

THE PROBLEMS AND CHALLENGES OF ENVIRONMENTAL CONTROL POLICIES

(A CASE STUDY OF FCT, ABUJA)

BY

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DECLARATION

I hereby declare that this research project has been conducted solely by me under the guidance of Dr. M.T. Usman of the Department of Geography, Federal University of Technology, Minna.

I have neither copied someone's work nor has someone else done it for me. Writers whose works have been referred to in the project have been acknowledged.

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CERTIFICATION

This is to certify that this project is the original work carried out by Theophilus Obafemi, PGD/GEO/2003/2004/306. It satisfies the requirements for the award of PGD in Environmental Management of the Department of Geography, Federal University of Technology, Minna.



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DEDICATION

This work is specially dedicated to my late Dad who left suddenly when I needed him most. I know that death cannot kill what doesn't die. He's gone and he's safe in the arms of Jesus.

ACKNOWLEDGEMENT

My gratitude goes first to the Creator, the Almighty, for seeing me through this hurdle, having provided, protected and guided me through this programme.

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ABSTRACT

The increased effort to make Abuja a 'dream comes true' in recent years has brought about a strict policy measure that could be felt in every part of the city.

There have been a great incidences of demolition exercise that keep many wondering if the FCDA is doing the right thing or not. This work has tried to identify the control policies that govern the use of the environment and construction in Abuja.

It also suggests an improved way of realizing the objectives of the FCT Master plan and how it could be easily realized.

Personal interview was conducted with FCDA officials in finding out major reasons behind the present spate of demolition exercise. Also, public opinions were sought through the use of Questionnaire to get the views of the public as regards the policies.

There is therefore the need for flexibility in the Master Plan; also, there is the need for the development of more satellite towns to cater for the proliferation of the squatter towns, which are mostly affected by the demolition.

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CHAPTER ONE

1.1 INTRODUCTION

Changing a nations capital to a new place is an issue that is considered as part of an evolutionary life of a nation countries the Brazil, Australia and Cot D'iVoire have for instance, thought necessary to have their capitals shifted to Brasilia Canberra and Yamoussoukro respectively in order to address the apparent inadequacies of the traditional capital cities of the respected countries. In Nigeria, many had for long observed that Lagos as a Federal Capital suffered several setbacks which made its continued existences as Nigeria capital untenable.

Reasons for these include: Inadequate kind for expansion, urban crises, lack of proper cosmopolitan orientation, lack of locational centrality and urban congestion. It was however, only in 1975 that the Federal Government thought it timely enough to locate a process towards finding a lasting solution to these problems-precisely, on 9th August, 1975, the then Head of State, General Murtala Muhammed set up a panel to examine the issues of a new Federal Capital for Nigeria.

On the 3rd February 1976, General Murtala Mohammed made a historic national broadcast on the issue and on 5th February 1976. The Federal Government established the Federal Capital Development Authority (FCDA) Promulgated Decree No. 6 of 1976. the Decree charged FCDA with the responsibility for planning designing also went head to rest the ownership, control and governance of the territory in the hands of the Federal Governments.

1.2 PROBLEM STATEMENT.

Abuja, therefore being the nation's capital and also supposedly the nation's modern city has been marred by various problems as regards the development of the environment. Some of these problems are associated with the implementation of its plan, i.e an outright deviation from its original master plan, the illegal allocation of land by the past administrations and the construction in the ecological zones of the green belt. These have led to the controversial demolition of some buildings especially during the early 21st century years.

1.3 AIM AND OBJECTIVES OF THE STUDY

The aim of the study is to investigate into the Environmental Control Policies guiding the use of the environment in the Federal Capital Territory and its associated problems and also to see if there is the need to review the policies to better achieve its set goal. To achieve this general aim, The objectives of the study include:

1. To identify various environmental control policies in use in the FCT.
2. To assess the level of efficiency and implementation of the policies.
3. To identify the various problems militating its efficiency and implementation in curbing the rising environmental problems.
4. To suggest and recommend ways and policy instrument that will be more efficient in implementation.

1.4 JUSTIFICATION

As earlier stated, there are lots of controversies trailing the present spate of demolition exercise recently embarked upon by the FCDA. Although the minister, Mallam Nasir El-Rufai was in his effort to restore and to actualize the Abuja Master Plan so as to, according to him ‘clean up the mess that Abuja has become’ and in a bid to do this, he has made himself, to many, an unpopular zealot thus earning a lot of hatred from individuals and communities that have been affected.

It is quite imperative therefore to know what brought about the clean-up going on in the FCT, who are affected and generally understand the concepts, problems and challenges of the control policies in use in the FCT. These have therefore necessitated the finding, to enable one understand the whole scenery behind the spate of the demolition.

1.5 SCOPE AND LIMITATIONS

The work embraces the problems of the environmental control policies in place in the FCT. It also identifies the various policies as regards the construction of building and also identifies the reason why there are alterations contrary to the Master Plan and how they were corrected.

Nevertheless there are limitations encountered in the process of this work, such include; lack of detailed and up-to-date data and records of every bit of the FCT. Some areas were specifically selected for consideration due to their availability of data. Other limitations include lack of funds and time constraint.

1.6 STUDY AREA

HISTORICAL BACKGROUND OF THE FEDERAL CAPITAL TERRITORY

The Federal Capital Territory covers an area of 8,000 sq. km. This makes it more than twice the area of Lagos State, the former Federal Capital. This vast area was considered necessary in order to allow room not just for the capital city but also for a city region that will provide most of the needs of the city, including water, forestry, industrial, agricultural, open spaces, defence, air transport and other needs. As at now, the Federal Capital city (FCT) is planned to cover an area of about 250sq. kms while the rest of the territory covers about 7,750sq. km. The entire Territory itself was carved out from three states, namely, Niger State, which contributed 71% of the indigenous population Nasarawa State which contributed 16% and 21% respectively and Kogi State which made a contribution of 5% and 8% respectively.

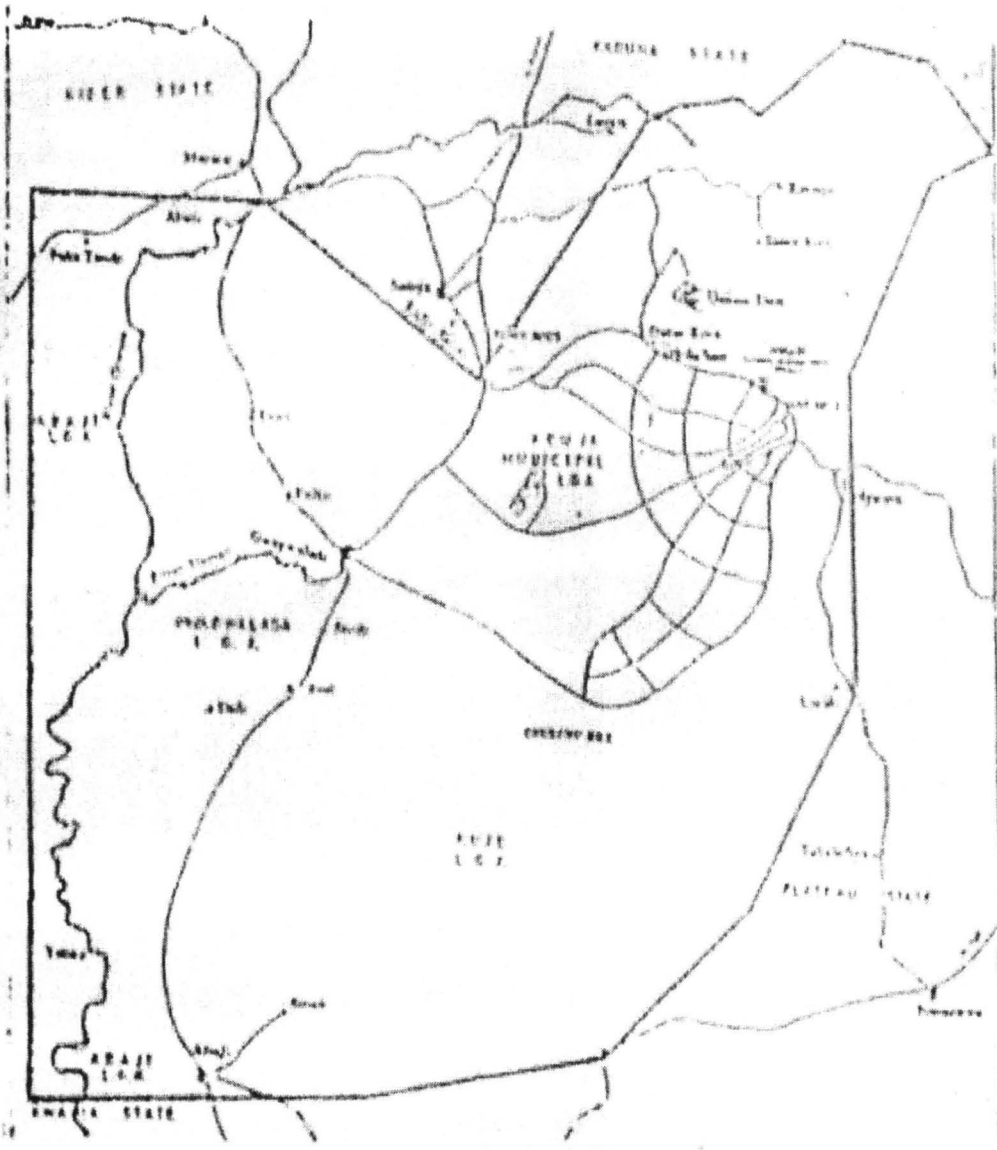


Fig. 1 Federal Capital Territory, Abuja.

ETHNIC COMPOSITION, LANGUAGES, CULTURES AND THE ART

Early shelters in the FCT were mainly of the Kwa Languages group, found predominately around the Niger-Benue confluence. They are known to have settled in the area many centuries before the Jihad of the 19th century. Other ethnic groups in the territory include. The Bassa, Gades, Gwandaras, Koros and Ganaganas, all of which have strong linguistic affiliations with the Kwa languages group that dominated the present middle belt region of northern Nigeria. At the time FCT's creation the main architectural design was the round mud house type of the Sudanese style, with few rectangular types. By the side of the houses are usually situated some cone-shaped granaries, indicating the peoples strong attachment to agriculture. With more influx of people into the territory, leading to creation of some forms of cosmopolitan, co-inhabitation practices, the rounded-styled houses are gradually disappearing paving the way for dominance of rectangular mud structures and in some cases bricks houses owned by the more affluent.

POPULATION STRUCTURE AND DISTRIBUTION

According to the 1991 Population Census (Provisional figures), the population of the FCT was 378,671 and in the year 2000 projected at over half a million. Analysis of the 1991 National Population Census data in respect of the FCT a somewhat equitable distribution of the population among six out of nine main age groups (namely 6-9, 10-14, 15-19, 20-24, 25-29,30-34,35-39) with each one constituting about 10% of the entire population of the territory. The results further indicate that literacy is higher

among the former age groups, suggesting that those of ages of between six and thirty-nine are comparatively better the educated in the territory.

URBAN AND RURAL DEVELOPMENT AND PATTERN OF HUMAN SETTLEMENT

By 1951, no settlement in the FCT could be described as a town since none had a population any where near 5000 not to talk of 20,000. The settlements with populations remotely approaching this were Karu, Abuja and Gwagwalada with populations of 4,125, 3360, and 2,395 respectively.

Today, a few settlements may be described as urban in so far as they have populations of 20,000 or more, these include, the Federal Capital City (FCc) itself, Gwagwalada, Abaji and Nyanyan/Karu. Other settlement belonging to this category include Kwali, Bwari, Rubochi, Karshi, Kuje, Gwagore, and Karmo. It should thus naturally be expected that as an urbanization intensified in the territory, urban crises such as slums, insecurity, waste accumulation and so on would escalate which is the basis of the implementation of effective environment control policies.

1.7 STRUCTURE OF THE THESIS

The thesis is basically a work on environmental control policies. Chapter one contains the introduction, problem statement, justification, aim and objectives. It also succinctly explains the study area. Chapter Two contains the Literature Review, and Chapter Three contains the methodology employed in obtaining relevant data. While Chapter Four is on the Presentation and Discussion of result, Chapter Five gives the Summary, Conclusion and Recommendations.

CHAPTER TWO

LITERATURE REVIEW

2.1 The need for Environmental Control Policies.

The issues of our immediate environment has so much attracted importance and raised a lot of concern as a result of rapid urbanization experienced in the decades.

The use of land and the way the environment is treated or handled for survival call for an urgent major decision to check human activities on its immediate environment so as to forestall the environment from being impoverished and thus leaving it in an appalling state for the future generation. There is much dissatisfaction therefore, in the society about the environment and welfare of mankind at all levels and in the face of rapidly change in technology, the concern are focused on issues as pollution, erosion, resources depletion, waste management, these are all issues that are relevant to the future of mankind and quality of life. To address these problems therefore, demand the formulation and pursuit of broad objectives and goals through which existing problems may be overcome and a better future guaranteed.

The followings therefore are the reasons why environmental control policy is necessary.

2.2 URBANIZATION

Urbanization is the degree of or increase in urban character or nature. It may refer to a geographical area combining urban and rural parts, or to the transformation of an individual locality from less to more urban.

The term cannot describe a condition at a specific time namely the proportion of total population or area in urban localities or areas (cities and towns), or increase of this proportion overtime. It can thus represent a level of urban relative to total population or area, or the rate at which the urban proportion is increasing. Both can be expressed in percentage terms, the rate of change as a percentage per year, decade or period between censuses or estimates.

In terms of a geographical place, urbanization means increased spatial scale and/or density of settlement and/or business and other activities in the area over time. The process could occur either as natural expansion of the existing, population, the transportation of peripheral population from rural to urban, incoming migration, or a combination of these.

Thus, the increase in spatial scale often called 'urban sprawl' is considered unsightly and undesirable, which therefore call for control policies to prevent or reduce its expansion in the urban area. Another reason for control policies is the issue of ecological effect. A major issue facing large cities is the disposal of the ever-growing volume of waste which accompanies increased affluence and reliance on purchased goods. Apart from the unsightliness of disposal sites, harmful synthetic material in packaging, household appliances or machinery may threaten neighbouring rural areas

or water sources. Though municipal authorities are trying to address the problem, its rapid growth especially in developing countries threatens to outstrip the resources.

2.3 CHANGE IN INTERNAL STRUCTURE OF CITIES

The Internal structures of any individual city will partly, be the result of a number of factor, which are unique to it. An area designated as public open space perhaps one or two hundred years ago may more likely remain as such today. The decision to locate a marshaling yard or an industrial complex in a certain location may become a permanent feature of the urban landscape. Authorities may have decided to locate public housing in certain places rather than others population expansion and residential development may have been rapid in a particular period rather than another. Common policies therefore need to put under check such population expansion and the considerable amount of variation in the internal structure of different urban areas.

2.4 THE ISSUE OF SUSTAINABLE DEVELOPMENT

Sustainable development is the development that meets the needs of the present generation without compromising the ability of the future generation to also meet their own needs. This issue is so important that certain policies has to be put in place in ensuring that it is achieved.

Human history is said to be “largely written in terms of the struggle between man and nature over the terms of the man’s existence” (Barkley

and Seckler 1972). The statement alludes to the age-long contest between man and natural environment on which are pivoted all economic activities.

The amazing technological advances and organizational skills of homo sapiens in the last three centuries, or so, gave the impression that man had won the contest i.e., that he mastered or subdued his environment and put at his disposal the spoils of the 'enemy' (i.e. the physical resources) which would now enable him to settle down to a secured and comfortable living. But the victory has turned out to be elusive mirage. The negative impacts of man's activities on the environment now stand as grave dangers to human survival and well being.

Sustainable use is the opposite of exploitative use. Fair distribution of resources in the environmental context involves fairness not just between individual people alive now but also between them and future generation.

Thus on issue so important as this requires some stringent control policies to ensure its sustainability even in the immediate settlement or environment.

HOUSING

One of the fundamental requirements of all people is a place of residence. Over many years, human societies have tried to tackle the basic problem of providing shelter (Hobbs 1981.) The purposes of shelter include protection from the extremes of climate, heat, humidity, rainfall, dust and winds.

They also include personal or group security again, because for social living. The rapid rate of housing especially in the urban areas also calls for

the need for environmental control policies its increase has brought about increased soil erosion resulting from run off from rainwater from various building there is also less of vegetation which has progressively increased as a result of constructional activities. Control policies are necessary therefore to regulate the effect of these on the environment.

2.5 ENVIRONMENTAL CONTROL TECHNIQUES AND POLICY FORMULATION

Land use and planning depends more upon its techniques of control to implement preferred policies. It employs a great numbers of staff, and impinges most directly on the public yet it is given very little attention in comparison with other aspect of the process.

There are two technical devices used in control process-the land use zoning, and standards, although its significances in diminished with the various recent changes in planning though and.

On the other hand, in policy formulation some things are put into consideration to ensure its effectiveness, the proposals for policy formulation are to be carefully considered whether they are in accord with established objectives, national, regional or local, public or private.

Also, the extent to which they would affect other land uses or resources is also an important consideration, what conditions to ameliorate their effect on other interests if it is imposed and the method for implementing the proposed policy that can best be used are all essential consideration in the policy formulation.

Environmental control policy is made up of how types.

- i. The precise location and control policies, needed in the zones of greatest potential conflict or activities which were extremely unacceptable to other interests e.g. most recreation sites, location of horticultural buildings in areas of high landscape value.
- ii. Policies covering practices not tied to specific locations, such as many agricultural practices or pleasure motoring. In many cases, these activities seemed suited to policies of publicity, exhortation, or promotion of codes of practice and possibly management agreement.

2.6 KEY ELEMENTS GUIDING THE FORMULATION OF ENVIRONMENTAL CONTROL POLICIES

- a. **Philosophy:** Policy must be fundamentally structural by the basic philosophy of governance of any administration. However, it is by no means a settled issue whether they are core philosophical concerns which all governments share.

For instance, while the goals of achieving a friend and suitable environment for all citizens are championed by all governments, there are fundamental differences in the philosophical basis which inform what policies will best achieve these goals.

- b. A key element of environment policy is the set of goals it seeks to achieve. These goals which may target macro or micro objective's need to be clearly identified and closely predicated upon the basic philosophy of governance.

They also need to be analyzed in terms of their linkages and inter-relationship with other goals, so that the achievement of a certain set of goals does not negate the achievement of other goals.

c. Strategy

Any policy must be predicated upon a clear strategy for it to achieve its set goals. The strategy must derive from the social values or philosophy which informs the policy, and must be clearly and specifically linked with goals of policy issues of instrumentality, efficacy, clarity, capacity and relevance are central to the evolution and adoption of a strategy for the achievement of policy objectives.

d. Resources

Policy must implicitly address the quantum and nature of resources which it requires to achieve its objectives. Resources here are not only in the context of funds. The resources required for public policy and the proportion in which they are required vary. They include, institutional capacity, funding and managerial capacity “certain policies also create their own resources in the process of implementation, and therefore enrich the capacity for more effective implementation”. (Ekaette U. 2001).

2.7 OVERVIEW OF THE NATIONAL POLICY ON THE ENVIRONMENT

The Government on 27 November 1989 launched the National Policy on the Environment (FEPA1999). It contained specific guidelines for achieving sustainable development in fourteen vital sectors of the nations economy, namely. Human population, land use and soil conservation, water resources management, forestry, wildlife and protected natural areas, marine and Coastal Area Resources, Sanitation and Waste Management, Toxic and Hazardous Substance, Mining and Mineral Resources, Agricultural Chemicals, Energy Production, Air Pollution, Noise Working Environment, Settlements, Recreational Space, Green belts, Monuments and cultural property.

Although, for the purpose of this work, the areas of interest includes, land use and soil conservation housing and Human Settlement and Green belts.

On land use and soil conservation, integrated management of land should be harmonized and coordinated at the various levels of government. Additionally, the impact of the various social and economic activities on natural resources such as soil, water, air and biota should routinely be assessed at every stage of the development process.

This is necessary for appropriate allocation and utilization of land and its resources that will ensure transition to sustainability.

On Housing and Human Settlement; the goal of the National Housing Policy is to ensure that all Nigerians own or have access to decent housing accommodation at affordable cost within the foreseeable future. The attainment of this goal as well as the provision of housing when satisfied basic and environmental needs of the populace on sustainable basis would necessarily require the active

participation of all tiers of government and the greater involvement of the private sectors.

On housing, some of the mechanisms put in place include the following.

- a. Encourage the restructuring of all existing public institutions involved in housing delivery at the Federal, State and Local Government levels with a view to making them more effective and responsive to the needs of Nigeria.
- b. Produce and update regional development sites and services to facilitate ownership and orderly urban and rural development.
- c. Discourage overcrowding both with respect to the number of houses per unit area and delivers per unit of housing. (Federal Environmental Protection Agency, 1999).

2.8 SELECTION CRITERIA FOR ENVIRONMENTAL CONTROL POLICY

In selecting environmental control policy, the proposed policy is expected to meet some certain selection criteria. Such criteria necessary include the followings.

- a. Economic efficiency: Any policy selected for the purpose of environmental problems and degradation control must aim at achieving economic efficiency.
- b. Equity: Heavily regressive polices must be avoided. The policy criterion must be equitable.

- c. Dependability: Environmental effectiveness of the policy schemes should be as reliable as possible given the incredible uncertainties.
- d. Dynamic incentive: The Policy instrument continues to encourage environmental improvement and technical innovation beyond policy targets if this is feasible.
- f. Political acceptability: The policy instrument does not represent a radical departure from prevailing and likely, future practices and underlying philosophies.

CHAPTER THREE

DATA AND METHOD OF ANALYSIS

3.1 DATA ON DEMOLITION AND OPINIONS ON CONTROL POLICIES

For the purpose of this work, which is mainly concerned about the problems of environmental control policies in Abuja, different methodology for data acquisition were employed to ensure a comprehensive report. Also, for the purpose of proper and focused report, an attention is particularly drawn to Abuja Municipal where most of demolition has taken place. It is also just one of the area councils out of the six area council that make up the Federal Capital Territory.

The following data shows the number of demolition that has taken place within the last one year. Although, the record of the whole demolished buildings was not fully available at the time of the reports, an estimated number was given.

Table 3.1 Areas affected by Demolition.

Location	Type of Building	Approximate number	Reasons for Demolition
Garki District	Dem.	demolished	
Area 2	Mostly Churches & Residential Areas	20	* Erection of illegal structures * Building in the green belt area.
Garki II	Residential buildings	80	* Erection of building without certificate of occupancy.

Durumi District	Residential and shops	About 40	* Closeness to road erection of illegal structure.
Wuse District Zone 4	Boundary Walls shops and residential buildings	About 20	* Closeness to road lack of approval.
Zone 5	Churches, Hospitals	7	* Building in the green belt area.
Zone 6	Mostly Churches, Sheds and container	20	* Illegal structures * Congestion * Building in the green belt.
Asokoro others	Residential buildings	5	* Building on sewer line
Karimajji	Residential building	80	* Squatter town, illegal structures.
Dantata Village	Residential building	80	* Squatter town * No plan * Illegal structures * No approval.
Karu Village	Residential building and shops	40 houses	* Construction of road * Illegal structures * Lack of plan and approval. * congestion
Nyanyan	Residential buildings sheds, boundary walls	Over 50 houses	* Lack of approval * Congestion * Illegal structures
Kubwa satellite Town	Mostly shops and boundary walls, residential buildings	48 houses	* Revocation of land * Closeness to road * Lack of approval.

Source: Development control unit, FCDA. *The Guardian Newspaper*, Oct. 27th 2004. *Vanguard online Tuesday, December 16, 2003.*

Thus the table summarized the place, number of building and reasons for demolition in certain areas within the Municipal.

The table below therefore gives the summary of the approximate number of houses demolished in each location within the Municipal.

Table 3.2 Locations and Nos of houses Demolished

S/N	LOCATION	NOS DEMOLISHED (appr.)
1	Garki	50
2	Wuse	47
3	Durumi	40
4	Asokoro	5
5	Karimajiji	80
6	Dantata Village	80
7	Karu	40
8	Nyayan	80
9	Kubwa Town	48

Source: Field work, 2004.

TABLE 3.3: PUBLIC OPINION ON ENVIRONMENTAL CONTROL POLICIES

S/N	ISSUES	SCORE	WUSE
1	Assessing the level of awareness about the policies guiding the use of environment	Low	30
		Fair	43
		High	27
2	Assessing how realistic it is to execute the master plan.	Not realistic	31
		Realistic	46
		Can't say	23
3	Assessing the effectiveness of the FCDA	Low	13

	in the development of the FCT.	Average	37
		High	50
4	Allowing for flexibility in the master plan	Not necessary	-
		Necessary	30
		Very necessary	70
5	Allowing for the review of the environmental policies guiding FCT	Non necessary	90
		Necessary	30
		Very Necessary	61
6	Assessing the cost of owning a house in FCC	Moderate	-
		Expensive	38
		Exorbitant	62
7	Assessing the way the policies are enforced.	Weak	30
		Normal	10
		Harsh	60

Source: Field work, 2004

The table above gives the summary of the result of the questionnaire administered to seek public opinion on the environmental control policies in Abuja.

The result is based on one hundred questionnaire collated to sample public opinion on this issues. It is also important to note that, the most needed questions needed to relevant information are highlighted.

3.3 MINISTRY OF FEDERAL CAPITAL TERRITORY

The Federal Capital Territory (FCT) was created by decree No. 6 of February 1976. The same Decree also established the Federal Capital

Development Authority, FCDA as the sale agency responsible for the designing, planning and development of the FCT.

Under section 4 of the Decree, the FCDA is charged with the following responsibilities.

- a. The choice of site for the location of the capital city within the Federal Capital Territory.
- b. The Preparation of a Master Plan for the Capital city and of land use with respect to town and country planning within the rest of the FCT.
- c. The provision of Municipal services within the Federal Capital Territory.
- d. The establishment of Infra Structural Services in accordance with the Master Plan referred to above, and;
- e. The co-ordination of the activities of any ministries, departments and agencies of the Government of the Federation within the Capital Territory.

Subject to the other provisions of this Decree, the Authority shall have power to do anything within its opinion that is calculated to facilitate its activities without prejudice to the generating of the fore-going powers.

- a. To sue and be sued in its corporate name;

- b. To hold and manage movable and immovable property;
- c. To construct and maintain roads, railways, sidings, tramways, bridges, reservoirs, water courses, buildings, plants and machinery and such other works that may be necessary for or conducive to, the discharge of its functions under this Decrees.
- d. To purchase or otherwise or take-over any assets, business, property, privileged, contract, right (whether corporate or unincorporated) in furtherance of its activities;
- e. To enter into contracts or partnerships with any person or body (whether corporate or unincorporated) which in the opinion of the Authority will facilitate the discharge of its functions under this Decree;
- f. To train managerial and technical staff for the purpose of the discharge of functions conferred on it by or in pursuance of this Decree.

In 1979, Official Gazette extraordinary No. 55 vol. 66 of 26th October, 1979 known as "Assignment of Responsibilities to Ministries", assigned the following functions to the Ministry of Federal Capital Territory.

- a. Planning and Development within the Federal Capital Territory,
- b. Control of Development within the Federal Capital Territory;
- c. Arrangement for the Provision of social services;

Also, the Federal Capital Development Authority also have seven Departments namely, Land, Planning and Survey, Engineering Services, Education, Maintenance Services, Public Building, Legal Services and Health Services.

Thus, the functions and the responsibilities of the FCDA have been succinctly clarified and this has clearly revealed why the ministry has so much been the major vehicle through which the policies guiding Abuja are effectively executed.

CHAPTER FOUR

PRESENTATION AND DISCUSSION OF RESULT

4.1 ANALYSIS OF RESULTS

Considering the bar chart in the following page, one could easily determine some major issues as regards the control policies guiding the FCT.

- i. It is very clear from the result that the districts in the phase I of the Abuja Master Plan is less involved in the master plan, the fact being that, at its inception the master plan was carefully followed, however there were lapses due to the corrupt leadership supposedly, during the military era which brought alteration in these districts such districts include, Wuse, Asokoro, Central Area and Maitama.
- ii. Most of the phases highly involved are outside the Federal Capital city. This shows people trying to proffer an alternative to the expensive cost of living in the Federal Capital City. Again, such places also do not witness a rapid development of government owned project as it is in the FCC.
- iii. It is also a clear indication that there is the need for modern satellite towns like Kubwa where houses can be affordable for most government workers.

Again, from the result of the questionnaire distributed, the followings issues summarized the public opinion on what they feel about the environmental control policies.

- i. On the level of awareness of the policies among dwellers, 43% agreed that it is 'fair'. That means averagely, the level of awareness is not too bad.
- ii. In assessing how realistic the master plan is, 46% agreed that it is realistic, if the government maintenance continuity in the leadership of the FCDA.
- iii. In allowing for flexibility in the master plan, a greater percentage of 70% agrees with flexibility in the master plan to allow for some important things overlooked when the master plan was conceptualized.

Lastly, in the way the policies are being enforced, greater percentage of the people behaved that it is too harshly and that the government should review it.

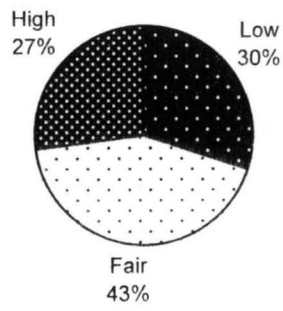


Fig.4.1 Level of awareness about control policies.

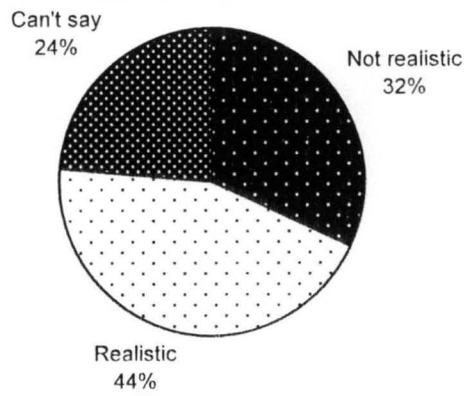


Fig.4.2 Implementation of the master plan

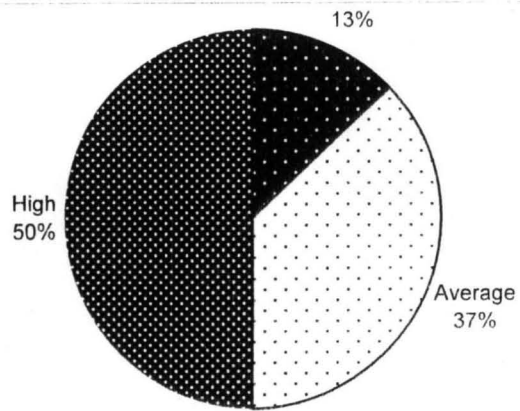
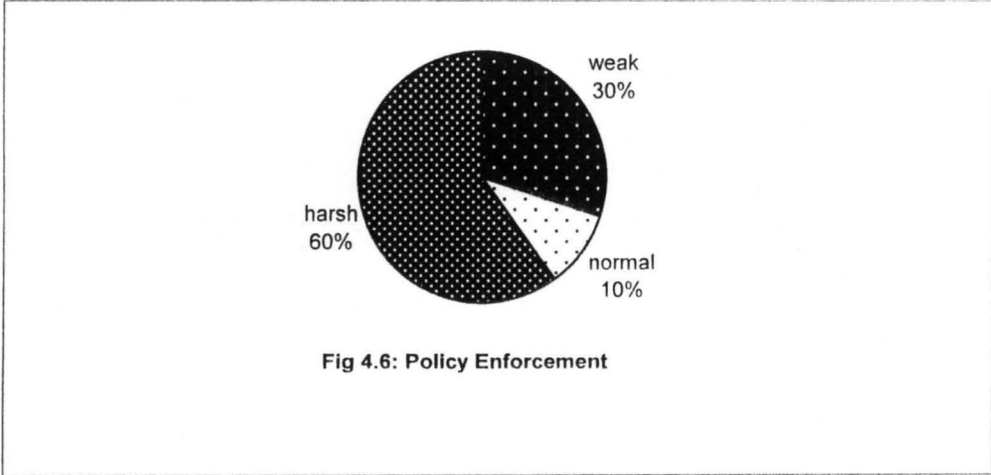
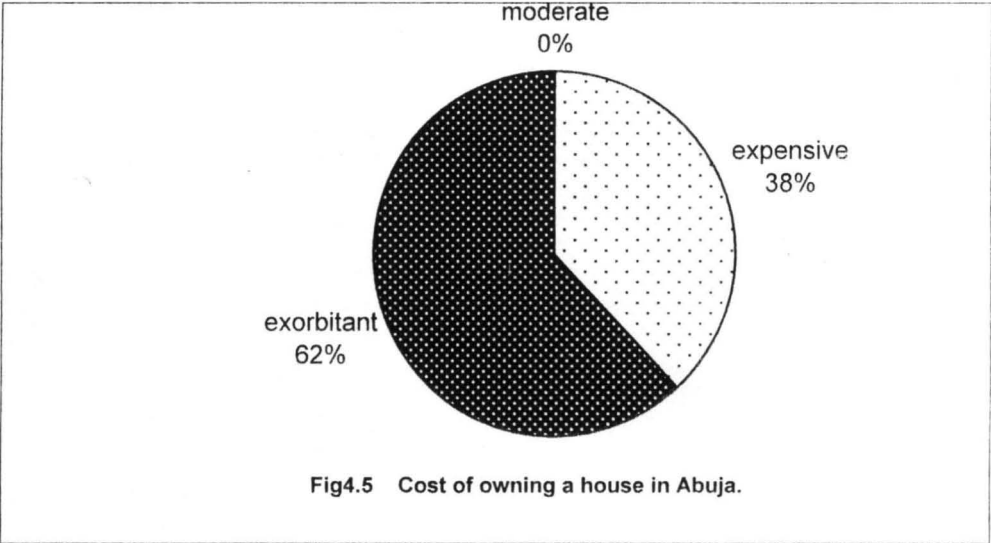
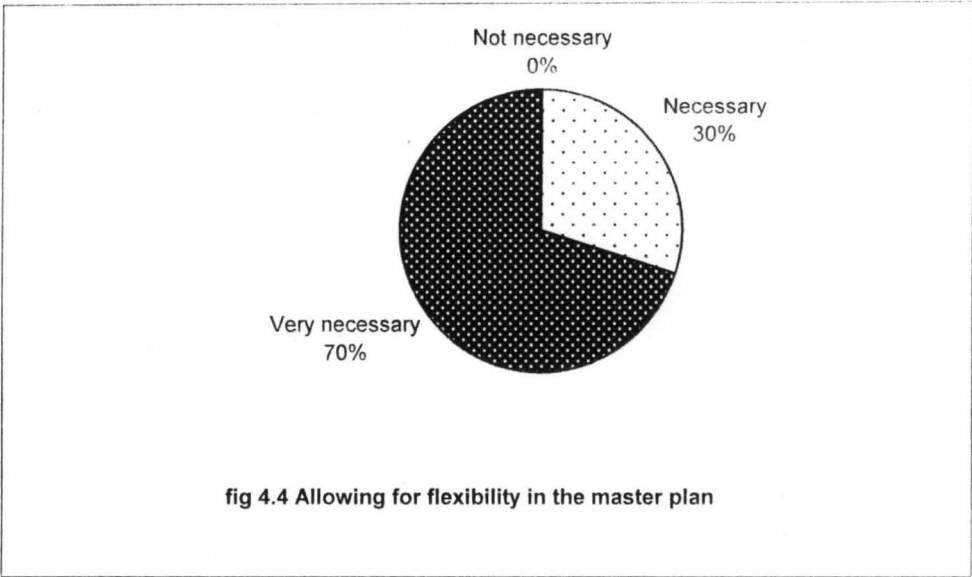
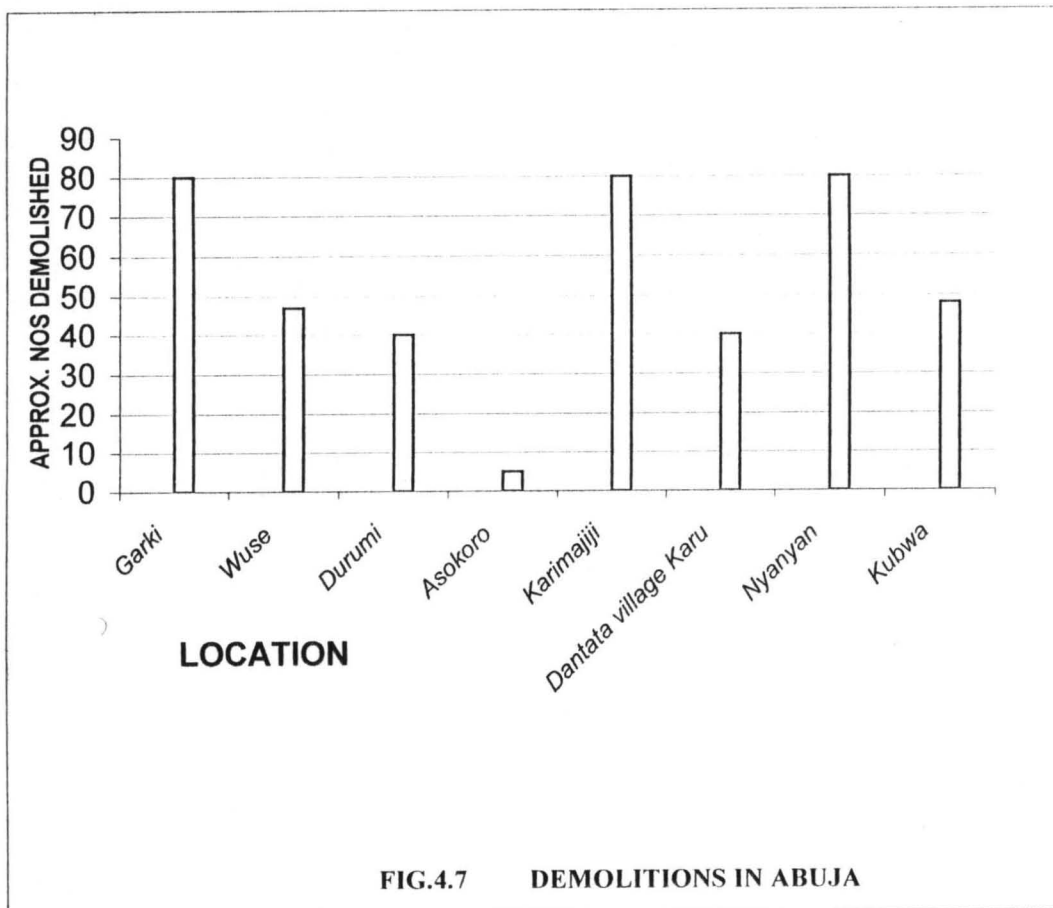


Fig.4.3 Effectiveness of the FCDA.





4.2 DISCUSSION OF RESULTS

The environmental control policies thrust is based on fundamental re-thinking and a clearer appreciation of the interdependent linkages among development processes, environmental factors as well as human and natural resources. It is also based upon the determination to produce a model city that has functional facilities, retains its natural environment, and is also void of congestion.

In enunciating such a policy on the environment, cognizance must be taken of the various institutional settings as well as the complex historical, social, cultural and illegal considerations, which have been and continue to be involved in the identification and implementation of measures designed to solve related environmental problems. The policy aims to provide a rational, practicable coherent and comprehensive approach to the pursuit of economic and social development in a way that minimized contradiction and duplications.

Some of these policies are listed as it is applicable and the problems associated with them are discussed.

The Housing and Human settlement policies of the National Policy on the environment, places human comfort and survival at the center of concerns for sustainable development and balanced and environmentally friendly settlement structures.

- i. It also ensures the development of housing that is functional and conducive for family development.
- ii. It encourages the restructuring of all existing public institutions involved in housing delivery at all levels with a view to making them more effective and response to the needs of Nigerians.
- iii. It is also to produce and update regional development sites and services to facilitate ownership and orderly urban and rural development.
- iv. It is also to discourage overcrowding born with respect to the number of houses per unit area and dwellers per unit of housing. (National Policy on the Environment, 1999).

The policy thus outlined have the following problems that limit its effectiveness and implementation.

First the policy like any other policy in Nigeria lacks sincerity of purpose and practicality for example, one of the statements in the policy 'encourage the restructuring of all existing public institutions involved in housing delivery at levels with a view to making them more effective and responsive to the need of Nigerians. This particular policy is absolutely not practiced, it may not be impracticable but it is never practiced.

With the current demolition exercise going on in Abuja, the government is never concerned about the plight of people rendered homeless overnight even many of them are government workers. Some of the government workers live up to 150km far away from their offices yet are not cared for. The government has never been responsive to the needs of Nigerians as far as housing is concerned. All the estates built are expected to reduce this problem but unfortunately are bought back by the affluent and those in government to be resold at exorbitant price to others.



Plate 4. 1 Demolition in Karu



Plate 4. 2 Demolition in Nyanya



Plate 4. 3 Demolition of Tipper Garage, Nyanya



Plate 4. 4 Demolition in Karimajiji

4.3 DEVELOPMENT CONTROL POLICIES

Another environmental control policy that needs consideration is the Federal Capital Territory Development Control Regulations and policies.

The Federal Capital Development Authority Development Control Regulations and Policies of 1996 comprises of eight chapters that clearly spells out the guidelines and requirement for development in the FCT.

Development Control is the practical aspect of physical planning which affects the lives of the general populace. It involves therefore, rules salting and the enforcement of such rules in the use of land to achieve set out goals and objectives.

Chapter one of the control regulation and policies deals with the general procedures and submission of completed application forms. It also highlights the requirements and standard in processing approval. Some of which are stated below.

- i. All applications for building plan approval shall indicate clearly, the use to which the building is meant for, in accordance with the land use as provided in the master plan.
- ii. Applicants intending to have changes in the land use other than what obtains in the master plan shall requires separate approval for the purpose from the authority.

Chapter one also highlights the guidelines concerning approval and permit and construction. Some of them are stated below.

4.4 APPROVALS AND PERMITS

The authority shall within ninety (90) days after the submission of application, give, in writing approval or rejection for carrying out construction work.

- i. All plans that do not meet the requirements for approval shall be returned to the applicant in writing, specifying the faulty sections of the plans.
- ii. Before submission of building permit application, plot shall be properly demarcated with the surely beacons.
- iii. Whenever approval is given, construction shall commence within 2 years for permanent structure while temporary structures shall be within a period of 6 months.

This particular regulation clearly reveals why some of the lands allotted were revoked, due to failure of the owners to commence construction on it within the given time. Also, there is the need for application for approval when land owners have a change in land-use other than what is obtained in the master plan, this have been constantly overlooked by land owners and have forms one of the major problems of the control policies leading to demolition of structures.

4.5 CONSTRUCTION

- i. Application for setting-out shall be made on a prescribed form obtainable from the office concerned and stating relevant information on building plan permit granted.
- ii. Approval for setting out to enable construction commence shall be obtained in writing before construction begins.
- iii. The commencement of any construction without permit or written approval with stamped plans shall be illegal and the authority shall order the removal or demolition of such building or structure after the period that may be specified.
- iv. Any construction work carried out after the expiry date specified in the building permit, which does not obtain approval for extension, shall be deemed as contravention and illegal.
- v. On commencement for approval construction, the developer shall allow the authority or its accredited officer representative free access to the building under construction.
- vi. A certificate shall be issued to a developer by the authority when the building has been completed certifying the building as fit for habitation.

- vii. The authority shall inspect the construction at all stages from setting out to completion.

Thus, the regulations concerning construction of building are clearly stated showing reasons why most buildings are demolished despite the fact that owners have certificate of occupancy. For example, the statement in No 3 of the regulations shows that buildings can be termed illegal when they are constructed without prior approval with stamped plans from the authority and could be removed or demolished.

Inspection of the construction at all stages from setting out to completion is also very important.

These regulations however plausible, have some problems in the follow-up for example for an FCDA official to be present at every stage of construction to inspect work is something that is rarely done, no wonder that some buildings are only detected and marked only when they are near finishing stage, and such are either illegally spared or demolished to the hurt of the client.

The slow pace of processing approval is another major problem facing the implementation of these policies. The approval stage involves a lot of protocols since it has to pass through tables, in the process some documents are found missing and if not found on time the process has to start all over again. This causes a lot of frustration and impatience on the part of the

client. Some corrupt officials also use that avenue to extort money from various clients.

The second chapter of the control regulations and policy deals with the planning and site requirements any developer wishing to commence development of a plot allocated him/her should adhere to. The planning requirement entails all requirements for residential, multifunctional, industrial, and development areas. It also clarifies the different uses of building as permitted, conditional and prohibited uses. It also specifies other planning requirements and design standards in terms of maximum site coverage and minimum set-backs.

4.5.1 PLANNING AND SITE REQUIREMENTS FOR RESIDENTIAL BUILDING

The regulations and policies guiding residential building are as follows.

- a. All beacons must be on site before commencement of developments of plots.
- b. Under no circumstances should beacons be removed, buried or covered from view during construction or thereafter.
- c. The site on which any building(s) is to be erected shall be cleared, leveled and drained to the satisfaction of the authority. Trees on the site that are above 3m in approval from the authority.

PERMITTED USES: All residential building shall be used strictly for residential purposes.

CONDITIONAL USES

Certain uses or activities in residential areas shall be subject to the approval of the Authority and shall conform with the following guidelines:

- a. Embassies and foreign consulates shall be allowed in low and medium density areas.
- b. Professional offices are allowed in low density areas, provided that they do not adversely affect adjacent residents through noise, traffic, foul odour.

PROHIBITED USES

All other uses not correct under the provision of sub-section 1 and 2 shall be considered incompatible with intent of residential uses and are therefore prohibited. (FCDA, 1996).

There is thus a great challenge in implementing such a policy stated above when residential buildings are changed to offices. An owner of a building in these areas may decide to use an apartment of his building as an office or a shop. As far he is concerned, he may not seem to Agree to a reason why right his property should be restricted.

Another aspect of this control policies is the guidelines for residential Area in satellite towns, this specifies the Residential density, Residential plots

and plots size, access and car park, boundary wall, site coverage, set back, building height and maximum dwelling unit.

More to this is the architectural design requirement for various classifications of building type including

- Residential buildings
- Recreational buildings
- Office/ commercial buildings
- Industry buildings
- Educational/ institutional buildings
- Religions buildings
- Public buildings/utilities.

The violation of rules guiding these may result to the removal or demolition of structures. Recently, in Kubwa satellite town, demolition exercise was carried out as a result of violation of rules guiding things like boundary wall, set back, access and site coverage.

4.6 ENFORCEMENT OF THE POLICY

A key element of any policy is the set of goals it seeks to achieve. These goals, which may target macro or micro objective, need to be clearly identified and closely predicted upon the basic philosophy, which informs the policy, and must be clearly and specifically linked with goals of policy. Issues of instrumentality, efficacy, clarity, capacity and relevance are central to the evolution and adoption of a strategy for the achievement of policy objectives. (Ekaette, U. 2001).

Thus, implementing and enforcing the environmental control policies in Abuja is the only way to realize the objectives and achieve the goal of having the only modern city in Nigeria. It is therefore important to consider how the regulations are enforced, how the contravention is served and the penalties.

4.7 CONTRAVENTION

Whenever any provision of these regulations is violated, a contravention notice shall be served on the land user or developer or his agent. The service of a contravention notice immediately stops the development.

- a. 'Stop work' notice or contravention notice shall be presumed to be served properly if:
 - i. Delivered to the person affected directly or
 - ii. Delivered to the spouse, servant, agent or any adult member of his family.
 - iii. Fixed or attached upon a conspicuous part of the building in respect of which the notice is written, or
 - iv. Announcement is made at least three times through the media. Whenever the name or full address of the person to be served a notice is not known to the authority he shall be addressed as the owners:

Failures to comply with the contravention notice after the limit given, a demolition notice shall be served to the developer or pasted on the

construction site if the developer refuses to accept it. The structure shall be demolished by the authority after the expiration of the deadline contained in the demolition notice and the resulting expenses recovered from the person who contravened or is agent through a low court of competent jurisdiction. Provided that for every demolition to be carried out, the FCT Public command shall be involved. (FCDA, 1996)

Notwithstanding, anything to the contrary in these regulations, the authority is ready to pay compensation in respect of demolishing exercise carried out on a person whose building was approved in error by the authority or a person whose building is not considered illegal but has been affected by a public project. Also, in assessing the amount of compensation to be paid, the authority takes notice of the stage of development when notice is issued, and pay compensation accordingly.

Certainly, in the on-going demolition exercise there are many people who fall in this category who the minister has promised to compensate, although the compensation seems to always take a longer time than necessary and sometimes does not commensurate with the real value for the building, this also is a major problem.

4.6 PENALTIES

The worst of the penalties for contravention and violation of the policies is the consequent demolition of the structures usually referred to as illegal.

However, other penalties for any person who builds without approved building plan, builds without setting out approval for derivatives from approved building plan will be liable on conviction to be a fine of two hundred thousand Naira (N200,000) or to 2 months imprisonment.

In a situation where the offence is committed by a corporate body the company will be liable on conviction to four hundred thousand Naira or the manager or any of its authorized representative will be liable to 3 months imprisonment.

Also, a person who constructs any temporary structure, or place a contained within the city without written permission from the development control department will be liable on conviction to a fine of five thousand Naira or to 1 month imprisonment.

CHAPTER FIVE

SUMMARY, CONCLUSION AND RECOMMENDATIONS.

SUMMARY

It is thus clear as to why there should be a control policy that will regulate and guide the use of the environment and the construction of buildings in the nation's capital and Nigeria's most modern city of the goal is to be achieved.

It is also clear why the FCDA and most especially the ministers of the FCT past and present seemed to be much more involved in the implementation of these policies. The FCDA is the sole agency established by a decree to see to the development of the Federal Capital Territory and also ensure that its master plan is completely adhered to.

The reasons for demolition has been clearly shown to be just more than political or "building where they were told not to build" as we can see that the rot in the FCDA and illegal allocation of lands by the officials form the major confusion that trails the demolition exercise, since most of these people that built on water and sever line, green belts and access roads had their complete documents and also the approval to build from the appropriate authority.

Apart from these is the illegal allocation of land by the post FCT ministers most especially during the past military regime, although most of these lands have been revoked and the buildings demolished, but is clear that the

allocation then was done contrary to what was contained in the master plan. Most places marked out as public areas for schools, parks, etc. were converted to resident areas.

Thus in summary, some of the control policies have been identified with their associated problems, also both opinions of some FCDA officials and that of the public affected in the demolition exercise have been sought to enable one get accurate and detailed information as regards the demolition exercise. Areas affected also have been identified with the approximate numbers of houses demolished.

The work also has been able to recommend and suggest ways these policies can best be employed for the achievement of the set goals.

5.1 CONCLUSION

I wish therefore to conclude by highlighting a number of key elements that will guarantee the success of these policies in governance.

- i. Policies as these must be predicated upon a realistic assessment of issues or problems, means and ends.
- ii. It should be structured to evolve by the most widespread consultation from experts, stakeholders, including relevant groups adopting a mix approaches, “top-down, “Bottom –up”, lateral and even popular opinion, and should be given extensive publicity to secure for it maximum institutional and public support.
- iii. It must have an in-built capacity to be monitored, evaluated and reviewed without compromising its essential components.

- iv. It must also be backed by a strong institutional commitments towards its faithfully implementation, and finally.
- v. Sustainability of any policy relies on a strong political will and discipline to ensure that it is shielded from sabotage and subversion from unpatriotic elements.

5.2. RECOMMENDATION

In view of the analysis done on the problems and challenges of the environmental control policies; the following recommendations are hereby suggested in order to obtain a stable and effective control for the FCT.

That there should be flexibility in the master plan. The master plan may probably have not contained some essential features at the time it was conceptualized, such features are therefore necessary because there is the need for it today. For example, Kubwa town was the only satellite town contained in the master plan, but from every indication, one could see that it is imperative to have more of the like in the FCT. Since, the houses in the Federal Capital City are beyond the reach of an average civil servant and in other satellite towns are available hence, the proliferation of squatter town, which encourage increased illegal structures in the FCT.

That there should be a restructure in the FCDA. There is no doubt about the rot in the FCDA. Most officials are even the violators of these policies because of the greed. They see lands where they are suppose to and give their victims false assurance and hope. Most people who build in the green area are victims of such greedy FCDA officials. Efforts should therefore be

made to sanitize the FCDA, the sole agency for the development of the Federal Capital Territory.

That there should be public awareness on the development control policies as well as the general environmental policies. This will reduce cases of demolition resulting from building in the wrong place.

In planning for the next phase of Abuja, most of these problems faced should be put into consideration to forestall a re-occurrence of such problems as inaccurate projection on population and population growth rate and also the 'untouchable' government officials.

It is unfortunate that if the present minister should be changed or removed now, that might be the end of the present effort in actualizing the master plan, sine many past ministers did not see anything wrong during their time. Therefore there should always be continuity and a stable leadership in the FCDA to allow for a continuous pursuit of the same goal.

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APPENDIX
A QUESTIONNAIRE ON THE PROBLEMS AND CHALLENGES OF ENVIRONMENTAL CONTROL POLICIES IN ABUJA

1. What is your occupation.....
2. Where do you live in the F.C.T.....
3. How long have you been living in the F.C.T.....
4. Are you a landowner or house owner?.....
5. How can you assess the level of awareness of the environmental control policies among the people in your area:
 Low Fair High
6. Can you assess the level of efficiency of the implementation of the control policies in Abuja.
 Low Fair High
7. How many houses have been affected by demolition exercise in your area?
 10-20 30-40 Over 40
8. What are the reasons for their demolition.....
9. How much do you know about the Abuja Master Plan?
 Not much Much Very Much
10. Do you think that the implementation of the Master Plan is realistic? Give your reasons.....
.....
11. How can you assess the efficiency of the Federal Capital Development Authority (FCDA) in the implementation of control policies?
 Low Fair High
12. In your own view, is it necessary to review the control policies guiding use of land and building construction in Abuja.
 Not necessary Necessary Very Necessary
13. What is your opinion on the cost of owning a plot of land in Abuja?
 Affordable Expensive Exorbitant
14. How will you assess the way these procedures are carried out?
 Efficient Inefficient