowledgement among urban policy specialists that deprived neighbourhoods (i.e. slums and squatter settlements) are not only one of the victims of a divided and polarized society but also that living in these neighbourhoods is itself a further source of social exclusion because they isolate residents and promote a sense of homelessness which is damaging to people. Some of the so-called illegal structures and shanty towns in Lagos have been raided and ruthlessly demolished in the past. In 1992, for instance, there was a forced eviction of over 300,000 inhabitants of Maroko in Lagos Island by the Lagos State Government. In July 2012, Makoko, a waterfront settlement which has been home to at least 85,000 people for more than a century, was demolished by officials of the Lagos State Ministry of Environment in conjunction with the Nigerian Police Force without due process, compensation or provision of alternative housing on the ground that the settlement is unauthorised and constitutes a blight on the mega-city the government of Lagos State is planning to create (Ezeobi, 2012). According to Morka (2007), such evictions have been inappropriate and ineffective and have instead helped to fuel the growth of new slums or the expansion of existing ones with more complex dimensions.

Residential segregation inhibits the access of the poor to affordable housing and tenure security (Nwaka, 1999). Thus; it is possible to contest the argument that planning legislations are neutral, objective and capable of eliminating sharp differences in residential space. It contradicts the observation made by Robson (1969) in his study of Sunderland that when equipped with such tools as housing construction, planning has proved to be a very effective vehicle in eliminating sharp differences on the urban residential space' (Korcelli, 1982:95). It, however, supports the assertion of Marcuse (1977) that city planning historically has clear system maintaining functions.

Conclusion and Recommendations

From the foregoing discussion, it is glaring that planning legislations have influenced urban form through residential segregation by social class. Instead of promoting socially integrated city or/ and inclusive city, planning legislations have facilitated the development and sustenance of two cities (formal and informal) within a city. This divided or non-socially integrated city as observed by Mabogunje (1999) is marked by the exclusion, marginalization, social and spatial segregation of a substantial proportion of the population. In cities as divided as this, sustainable development is impossible (Maseland, 2000).

The policy instruments and tools to tackle the issues of residential segregation and divided cities must be multi-dimensional. These include massive provision of serviced land at affordable prices and at appropriate locations; regularization of land tenure / upgrading of informal settlements; and review of existing planning legislations. Inadequate funding, weak monitoring and evaluation mechanism as well as lack of transparency, accountability and inclusive participation have also affect effective implementation of relevant planning legislations. These are critical issues that need urgent attention. Due to existing planning legislations and zoning regulations, building of inclusive cities remains a challenge in Nigeria. According to UN-Habitat (2007), in 2007, more than 41 million Nigerians were living in slums with inadequate services and this is expected to rise to about 77 million in 2020. According to World Bank (2005), to make sure that tomorrow's cities provide opportunities and better living conditions for all, it is essential to understand that the concept

of inclusive cities involves a complex web of multiple spatial, social and economic factors. Spatial inclusion requires the provision of affordable necessities such as housing, water and sanitation. While social inclusion guarantees equal rights and participation of all, including the most marginalized, economic inclusion involves creation of jobs and giving urban residents the opportunity to enjoy the benefits of economic growth.

Planning legislations and zoning regulations do not favour the development of houses of mixed uses which the urban poor in the informal city prefer. Hence, we cannot, and certainly should not, rely on the duo to successfully alleviate urban poverty in Nigeria. This is because the existing western-oriented approach to planning which is dominated by the zoning subdivision regulations forbids mixed land uses and the utilization of part of residential building for income generating activities. A characteristic feature of towns and cities in Nigeria is spontaneous income generating activities located within housing units.

However, urban planners place more emphasis on physical enhancement of city-space to the neglect of economic improvement of the inhabitants, most especially the urban poor. This has contributed to worsening conditions of the low-income groups in the informal city. Thus, planning legislations are of limited values in Nigeria cities where unemployment, low-income and poverty are rife. Planners in Nigeria need to revisit the people's indigenous knowledge systems and appreciate the need for integrating income generating activities within the home environment. This is because housing is an important productive asset for home-based enterprises, especially for the low-income groups. Incorporating income-generating activities within the home environment is imperative based on three grounds. First, it is amenable to traditional practice which does not separate workplace from living place. Secondly, provision cannot realistically be made for everyone to secure employment in the formal sector of the economy.

Thirdly, it increases opportunity for women to contribute to domestic chores with income-generating activities. Against this backdrop, there is the need for physical planning legislations that accommodates income-based economic activities within residential neighbourhoods without necessarily compromising those requirements for environmental quality of these settlements.

The government, Local Planning Authorities (LPAs), neighbourhood associations, physical planners and developers have to confront the issue of informal city which is characterized by urban sprawl when dealing with the issue of residential segregation. Sprawl creates a vicious circle - it boosts traffic, increases distances people drive and reduces the attraction of walking and bicycle transport (UNCHS, 2012). Cities with sprawl development end up consuming more energy than cities that have allowed denser growth around city centres. Some of the key environmental and social challenges associated with urban development in Nigeria are unproportionally high energy consumption, a high level of greenhouse gas emissions, a vast ecological footprint, high resource consumption (water, food) and large infrastructure costs aggravated by urban sprawl, the growth of slums and the lack of livelihood opportunities. Therefore, planners should work towards the development of smart urban development in Nigeria.

REFERENCES

- Adams, D. and Watkins, C. (2014). The Value of Planning. RTPI Research Report No. 5. Retrieved from www.rtpi.org.uk/media/1024627/.
- Adeniyi, O.P. (1987). An Appraisal of the Land Use Decree with Particular Reference to Basic Data Requirement on Land Availability for Various Developments. *The Estate Surveyor and Valuers* 2.2: 68 - 79.
- Agbola, S.B. (2005). The Housing Debacle. *Inaugural Lecture* Delivered at the University of Ibadan, Thursday, August 4, 2005.
- Agbola, T. (2002). Urban Violence, Urban Insecurity and Challenges of Good Urban Governance: The Evolving Disturbing Scenario from Abuja, Nigeria. Proceedings of the 33rd Annual Conference of the NITP, held at Ilorin, between 30th October and 1st November 2002.
- Aguilera, A. and Ugalde, E. (2007). A Spatially Extended Model for Residential Segregation. Retrieved from: www.hindawi.com/journals/ddns/2007/048589/abs/.
- Akintayo, A. E (2014). Planning Law Versus the Right of the Poor to Adequate Housing: A Progressive Assessment of the Lagos State of Nigeria's Urban and Regional Planning and Development Law of 2010. *African Human Rights Law Journal*, 14: 553-579.
- American Planning Association. (2015). *American Planning Association*. Retrieved from <https://www.planning.org/aboutplanning/whatisplanning.htm> (Accessed 15 March, 2016).
- Aribigbola, A (2008). Improving Urban Land Use Planning and Management in Nigeria: The Case of Akure. *Theoretical and Empirical Researches in Urban Management (TERUM)*, 3(9): 1-14.
- Ameson, R. (2002). *The Level Playing Field Conception*. Stanford University.
- Asiyanbola, A. R. (2003). Gender, Residential Segregation, Psychological Well-being and Involvement in Sustainable Urban Safety and Security Management in Ibadan City, Nigeria: A Preliminary Survey. Retrieved from <http://library.witpress.com/pagesPaperInfo.asp?PaperId=>
- Australian Government (2011). *Our Cities, Our Future: A National Urban Policy for a Productive, Sustainable and Liveable Future*. Canberra: Department of Infrastructure and Transport.
- Chen, M. A. (2007). Rethinking the Informal Economy: Linkages with the Formal Economy and the Formal Regulatory Environment. DESA Working Paper No. 46. New York: United Nations Department of Economic and Social Affairs.
- Denyer, S (1978). *Arica Traditional Architecture*. London: Heinemann.
- Edewor, P. A. (2011). Residential Segregation in Nigerian Cities in Sandhu, R. S. and J. Sandhu (Eds) *Globalizing Cities. Inequality and Segregation in Developing Countries* (pp 29-42) http://eprints.covenantuniversity.edu.ng5951Residential_Segregation_in_Nigerian_Cities.pdf
- Egunjobi, L. (1988). Urban Growth and Housing Policy Dilemma in Nigeria. Proceedings of the Conference on African Population. Volume 2. 7th - 12th November, 1988. Dakar. 51-59.
- Egunjobi, L., (2002). Planning The Nigerian Cities for Better Quality of Life. In: Onakomaiya, S.O. and O.O. Oyesiku (eds), *Environment, Physical Planning and Development in Nigeria*, College Press, Ibadan pp. 89-107.
- Enisan, O. and A. Ogundiran (2013). Challenges of Housing Delivery in Metropolitan Lagos. *Research on Humanities and Social Sciences*, 3(20): 1-8.
- Ezeobi, C. (2012). Makoko Residents to Protest Loss of King, Homeland. Retrieved from: <http://www.thisdaylive.com/articles/makoko-residents-to-protest-loss-of-king-homeland/>
- FRN (2012). Land Reform in Nigeria: Basic Facts (Second Edition). The Presidency, Office of the

- Ibrahim, Acting Prime Minister of Malaysia at the South Majors Conference in Developing Solutions for the Cities in the 21st Century. Kuala Lumpur, Malaysia. 3rd July 1997.
- Ikejiolor, U. (1998). Access to Land, Development Control and Low-Income Housing in Abuja, Nigeria: Policy, Politics and Bureaucracy. *Planning Practices and Research*, 13(3): 229-309.
- Jones, H. (2009). Equity in Development: Why it is important and How to Achieve it? Working Paper 311, Overseas Development Institute, London.
- Keeble, L. (1969). *Principles and Practice of Town and Country Planning*. London: The Estates Gazette Limited.
- Keleş, R. and Yilmaz, M. (2007). Lessons Learned From Slum Upgrading and Prevention Efforts in Turkey. Ankara, Turkey.
- Kintrea, K. and Atkinson, R. (2001). *Neighbourhoods and Social Exclusion: The Research and Policy Implications of Neighbourhood Effects*. Urban Change and Policy Research Group Discussion Paper No.3.
- Korcelli, P. (1982). Theory of Intra-urban Structure: Review and Synthesis: A Cross-cultural Perspective. In: Bourne, L.S. (Ed), *Internal Structure of the City: Readings on Urban Form, Growth, and Policy*. 2nd ed. Oxford University Press, Oxford, pp. 93-110.
- Lawanson, T. (2010). Poverty and Environmental Conditions in the Lagos Megacity: Consequences for Environmental Health. *Journal of Environmental Science*, 99 101.
- Le Grand, J. (1982). *The Strategy of Equality: Redistribution and the Social Services*. London: George Allen and Unwin.
- Mabogunje, A. (2002). Re-constructing the Nigerian City: The New Policy on Urban Development and Housing, Paper presented at a National Conference on the City in Nigeria, Ile Ife, 2002.
- Mabogunje, A.L. (1999). Cities for All: The Challenges for Nigeria. Paper presented at a Public Lecture Organized by the Federal Ministry of Works and Housing, Urban and Regional Development Division to mark the United Nations "World Habitat Day", Abuja. 4th October.
- Marcuse, P. (1977). 'Some Political Implications of Planning: Professionalism, Ethics and Planning Theory'. In: Noyelle, T (ed.), *Papers in Planning #2*, Department of City and Regional Planning, University of Pennsylvania, pp 23-35.
- McDonald, K. (2005). What is Planning? *Planning Resource*. Retrieved from: <http://www.planningresource.co.uk/article/475120/planning>.
- Minke, G and Mukerji, K. (1996). "Energy building saving material: Design, principles and construction techniques for tropical climate" *Journal of build with earth*, vol 1, No1,
- Modupe, O. and Olujimi, J. A. B. (1989). Evolution of Physical Planning at the Local Government Level in Ondo State, Nigeria. A Paper presented at the 20th Annual Conference of the Nigerian Institute of Town Planner held at Enugu. October 25-27, 1989.
- Muhammad, M.S., R. Kasim and D. Martin (2015). A Review of Residential Segregation and Its Consequences in Nigeria *Mediterranean Journal of Social Sciences MCSER Publishing, Rome-Italy, Vol 6 No 2 S1 March 2015*, 376-384.
- Nigerian Institute of Town Planners (1993). *An Information Handbook*. Maiden Edition, September. Lagos: Concept Publications Ltd.
- Nwaka, G. (2005). *Using Indigenous Knowledge to Strengthen Local Governance and to Counter Urban Inequality in Nigeria*. Retrieved from: http://www.realcorp.at/archive/CORP2005_NWAKA.pdf
- Nwaka, G. I. (1999). *The urban poor, the informal city and environmental health policy in Nigeria*. Retrieved on 19/12/2012 from
- Nwaka, G. I. (n.d). *The Urban Poor, the Informal City and Environmental Health Policy in Nigeria*. Mimeo.

- Oduwaye, L. (2009). Challenges of Sustainable Physical Planning and Development in Metropolitan Lagos. *Journal of Sustainable Development*, 2(1): 159-171.
- Olujimi, J. A. B (2011). From Rural to Urban: The Nigerian Physical Planning Dilemma -Being Text of the Inaugural Lecture delivered at the Federal University of Technology, Akure. 22nd, October.
- Rangwala S.C, (2011). Town Planning: A Textbook for Engineering Students, Twenty-Fourth Edition. Gujarat: Charotar Publishing House, PVT. Ltd.
- Robson, B. T. (1969). *Urban Analysis*. Cambridge: Cambridge University Press.
- Taylor, R. (2000). Urban Development Policies in Nigeria: Planning, Housing, and Land Policy December 1988 (pdf version September 2000)
- Toefer, K. (1999). The Urban Revolution. Under Secretary General and Acting Executive Director, United Nations Centre for Human Settlements (Habitat).
- Tshuma, M. C. and B. Jari, B. (2013). The Informal Sector as a Source of Household Income: The Case of Alice Town in the Eastern Cape Province of South Africa. *Journal of African Studies and Development*, 5(8): 250-260.
- United Nations Development Programme, *The Human Development Report 2004*. www.hdr.undp.org/reports/global/2004.
- United Nations Human Settlements Programme (UN HABITAT) (2012). Sustainable Urban Energy: A Sourcebook for Asia
- World Bank (2005). *World Development Report 2006: Equity and Development*. Washington, DC: World Bank.
- World Bank (2015). Inclusive Cities. Everyone Counts: Making the City of Tomorrow more Inclusive Retrieved from: <http://www.worldbank.org/en/topic/urbandevelopment/brief/inclusive-cities>