

# URBAN PLANNING PROCESSES IN LAGOS

Policies, laws, planning instruments, strategies and actors of urban projects, urban development, and urban services in Africa's largest city





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# FOREWORD

**Monika Ummuna**

Imagine a Lagos with 52 kilometres off-road bicycle lanes along the numerous drainage canals and small rivers which can be used by young and old, rich and poor to relax or to go to work without the usual stress in traffic jams. Imagine clean drainage canals the banks of which would be used by women from neighbouring communities for farming and income generation. Small biogas plants converting organic waste into cooking gas and fertiliser would supply natural fertilisers for their farms. Imagine business owners – hairdressers, grinders, carpenters, printers – enjoying uninterrupted power supply throughout the day from their own solar panels, giving them a chance to increase their business activities and plan ahead. Gradually they would be encouraged to invest and employ more staff. Imagine urban slum dwellers enjoying security of tenure and starting to improve and develop their environment at their own cost. Imagine grassroots organisations like CDAs and residents’ associations having more women in their decision taking bodies and as spokespersons, allowing women to make their own choices about their economic development.

Such options for a climate resilient and inclusive city development are the results of the engagement by the Heinrich Böll Foundation with civil society, academics and government representatives over the past years. But how can we push such ideas when Lagos actually lacks a coherent and integrated urban development approach: ministries are working in isolation, sometimes even contradicting each other’s policies. Also the rights and responsibilities of the different political entities - federal, state and local government levels - are often conflicting and their competing bureaucracies suffocate innovative ideas at once.

This research project was initiated to study the legal and administrative framework guiding current urban planning processes in Lagos. It is intended to provide the Heinrich Böll Foundation, its partners and government representatives with the necessary data and insights about the relation between urban policies, urban interventions, the role of governance and the different actors in Lagos and to finally serve as an inspiration towards a more constructive and sustainable engagement amongst all stakeholders.

The extensive findings of the different chapters illustrated in numerous tables and graphics underline the need for a more participatory approach channeled through the revival of vibrant and powerful local governments. Supported by professional, religious and social associations well anchored in the communities, innovative and transparent local governments could compete in developing the most livable environment combining green and public spaces, safe housing and growing economic opportunities. Like in many other cities in the world, urban planning in Lagos, especially when it comes to so-called mega projects, is often guided by unilateral decisions taken by politicians who want to make their city more attractive for foreign investors. The study shows that politicians need to refrain from

always overriding or side-lining the technical knowledge, competence and commitment of their technocrats and civil servants from the different ministries and agencies. Rather than suppressing efficient management structures by constantly creating competing agencies and institutions, all civil servants and professionals should be encouraged to embrace an integrated and equitable approach. Last but not least, the majority of Lagos' population – the urban slum dwellers – need to be integrated into the overall development plan and to get a fair share of participation: currently, they are not only living in precarious situations without employment and tenure security, but they also lack most basic infrastructural services which should be provided by a caring government.

The findings of this research are certainly not peculiar to Lagos; they might also apply to many African cities, which are trying to cope with an increasing population, inadequate infrastructure and lacking income opportunities. More research on the visions, policies and strategies guiding the urban development of African cities and alternative options for a sustainable and inclusive development is needed. We hope this book will encourage Nigerian, African and international practitioners and scholars to continue the research and engage in an intense debate across borders.

The Heinrich Böll Foundation's Nigeria Office has been supporting projects and initiatives in Lagos since 1995 and sees its role as a facilitator of public dialogue around truly sustainable development options.

**Heinrich Böll Foundation Nigeria, Lagos  
Liaison Office:**



**Monika Umunna**

is a sociologist and has been living in Lagos since 1997. She has been working with the Heinrich Böll Foundation Nigeria since 1999 in various functions and is the programme manager of the “climate resilient and inclusive Megacity Lagos” programme since 2011.

# WHICH WAY, LAGOS? INTRODUCTION, BACKGROUND AND METHODS

**Fabienne Hoelzel**

“Africa’s first city” was the title of a National Geographic article in January 2015, enthusiastically describing the economic development of Lagos since 1990 and its push effect for the entire country.<sup>1</sup> Outside observers tend to acknowledge the terms in office of Bola Tinubu (1999-2007) and his successor, Babatunde Fashola (2007-2015), as a period of improvement and progress in the development of the city.<sup>2</sup> On the other hand, it appears as if state government’s actions were mainly directed towards making the city more attractive to investors, business travellers and tourists from abroad.<sup>3</sup> This is also reflected in the fact that the Ministry of Economic Planning and Budget edited the main strategic planning document, the Lagos State Development Plan 2012-2015, and giant developments like the Lekki Free Zone were developed under the leadership of the Ministry of Commerce and Industry. In the interest of a well balanced city development, the Ministry of Physical Planning and Urban Development should have played an equally significant role. Attracting (foreign) investment seems to be a promising strategy – if it creates local jobs and the increased revenues will be reinvested locally in urban infrastructure, education and health, benefitting everybody – and has become a mainstream “recipe” in many African city regions to trigger urban development.<sup>4</sup> UN Habitat warns that promoting economic prosperity through such an entrepreneurial view of the city often happens at the expense of the habitat and livelihoods of the poor.<sup>5</sup> However, “good governance” – in this context *explicitly not* referring to the definition of the World Bank that is often linked to privatisation of public services – implies to guarantee the well being of all the individuals in a society. This was exactly the aim of the present study report: to gain a better understanding of the current urban governance strategies, instruments and practices in the field of urban planning and in the provision of urban services – and to understand who does really benefit from the measures the state government is putting into place.

Lagos stands for rapid urbanisation and urban growth; the city is growing so fast that censuses can’t keep up. The data on the current population size range from 13 million to 20 million or even more, depending on the source. That alone makes planning difficult. It

- 1 Robert Draper, “Africa’s First City. Bursting with a get-rich spirit that has made Nigeria’s economy the continent’s largest, Lagos is Africa’s first city,” National Geographic, January 2015, accessed January 28, 2016, <http://ngm.nationalgeographic.com/2015/01/lagos/draper-text>.
- 2 Draper, *ibid.* // Seth D. Kaplan, “What Makes Lagos a Model City,” in The New York Times, January 7, 2014, accessed September 15, 2015, [http://www.nytimes.com/2014/01/08/opinion/what-makes-lagos-a-model-city.html?\\_r=0](http://www.nytimes.com/2014/01/08/opinion/what-makes-lagos-a-model-city.html?_r=0).
- 3 Tim Cocks, “Insight – The struggle to tame Africa’s beast of a megacity,” Reuters, October 23, 2013, accessed on January 28, 2016, <http://uk.reuters.com/article/uk-lagos-megacity-idUKBRE99M04620131023>.
- 4 Vanessa Watson, “African urban fantasies: dreams or nightmares?” *Environment and Urbanization* 26 (2014) (1): 215-231.
- 5 United Nations Human Settlements Programme, *State of the World’s Cities 2012/2013. Prosperity of cities* (2013; Nairobi/ New York: Routledge), 129.

is quite a difference whether urban infrastructure needs to serve 6 million people more or less; the same applies to the enormous housing shortage, especially in the lower income classes.

Lagos represents the hopes we associate with cities. They are the places of renewal and progress; they are the places where people can exchange and share information, knowledge and goods in large amounts and high concentration. In a nutshell: Cities are seen as the engines of development. Steering the urban development of a city like Lagos is an enormous task. How does the Lagos State government tackle this? For whom does it plan? How can it secure the funding, and what are the regulations and obligations that come with it? Is the Lagos State government accountable? Are the planning and implementation processes fair and transparent, allowing for participation and opposition? What is the overall vision that guides the implementation of new urban projects?

A group of seven local and international researchers, supported by eight final-year bachelor's students of the Urban and Regional Planning Department of the University of Lagos analysed in a case-study approach four topics that are relevant for the urban development of Lagos. In a first step, official planning documents, policies, laws and responsible governmental bodies were identified, classified and compared, and completed with expert interviews. In a second step, field studies were performed through mapping of neighbourhoods and surveys of involved people and affected residents to reflect the theoretical planning framework on the ground. Finally, a set of findings allowed drawing conclusions and formulating recommendations. Throughout the one-year project, a series of workshops and meetings was held, in part with external reviewers from practice, academia and government to discuss the results of the research. The report presents each of the investigated topics in a different chapter, followed by a general conclusion and outlook.

The chapter “**Housing, slums and informal settlements**” gives an overview and assessment of current policies, laws and institutions that are linked to housing delivery. Within the latter, slums represent the biggest challenge since they lack not only housing but also infrastructure and job opportunities. Roughly 70% of Lagos' population struggles to participate in the formal structures of the society. The list includes unequal access to affordable and efficient mobility, education, jobs, land titles, mortgages, and electricity. Millions of young people live in poverty with little perspective for their future. What are the approaches Lagos State government is putting in place? The chapter looks into the government-led regeneration process in Olaleye-Iponri since 1988, an old shantytown, centrally located on the mainland. The overall findings from this case study are critical. 31 years after the commencement of the slum-upgrading process the community is still ranked as a slum and the income situation of the majority of the dwellers is desperate. Furthermore, the state-led regeneration process was not based on the principles of inclusion and integration, despite the partial involvement by the World Bank. The new houses that were delivered in the second regeneration phase were not meant to accommodate the slum dwellers but a new set of residents. 31 years without any significant and systematic improvement in the life

conditions of these people – this equals the loss of an entire generation that otherwise could have contributed to the development of the city by earning money in good jobs, paying off their mortgages, paying taxes and sending their kids to school.

Without doubt, one of the most pressing issues in Lagos is transportation. In 2003, the Lagos State government established the Lagos Metropolitan Area Transport Authority (LAMATA) with the support of the World Bank, the agency being subordinated to the Ministry of Transportation. Since then, the Lagos State government has embarked on a series of large-scale infrastructure projects, among them the introduction of a Bus Rapid Transit (BRT) system and the commencement of construction works for a light rail network. Both projects are part of a new transport master plan. Another milestone was the introduction of the Lagos Road Traffic Law in 2012 which seems to aim at controlling and managing the vehicular rather than trying to resolve structural transport problems. Unfortunately, many of the law's provisions portray Lagos as a city under emergency rule where citizens are in extreme disagreement with the government institutions. It seems emblematic for many of Lagos State government's policies: The main goal does not seem to be the empowerment of residents but rather to curb the informal sector. While it is true that many of the informal operators run badly maintained vehicles and that security is a constant issue, it is also obvious that a large percentage of the population depends on the current informal public transport system. The necessary transformation of the system needs to be inclusive. Whenever something is being banned, new opportunities should be made accessible. In 2006, Francisco Bolaji Aboosedo, the then-Commissioner for Town Planning and Urbanisation, was quoted that "by 2015 Lagos will be the third largest city in the world but it has less infrastructure than any of the world's other largest cities."<sup>6</sup> Luckily, the 25-million inhabitant prediction and the consequent third place in the worldwide city size ranking hasn't become true yet, the observation concerning the lack of infrastructure in relation to the population is certainly correct. Against this backdrop, one may wonder why the Lagos State government decided to invest in a light rail system that requires not only the evacuation of informal structures but is complex and cost-intensive to plan and build, let alone the operation and maintenance costs in the harsh tropical climate. By contrast, BRT systems are easy to implement, to expand and to maintain. Additionally, informal danfo drivers can be trained as BRT drivers. The chapter "Urban mobility and transportation" reviews in detail all the relevant policies, laws and projects and concludes with a set of recommendations, mainly pleading for a more decentralised planning approach and more inclusive, less penalising approaches in the transformation of the urban transportation and mobility system.

Nigerian cities are not administered by mayors as State Governors head all cities, even the biggest like Lagos, Ibadan, Benin City and Kano. The Governor of Lagos State oversees 20 local government areas, which have little power and budgetary autonomy. This leads to extremely hierarchical and centralised government politics. As a result, all the state-led provision, policies, and initiatives have to go through the bottleneck of state government

6 "Nigeria: Lagos, the mega-city of slums", IRIN, Humanitarian news and analysis, accessed January 29, 2016, <http://www.irinnews.org/report/60811/nigeria-lagos-the-mega-city-of-slums>.

institutions. A good example is the introduction of the Lagos Waste Management Authority Law in 2007 that banned all the informal activities in the waste sector. Without denying the difficulties that informal waste management activities may cause such as the occurrence of informal dumpsites, efforts to integrate people is more sustainable than a ban with prosecution that may deprive people of their income sources. The chapter “Solid Waste Management” does not only give an overview of the history of waste management and current policies in Lagos, it especially presents the results of the two field researches in Amuwo Odofin and Kosofe. In each local government area, three settlements different in use, historical origin and income situation were investigated with regard to the efficiency of the daily or weekly waste services by Lagos State government through LAWMA and the official private sector participants. The findings reveal a rather dysfunctional waste management system that is not recognizing enough the potentials of integrating informal and small-scale private initiatives and the participation of the civil society – despite of the huge challenges faced with regard to the population increase, the environmental degradation and youth unemployment. Establishing a constitutional reform to install mayors and city governments may rather be a long-term approach; in contrast, the legal and financial empowerment of local governments is a step that could relatively easily be implemented. Nevertheless, it is a little strange that in the “urban age” – the century in which more people live in cities than on the countryside and cities are recognised as the engines of development and prosperity – Lagos as one of the twenty largest cities on the planet has no mayor. Naturally, state governors have other agendas than city mayors. This may be one of the reasons why cities like Lagos struggle with issues that are related to urbanization and urban growth: the policies may simply not be “urban enough.”

Since 2000, Lagos State government has started to re-plan large parts of the existing city. One such example is the Lekki Free Zone in the far west of the city and subject of the last chapter “Strategic Planning and Urban Mega Projects”. It scrutinizes how the current city leadership is being transformed and implemented in giant projects that are usually the result of careful strategic planning. Lagos State government wants to leapfrog from a development city into the “globally leading city”. According to that vision, Lagos wants to play in the league of global cities, become an investment hub in Africa and represent a model for fast-urbanising African nations. International examples for such an approach are Singapore, Shenzhen or Dubai. At first glance, the planning of the Lekki Free Zone seems to be the logical outcome of the government’s approach to attract massive foreign investment. A closer look reveals though that the implementation of this project, absurdly enough, deprives local communities from their livelihoods, whereas the main foundation of the project is the creation of new jobs for locals. The Lekki Free Zone is part of an emerging trend in today’s globally connected business environment. It is commissioned by the Lagos State government and delivered by private contractors that are again financed and supervised by a highly complex construct of private and state actors. However, what is striking is the dominant role of Chinese building contractors, consultants and planning offices. At this stage, there are two big uncertainties: What does the Lekki Free Zone imply for Lagos’ future, in terms of the promised local jobs and the stimulus for the local economy, and in



terms of the ever-increasing interdependency with Chinese investors. The seven strategies of the Lagos Development Plan 2012-2025 include people and poverty alleviation, functionality and productivity, managing the growth and spread of the Lagos metropolitan area, democracy and governance, safety and security, transformation, and national growth and global influence. As one of the key projects of the last 15 years, the Lekki Free Zone should comply with all these seven points. As it is, the Chinese investors benefit the most: They can sell their knowledge and plans and even bring their workforce. It is no secret that China is looking for production sites outside of the country as the Chinese economy is undergoing a major transformation towards a service-oriented society. Lagos' local economy is yet to benefit from the Lekki project. The big question remains: Would it not be better to invest equally in planning implementation strategies like the provision of low-cost housing, of urban infrastructure like water, sewage and electricity, and the creation of a favourable business environment for locals to easily and legally set up their own firms? Wouldn't it be better to put Lagosians at the centre of the development policies instead of solely aiming at a rather nebulous status of "global city"? Is it not equally to invest in the development of a city with good urban infrastructure, continuous power supply, good public spaces, affordable housing and good health systems and then, consequently, attract investors and firms, be they from Nigeria or abroad, to invest in a livable city with skilled and well qualified citizens? The present report suggests that some strategic adjustments in the overall politics and policies of Lagos State would benefit the majority of Lagosians, and the overall economy of the city. We probably have to accept that today's urban development strategies are largely driven and implemented by the private sector, with all the implications that come with it. However, this does not release the state and its democratically elected representatives from their responsibility to ensure that also the weakest in society also have the chance to live in dignity.

**Editor and lead researcher:**



**Fabienne Hoelzel**

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# HOUSING, SLUMS AND INFORMAL SETTLEMENTS

1



(Housing Research Group, Heinrich Böll Stiftung, 2015)

Research

**Lookman Oshodi with Adetonwa Rafiat and Michael Ogunwale**

Research management and editing

**Fabienne Hoelzel**



# HOUSING, SLUMS AND INFORMAL SETTLEMENTS

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# INTRODUCTION

A major feature of Lagos' landscape is the proliferation of slums and informal settlements. They evolved in response to government's inability to provide adequate housing for the teeming population. These slums and informal settlements provide accommodation for the majority of the people and are usually the first point of call for new migrants. However, they are manifestations of government neglect and lack of proportional planning. They evolved haphazardly on precarious locations prone to flooding, rising damp, building collapse, fire outbreak and epidemics.

Because of its limited landmass and difficult terrain characterized by marshy wetlands and high water table, suitable land for building is scarce in Lagos. Reclaimed land from ocean is usually beyond the reach of the poor. Building in difficult terrain requires careful planning as well as strict adherence to safety standards. The poor rarely comply with these standards.

This chapter examines and assesses urban regeneration strategies for informal settlements in Lagos based on the example of Olaleye-Iponri. The chapter comprises the identification and examination of the relevant laws, policies, institutions, housing programmes and projects in Lagos. It further includes a field research in Olaleye-Iponri.

## Concept of housing and informal settlements

Housing is known universally as one of the basic necessities of life and an important requirement to survival.<sup>1 2 3</sup> It comprises of more than foundation, four supporting walls and a roof. It needs supporting infrastructures like power supply, waste disposal system, water supply, shopping facilities, recreational facilities and the entire environment surrounding the shelter. In this expanded view, housing is both a process and a product.<sup>4</sup> The Nigeria National Housing Policy<sup>5</sup> defines housing as the process of providing functional shelter in a neighbourhood supported by sustainable maintenance of the built environment for the day to day living and activities of individual and families within the communities. In contrast to the description of adequate housing, the UN Habitat indicators on slums state that: "A slum is a contiguous settlement where the inhabitants are characterized as having inadequate housing and basic services. A slum is often not recognised and addressed by the

1 Adepoju G. Onibokun, "Housing needs and responses: A planner's view" in *Journal of the Nigerian Institute of Town Planners* 11(1&2) (1983)

2 Ademola T. Salau (1990), "The environmental context of urban housing-public services and infrastructural facilities in Nigerian urban centres" in *Urban housing in Nigeria*, ed. Poju Onibokun (Ibadan: NISER, 1990), 58-88.

3 United Nations, "Promoting sustainable human settlement development" in *Earth Summit Agenda 21, The United Nations Programmes of Action from Rio*, ed. UN Department of Public Information, (New York, 1992), chapter 7.

4 Tunde Agbola, "The housing debacle", inaugural lecture delivered at the University of Ibadan, 2005.

5 Federal Ministry of Housing and Urban Development, *The National Housing Policy*, 2006.

public authorities as an integral or equal part of the city”.<sup>6</sup> This definition encompasses a wide variety of low-income settlements and poor human living conditions and includes the traditional meaning of slums, which are old residential areas that were once respectable or even desirable, but over time, have deteriorated through neglect, as the original occupants have moved out, and the units have been progressively subdivided and rented out to poorer households.<sup>7</sup> Slums in this context also include squatter settlements – euphemistically referred to as informal settlements – that are often found on the urban fringe and in high-risk or vulnerable areas such as steep slopes, deep gullies, near dumpsites, under overpasses and floodprone areas.

### **Factors for informal settlements**

Most slums in cities of developing countries including Lagos resulted from rapid population increase without a corresponding housing and social services provision.<sup>8 9</sup> Another cause of the formation and existence of slums in developing countries is poverty.<sup>10</sup> The meager and unsteady incomes compel slum dwellers to poor housing with inadequate supporting social services. Inadequate urban housing supply coupled with increasing demand for housing in many developing countries propels the formation of slums which is compounded by the lack of robust urban development instruments and management regulations by city authorities.<sup>11</sup> Most city authorities in Nigeria are overwhelmed by the rapid development of slums and the spread of informal settlements that their regulatory interventions are either too late or have failed to make any impact. Lack of repairs and housing maintenance also causes slum formation which is often ignored especially in developing countries such as Nigeria. According to Hiraskar regular maintenance of old buildings in urban areas can be a major remedy to slum formation.<sup>12</sup> However, issues of repairs and maintenance are not of top priority to the Nigerian building sector causing rapid decay and deterioration of buildings. This affects the sustainability of the urban environment and consequently leads to slum development. Therefore, tenants, landlords and government have a role to play in repairing and recovering urban slums.

### **Indicators of slum settlements**

The global assessment of slums undertaken by the UN-Habitat shows that 828 million or 33% of the urban population of developing countries resides in slums.<sup>13</sup> In sub-Saharan Africa, 62% of the urban population resides in such settlements.

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- 6 UN HABITAT, *Expert group meeting on slum indicators: Secure tenure, slums and global sample of cities* (Nairobi: UN Habitat, 2002), 21. // UN HABITAT, *Guide to monitoring target 11: Improving the lives of 100 million slum dwellers: progress towards the millennium development goals* (Nairobi: UN HABITAT, 2003a), 10.
- 7 UN Habitat 2003a, *ibid.*
- 8 Jerome Fellmann, *Human geography: Landscape of human activities* (WCB Publishers, 2nd ed, 1990).
- 9 United Nations Center for Human Settlement: *The challenges of slums. Global report on human settlement (2003b)*; London Sterling, VA: Earthscan Publications Ltd.).
- 10 Sud Hari (2006), *Poverty and slums, its impact of changing economic landscape* (South Asia: Analysis Groups Co Ltd., 2006).
- 11 Alain Durand-Lasserve, *Regularisation and integration of irregular settlements; Lessons from experience*, World Bank Urban Management Programme Policy Paper 6 (Washington DC, 1996).
- 12 G. K. Hiraskar, *Fundamental of town planning* (New Delhi: Dhanpat Rai Publication (pvt) Ltd., 1993).
- 13 United Nations Human Settlement Programme, *The State of African cities 2010: Governance, inequality and urban land markets* (Nairobi: UN Habitat, 2010).

Table 1.1

## Indicators and thresholds for defining slum households

Indicator	Definition	Features of acceptable conditions
<b>Access to improved water</b>	A household is considered to have access to improved drinking water if it has at least 20 litres/person/day for family use, at an affordable price of less than 10% of total household income	<ul style="list-style-type: none"> <li>• Piped connection to house or plot</li> <li>• Public stand pipe serving no more than 5 households</li> <li>• Bore hole</li> <li>• Protected dug well</li> <li>• Protected spring water</li> <li>• Rain water collection</li> </ul>
<b>Access to improved sanitation</b>	A household is considered to have access to improved sanitation if an excreta disposal system, either in the form of a private toilet or public toilet is shared with a reasonable number of people, is available to the household	<ul style="list-style-type: none"> <li>• Direct connection to public sewer</li> <li>• Direct connection to septic tank</li> <li>• Pour flush latrine</li> <li>• Ventilated improved pit latrine (with slab)</li> </ul>
<b>Structural quality/ Durability of housing</b>	A house is considered durable if it is built on a non-hazardous location and has a permanent structure adequate enough to protect its occupants from extremes of climatic conditions such as rain, heat, cold and humidity	<ul style="list-style-type: none"> <li>• Permanent building materials are used for walls, roof and floor</li> <li>• Compliance with building codes</li> <li>• Dwelling is not in a dilapidated state</li> <li>• Dwelling is not in need of major repairs</li> <li>• Dwelling is not located on or near toxic waste</li> <li>• Dwelling is not located on flood plain</li> <li>• Dwelling is not located on steep slope</li> <li>• Dwelling is not located on flood plain</li> <li>• Dwelling is not located on in a dangerous right of way (railway, highway, power line, airport etc.)</li> </ul>
<b>Sufficient living space (not overcrowded)</b>	A dwelling unit is considered to provide sufficient living area for household members if there are fewer than three persons per habitable room	<ul style="list-style-type: none"> <li>• Not more than two persons per room</li> <li>• The alternative is to set a minimum standard for floor area per person (e.g. 5 m<sup>2</sup>).</li> </ul>
<b>Security of tenure</b>	Security of tenure is the right of all individuals and groups to effective protection by the state against arbitrary unlawful evictions	<ul style="list-style-type: none"> <li>• Evidence of documentation that can be used as proof of secure tenure status, as indicated by:</li> <li>• Households with formal title deeds to both land and residence</li> <li>• Households with formal title deeds to either land or residence</li> <li>• Households with enforceable agreements or any document as proof of a tenure arrangement</li> <li>• De facto or perceived protection from forced evictions</li> </ul>

(Adapted from: UN Habitat 2003a, 12, *ibid.* // United Nations Center for Human Settlement, 2003b, *ibid.*, 19. // Ben C. Arimah, "Slums as expressions of social exclusion: Explaining the prevalence of slums in African countries", 2010. <http://www.oecd.org/dev/pgd/46837274.pdf>, accessed on May 23, 2015.

## Informal settlements in Lagos

The deterioration of Nigerian urban centres has been a process, not a willful act that may be corrected on command or legislation. The reality in the big cities in Nigeria such as Lagos, Ibadan, Port Harcourt, Aba and Enugu presents a number of problems that are worth mentioning. These include urban decay, slums, overcrowding and lawlessness which lead to the loss of land and natural resources.

Lagos, the former political and current commercial capital of Nigeria, began to expand at a breakneck pace with the oil boom of the 1970s. Lagos is one of the Africa’s largest cities with a population that exceeds 10 million.<sup>14</sup> With this large population come challenges that result from what the UN terms “over-urbanisation,” meaning that “the populations are growing much faster than local economies, leading to major social and economic challenges of slum proliferation”.<sup>15</sup> The urbanisation process in Lagos has not been accompanied with a corresponding supply of adequate housing, basic infrastructures and amenities. Consequently, this has led to the development of disorganised, overcrowded, declined, dilapidated and blighted areas and then large proportion of slums within the city.

As at 1991, the World Bank Urban Renewal Project identified 42 slum communities in Lagos State.<sup>16</sup> The number of slums in Lagos is now estimated to have increased to more than 100 due to the inadequacy of private and public institutions to provide housing to the increasing population.

**Table 1.2**  
**Overview of slum settlements in Lagos State**

Year	No. of slums	Average size of slums (households)	Period
1983	42		30 years
2013	100	30,637 households/slum (153,182 people/slum) – based on total No. of households in the State	

(Source: Lagos Bureau of Statistics, 2013)

Since Abuja became Nigeria’s capital city in 1990, the government has put a lower priority on funding development and infrastructure, including housing, for Lagos.<sup>17</sup> This is one of the major setbacks that Lagos is facing, in terms of providing corresponding infrastructure to the ever increasing population in the state. Various indicators ranging from access to basic infrastructure, quality and physical conditions of housing, occupancy rate of housing and security of tenure show that larger percentage of Lagos development landscape falls within the remit of informal settlements.

14 UN Habitat 2010, *ibid.*

15 UN Habitat 2010, *ibid.*

16 Ibidun O. Adelekan, “Vulnerability of poor urban coastal communities to climate change in Lagos, Nigeria” in *Proceedings of the 5th Urban Research Symposium, (URS’95)* (Lagos, Nigeria, 2004), 1-18.

17 Pelu Awofeso, “One Out of every two Nigerians now lives in a city: There are many problems but just one solution” in *World Policy Journal* (2010) (27:4) (67-73).



Table 1.3

**Indicators of settlements and urban services in Lagos State**

Indicator	Total No. of households affected (statewide)	Percentage of households affected
<b>Total population</b>	22,583,305	—
<b>No. of persons per household (Average)</b>	5	—
<b>Total no. of households in the state</b>	4,376,610	—
<b>Lack of access to adequate housing</b>	3,063,627	70%
<b>Urban poverty</b>	2,363,370	54%
<b>Lack of access to water</b>	3,676,352	84%
<b>Lack of access to sanitation</b>	3,019,861	69%
<b>Lack of access to solid waste collection</b>	1,225,451	28%
<b>Lack of access to transportation</b>	2,275,837	52%
<b>Lack of access to sustainable electricity</b>	3,851,417	88%
<b>Lack of rights of occupancy</b>	2,757,264	63%

(Source: Lagos Bureau of Statistics, 2013)

From the table 1.3, it is clear that Lagos exhibits significant forms of slum and informalities as shown on all indicators which are above 50% except in the solid waste collection sector which is 28%.

The Lagos State government had a documented history of housing provision from the days of the Lagos Executive Development Board (LEDB) in 1950's. LEDB was able to deliver 4,502 housing units, within 17 years, from 1955 to 1972 when it was dissolved. In 1972, the functions of LEDB were transferred to Lagos State Development and Property Corporation (LSDPC) as the sole agency responsible for the provision of housing in Lagos State. LSDPC has been saddled with the execution of gigantic low-cost housing programme of the early eighties which yielded close to 10,000 units under the leadership of Alhaji L. K. Jakande.<sup>18</sup> 1979 to 1983, a period that delivered close to 10,000 units was described as golden era of housing in Lagos State with emphasis on low cost flats to cater for the needs

18 Lookman Oshodi, *Housing, population and development in Lagos, Nigeria*, 2010, <https://oshlookman.wordpress.com/2010/11/24/housing-situation-in-lagos-nigeria/>, accessed on February 25, 2015.

of the low-income earners. The delivery by LSDPC was supported by mortgage provision from Lagos Building and Investment Company (LBIC). Many civil servants and non-civil servants' residents of Lagos benefited from the programme.

## HOUSING REGULATORS AND INSTITUTIONAL FRAMEWORK IN LAGOS STATE

The shape, quantity, quality and locations of housing in any city will largely be determined by the depth and vibrancy of its regulatory and institutional framework. Housing policy is a written document which usually comprises specific objectives, strategies and programmes aimed at solving the housing problems or meeting with the ever increasing housing needs and demand of a country.<sup>1</sup>

The major thrust of housing policy is to achieve some housing goals which universally translate to adequate housing for everybody in a good environment and at an affordable cost. Often, housing policies and housing programmes are interwoven as one is dependent upon the another; housing policy is to achieve a housing goal which is realizable through housing programmes.

*Note: All the policies impacts' assessments are the inferences by the researchers.*

### A. Nigeria National Housing Policy

In Nigeria, there is an operating National Housing Policy since December 2011 which purpose is to ensure that all Nigerians own or have access to decent, safe and sanitary housing in a healthy environment with infrastructural services and secure tenure at affordable cost. This positions the housing sector as one of the prime drivers of socio-economic development, including job creation and employment, as well as accelerated national transformation.

The policy thrusts as applicable to the state governments in Nigeria including Lagos are;

- Encouragement of the active participation of the three tiers of government and other stakeholders, in housing delivery;
- Establishment of a national housing data bank, with data generated at three tiers of government, to adequately capture the trends, characteristics and other defining features of the housing sector in order to assist in making informed decisions on housing supply and demand planning;
- Harmonisation and standardisation of land administration processes nationwide;

<sup>1</sup> Virginia C. Ezenagu: *Fundamentals of housing* (2000; Awka: Fountain Publishers).

- Collaboration and partnership with states and local governments to produce a unified and integrated infrastructure development policy for housing so as to open new layouts and private sites and services for the private sector to develop affordable and decent mass housing facilitated by Government;
- Promotion of social Housing as well as cooperative housing as social responsibilities of governments for ensuring poverty reduction towards a just and equitable society.

One of the policy's objective relating to the state governments and other tiers is to develop and sustain the political will of governments for the provision of housing. The strategies for attaining the policy thrusts and the objectives are to:

- Encourage the states to review their landlord and tenant laws so as to engender harmonious relationship between tenants and landlords and to reduce defaults in rent payments and thereby encourage investments in private rental residential housing;
- Encourage the state and local governments to enact laws and make regulations to prevent and control avoidable losses from building collapse and fire incidents;
- Implement federal, state and local governments environmental policies, programmes and regulations in the housing sector.

#### Box 1.4

##### Assessment of the impacts on housing in Lagos State

Since the institutionalisation of the policy, much of its provisions is yet to be implemented in Lagos save for the Lagos Tenancy Law of June 2011 which predates the policy. Also, the law that controls, regulate and prevent building collapse has been enacted in 2010 long before the National Housing Policy. The policy is yet to make any appreciable impact in the Lagos housing market.

#### B. Lagos State housing policy

There is no substantive housing policy in Lagos State. However, chapter 7.7 of the Lagos State Development Plan 2012-2025 provides a clear direction of government in housing provision<sup>2</sup>:

- Citizens have access to their desired choice of housing;
- Good quality housing development obtains in urban and rural communities;
- New housing developments are built in a sustainable manner;
- Access, ownership and transfer of land is clarified and simplified;
- Land utilization is optimized across Lagos State.

#### **Policy targets:**

- 100% of citizens will have access to decent housing;
- At least 25% of citizenry will own their home by improving access to affordable mortgages;
- Annual house building rates to be progressively accelerated over the plan period to achieve 20,000 units p.a. by 2015, 50,000 units by 2020 and 80,000 units by 2025;
- New housing to be built in the ratio of 70: 20: 10 (for low, medium and high income brackets, respectively);
- 5% annual reduction of slums;
- Enforcement of >70% compliance in building design & housing standards law;
- Housing development that preserves land to ensure the long-term viability of the city;
- Reduction of rent to meet the household affordability threshold;
- Simplified process of ownership and transfer of land;
- Reduction of building costs through championing the use of alternative materials and technology.

#### **Policies and strategies:**

- **Planning framework:** The state will develop a long term housing plan and implementation framework. They will also ensure that housing units have access to required infrastructure, utilities and services;
- **Multiple housing approaches:** The state will pursue housing development in the state through a combination of different models, involving all sectors;
- **Affordable housing:** The state will maintain and expand state housing programmes as far as possible, especially in the high and medium density categories. They will maintain and extend housing initiatives such as HOMS and CHOIS. A PPP approach to housing development in the state, especially in low cost social housing, will be encouraged by providing incentives to the private sector. Further opportunities for the development of affordable housing will be made through land subsidies and shared equity schemes;
- **Social housing needs:** The state will accommodate diverse housing needs of the citizenry within Lagos State by ensuring provision is made for an ageing population as well as for single households, the young and disabled. The state will seek to reduce or eliminate homelessness;
- **Land:** The state will ensure that sufficient land is allocated for housing in

suitable locations and will promote competitive rates and levies on land transactions and development in Lagos State. The state will facilitate real estate investment in Lagos State through land attractiveness, availability, ownership and ease of transfer;

- **Housing standards:** The state will establish relevant “housing quality standards” (building, maintenance, aesthetics and living) and ensure compliance;
- **Rural housing:** The state will facilitate new and improved housing development in the rural communities;
- **Innovation:** The state will promote innovation in housing development so as to facilitate the reduction in housing costs;
- **Information:** The state will improve housing data to identify housing needs, locations and other key baseline requirements.

### **The built environment (slum eradication)**

In chapter 10.6 of the Lagos State Development Plan 2012-2025, the plan recognised the challenges posed to orderly physical growth and sustainable urban development by over 2,600 communities and over 100 slums that characterised Lagos State’s physical landscape. The plan, therefore, outlined its objectives, targets and strategies as follows;

#### **Policy objectives/ outcomes:**

- A beautiful and aesthetic Lagos State;
- A fully functional and effective urban and rural planning and development system;
- Cultural diversity in urban and rural development activities;
- Dynamic linkages between the rural communities and urban centres.

#### **Policy targets:**

- To commission and complete a new regional master plan for Lagos State by 2015;
- To have district master plans in place by 2015;
- To have a complete coverage of neighbourhood plans in place by 2020;
- Access to basic infrastructure, utilities and services to be 15 minutes walking distance;
- A 20% reduction in population density;
- Promote 15 new growth poles/corridors to accommodate the future expansion of the city.

#### **Policies and strategies:**

- **Hierarchy of physical plans:** The state shall establish a hierarchy of physical plans for the whole state, with a regional master plan at the apex, district master plans and neighbourhood development plans. Specific areas shall also have statutory layout plans.
- **Growth poles and corridors:** The state will utilize the growth pole and corri-

dor concepts in the future expansion of the city.

- Slum clearance: The state will plan for the clearance of the worst slum areas and upgrading of the remaining older housing areas in neighbourhood plans.

#### Box 1.5

#### Assessment of the impacts on housing in Lagos State

The plan formulated in 2012 with term commencement in 2013 provides a schematic framework for housing in Lagos State, but is not ambitious to resolve the housing and slum proliferation in the city. By 2025, the target of the plan is the delivery of 80,000 housing units which is about 4% of the estimated housing deficit in excess of 2 million within a 13 year plan period. The use of the phrase “affordable housing” sets confusion as Lagos HOMS and CHOIS, which deliver already overpriced housing beyond the reach of majority of Lagos residents, were identified as delivery vehicles for affordable housing.

The role of the private sector is very crucial in the delivery of affordable housing, but surrendering social housing which ought to enjoy holistic state priority and funding through encouragement of PPP arrangement is a recipe for inadequate realisation of the development plan’s objectives. The encouragement of social housing through a PPP is passive compared to maintaining and extending housing initiatives such as HOMS and CHOIS which are market oriented PPP housing delivery models.

Entrusting solely the state with the responsibilities for district master plans, neighbourhood development plans and layout plans is relying on the existing centralised planning methodology which isolated citizens from their environment and contributed immensely to the proliferation of informal settlements. The slum clearance strategy of the state is highly ambiguous. It is conspicuously silent on contemporary slum clearance key components such as resettlement, compensation, relocation, and voluntary displacement. This suggests that residents of slum areas will come under state government’s orchestrated vicious attacks, as experienced in the past.

#### C. Lagos Tenancy Law 2011

The Tenancy Law was promulgated on 24th day of August 2011 to regulate rights and obligations under tenancy agreements and the relationship between the landlord and the tenant including the procedure for the recovery of premises and for connected purposes such as rent revision, service charge management and payment of professional fees among others. The law is applicable to business and residential premises in Lagos State with few exceptions for social residence premises and high brow residential areas of Apapa, Ikeja GRA, Ikoyi and Victoria Island. The major highlight of the law is to control the rent payable on business and residential premises. The law places restriction on property owners from taking more than six (6) months and one (1) year rent from a monthly tenant and a yearly tenant, respectively.

### Box 1.6

#### Assessment of the impacts on housing in Lagos State

The impact of the law on housing delivery is not clear cut, but the considerable level of compliance to rent restriction seems to have raised the demand for housing in the city. In a situation of low supply to high demand, the deficit of housing within the city will continue to rise.

#### D. Lagos State Urban and Regional Planning and Development Law 2010

The law was adopted in 2010 to provide for the administration of physical planning, urban development, urban regeneration and building control in Lagos State and for connected purposes. Since housing constitutes a major part of urban development in the state and many residential settlements required substantial regeneration investment, it is expedient to understand the impacts of the law on the housing dynamics in the city.

The sections of the law provide for the following:

- Administration of physical planning, urban development and building control;
  - Upgrading;
  - Enforcement;
  - The planning permit authority;
  - The building control agency;
  - Urban renewal, improved areas rehabilitation and acquisition of land and compensation;
  - Appeals and other matters;
  - Upgrading.
- 
- **Institutions:** The administration section of the law outlined the development agencies namely: The Lagos State Physical Planning Permit Authority, the Lagos State Building Control Agency and the Lagos State Urban Renewal Agency to implement the policies of the Ministry of Physical Planning and Urban Development, which will act in a supervisory role.
  - **Responsibilities of the Ministry of Physical Planning and Urban Development:** The ministry shall be responsible for all physical planning, urban development, urban regeneration and building control policies of the state. It shall be responsible for initiation, formulation of policies, coordination of programmes and review of all aspects of physical planning, urban development, urban regeneration and building control in the state. It shall be responsible for preparation and approval of hierarchies of physical development plans including urban regeneration plans, and be responsible for the formulation of guidelines for fostering inter-ministerial, inter-governmental, bilateral



and multi-lateral cooperation on physical planning, urban development, urban regeneration and building control.

- **Preparation of the plan:** In the preparation of the plan under section 5(2), the ministry or relevant agency shall from time to time, for the purpose of preparing development plans in the state, invite relevant stakeholders including ministries, agencies, non-governmental organisations, professional bodies and individuals for the purpose of considering any matter relating to physical planning and urban development.
- **Urban renewal:** Part IV of the law covered urban renewal, improved areas, rehabilitation and upgrading. It acknowledged Lagos State Urban Renewal Agency (LASURA) as the institution responsible for monitoring and identifying areas qualified for upgrading and advising the State government on redevelopment or renewal programmes accordingly; and preparing and implementing approved state urban upgrading and urban redevelopment projects among other functions.

*Section 52* empowered the agency to assist in the implementation of approved development plans and to declare any part of the area for which such plan has been made to be an “improvement area” for the purpose of rehabilitating, renovating, and upgrading the physical environment, social facilities and infrastructure of the area. The rehabilitation, renovation and upgrading may be brought about through the combined efforts of the residents of the area concerned and the renewal agency as contained in *section 53 (2)*.

In *section 54*, the agency is mandated to use its best endeavor, before declaring any part of an area to be an improvement area, to inform the residents of the proposed improvement area by such means as it deems fit of the: purposes and intents of the proposed improvement; powers vested in the renewal agency; and facilities which would be made available and benefits to be derived by the areas. The agency is also expected to consult the local government or any other associations in the area to ascertain the views of the residents and to set up consultative committees between the agency and representatives of the residents to monitor the progress of improvement. *Section 54 (2) (a)* required the agency to assist or join other persons in assisting a resident or group of residents within the area to draw up and implement plans for the improvement of the neighbourhood.

The agency, under *section 55 (1) (a)*, is empowered to prepare an improvement area plan showing what ways and over what period of time the area is to be improved and may, where necessary include a plan for the redistribution of rights of occupancy of parts of land within the area or part of it; grant, guarantee or otherwise facilitate the granting of loans to a person or group of persons with a view to assisting in the improvement, repair or renovation of houses within the area as may be directed by the renewal agency or to

improving social and communal facilities within the area.

*Section 56* outlined the power of the agency to demolish a building that falls below the standard of other buildings in the area, constitute danger to public safety and cannot be repaired at a reasonable cost or required for the provision of infrastructural facilities.

Before ordering the repair, demolition or renovation of a building or part of it, *section 57* mandated the agency to undertake a series of steps, including appointing a committee of members to hear, consider and report on any representation or objection which may be made orally and in writing by the owner or occupier or his duly authorised representative. Where the renewal agency, after consideration of the report of the committee appointed confirms the proposed order with or without modifications or alterations, it shall serve a notice of the order and the reasons for it in such form as may be prescribed by regulations on the owner, occupier or representative. An aggrieved owner, occupier or interested party of a building which is the subject of a demolition order, may appeal against the order as provided under part VII of the law.

#### Box 1.7

#### Assessment of the impacts on housing in Lagos

The law is comprehensive and covered many aspects of urban planning and development in Lagos. It made provisions for new agencies and strengthened the existing ones with a view to sanitising development activities, regenerating the built environment and reducing the incidence of building non-standardisation, collapse and degradation. It empowered the Lagos State Urban Renewal Agency (LASURA) to undertake urban renewal, regeneration or upgrading of blighted communities. While the processes of demolishing a building were clear and engaging save for the appeal process which compromised the principle of fair hearing, compensation is still rooted in access to formal title by property owners. Despite the comprehensiveness of the law, it still maintains the administrative deconcentration approach to planning in Lagos which is different from devolution approach to planning. Deconcentration will continue to put local planning officials at the discretion of state's directive and decisions leading to continuous isolation of people from their environment and overall participation in planning decision that affects them. All plans are still expected to be initiated by the government. The elaborate outline of responsibilities for LASURA has not significantly changed the housing dynamics in Lagos State. While various government agencies responsible for housing construction seem to be enjoying speedy planning permit approval rate, the private sector especially in the low-income group remained isolated from the process. Formal land title and high official and unofficial costs of building permit have continued to keep away the private developers, especially in the slum settlements from large scale participation. Hence, the majority of housing supply from the private sector is still within extralegal realm.

## **E. Lagos Mortgage and Property Law 2010**

The law which repealed the Conveyancing Act, 1881 was amended in February 2015 to regulate mortgage activities in Lagos State. Among the key provisions of the law is the establishment of Lagos State Mortgage Board to monitor and regulate mortgage transactions.

The six-member board will have the following functions, among others:

- Generate a conducive environment for citizens of Lagos State to secure affordable mortgages or charges to enable them purchase their own homes;
- Advise the Governor on the funding, administration and structure of the state's mortgage finance programme or policy, and articulate any mortgage scheme or policy which the government has or may put in place from time to time in connection with mortgage lending;
- Protect residents of the state and the stability of the state's economy from unconscionable practices of mortgage brokers, lenders and persons who hold themselves out as offering funds on security by way of mortgage or charge of any property;
- Implement and honor on behalf of the state government all obligations in agreements between the state and parties with respect to provision of funds for land ownership or development of estates in the state;
- Advise government on the adoption of standards and policies under which property-secured credit should be provided;
- Maintain a central statistical database of mortgages and transactions secured on properties in the state.

The board is empowered to ensure that the mortgage industry is operated fairly, honestly, efficiently and free from deception or non-competitive practices. With the approval of the commissioner for finance and the State House of Assembly, the board may make regulations for the purpose of implementing the provisions of the law.

The law further provides that the only estates capable of subsisting of a mortgage under the law are a right of occupancy absolute in possession evidenced in writing by a statutory or customary right of occupancy issued under the Land Use Act or any other state land law.

### Box 1.8

#### Assessment of the impacts on housing in Lagos State

The law is contemporary and innovative in repealing the 1881 Conveyancing Act, but it is not prepared within the overall goal of reducing the huge housing deficit in Lagos. If the provisions that the assets for mortgage must have a statutory or customary right of occupancy or registered land will work, then there is need to embark on rigorous land reform that can increase formal land title from less than 10% to a significant level. In reality, the focus of the mortgage system is on the real estate built by the Lagos State government, under Lagos HOMS, restricting access to other private holdings. It is designed for the administration of the state's mortgage finance programme or policy, which in this case is Lagos HOMS.

Table 1.9

#### Summary of laws and policies affecting housing delivery in Lagos State

S/N	Policy or law	Focus	Application
1	Nigeria National Housing Policy	Housing	Nigeria
2	Lagos State Development Plan 2012 – 2025	Overall development	General applicability
3	Lagos Tenancy Law 2011	Housing and business premises	General applicability
4	Lagos State Urban and Regional Planning and Development Law 2010	Building, urban development and slum regeneration	General applicability
5	Lagos Mortgage and Property Law 2010	General applicability	Restricted to government owned properties

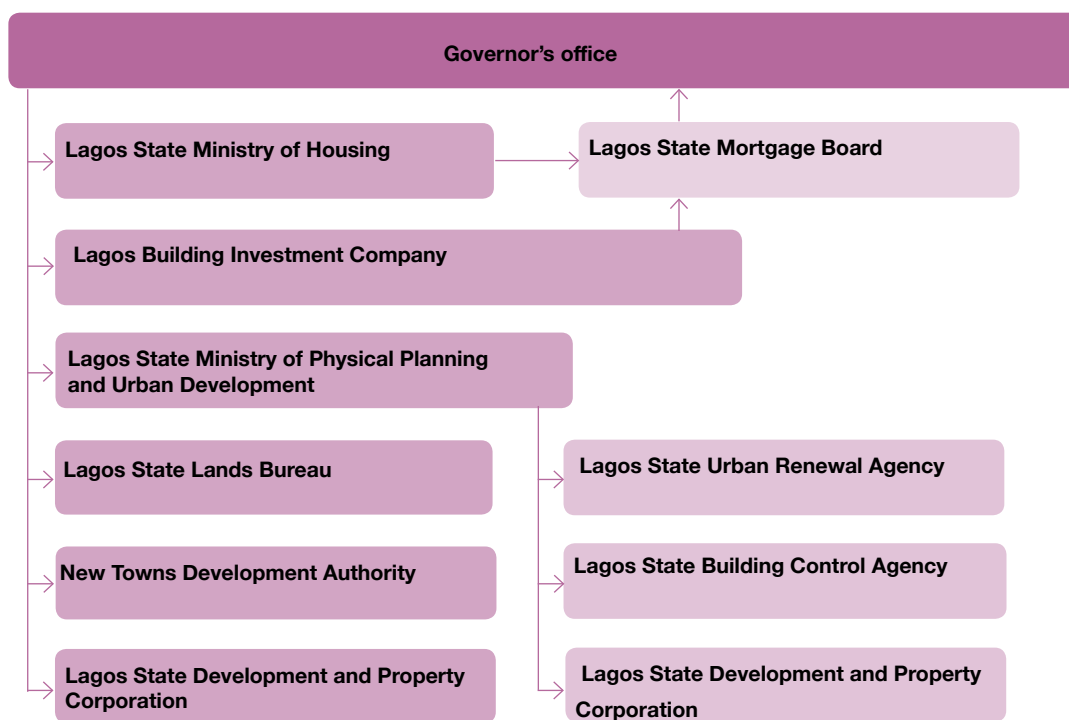
(Housing Research Group, Heinrich Böll Stiftung, 2015)

## INSTITUTIONS FOR HOUSING DELIVERY IN LAGOS STATE

In Lagos State, there are nine institutions with direct relationship to housing delivery. This report will, however, review five institutions with direct mandate to provide housing in the state. Figure 1.10 provides an overview of all institutions linked with housing delivery in Lagos State, their mandates and apparent target beneficiaries: it shows the priority of the Lagos State government in providing housing for high income earners in Lagos State. Two institutions focus on the high income group, three on high and medium income groups, and one on low-income group. With the enormity of challenges in the low-income sector where the majority of the residents belong, it is clear that solution to the housing crisis bedeviling Lagos State may not be available soon.

Figure 1.10

### Hierarchy of institutions for housing delivery in Lagos State



(Source: Housing Research Group, Heinrich Böll Stiftung, 2015)

#### A. Lagos State Ministry of Housing

The Lagos State Ministry of Housing was established in 1999 with the mission to provide good quality and affordable homes for the teeming population of Lagos State and the vision of a “model city” with a high quality of life for the citizenry through adequate provision of shelter which is a basic human need.

Figure 1.11

Overview of all institutions that are linked to housing delivery

Name of institution	Class of mandate	Roles	Target beneficiaries
1. Lagos State Ministry of Housing	Direct	Policies, facilitations, development and management of housing	High/ medium income groups
2. Lagos State Development and Property Corporation	Direct	Commercial or market oriented housing	High income groups
3. New Towns Development Authority	Direct	Site and services within government estates	High income groups
4. Lagos Building Investment Company	Direct	Mortgage provision	High/ medium income groups
5. Lagos State Urban Renewal Agency	Direct	Slum regeneration	Low income groups
6. Lagos State Building Control Agency	Supportive	Safety and performance of buildings	All groups
7. Lagos State Physical Planning Permit Authority	Supportive	Building permit	All groups
8. Lagos State Ministry of Physical Planning and Urban Development	Supportive	Urban development policy	All groups
9. Lagos State Land Bureau	Supportive	Land allocation	All groups

(Source: Housing Research Group, Heinrich Böll Stiftung, 2015)

It has the following responsibilities:

- Facilitation of housing finance service through an enduring mortgage system by providing easy access to the National Housing Fund (NHF) and facilitating support from international agencies;
- Encouraging private sector participation in housing delivery programmes through public-private-partnership strategy;
- Encouraging manpower development in the housing sector;
- Research into local and alternative materials to bring down the cost of houses;
- Consultancy services;
- Identification of abandoned properties and maintenance of housing estates;
- Addressing the housing needs of the under privileged e.g. widows (with the assistance of non-governmental organisations);
- Housing development and provision of physical facilities to make the estates habitable in conjunction with the NTDA, the Ministry of Physical Planning and Urban Renewal, and office of the surveyor general;
- Resettlement;
- Valuation of all types of interest in properties;
- To determine compensation for acquired properties;
- Allocation of houses;
- Matters relating to forfeiture of properties amongst others.

#### Box 1.12

##### Assessment of the impacts on housing in Lagos State

In fulfilling some of the above responsibilities, the ministry has adopted the direct construction of housing, private-public-partnerships (PPP) and the Lagos Homes Ownership Mortgage Scheme (Lagos HOMS) as housing delivery strategies. As at 2011, the direct construction method had yielded 19 completed estates with 4 undergoing construction. The PPP framework has equally yielded 19 estate development as at 2010. The ministry had confirmed, on April 29, 2015, that the state had built over 10,000 housing units since 2007 translating to 1,250 housing units per year.

Since its establishment in 1999, the ministry has not demonstrated full capacity to resolving housing crisis in Lagos State. Its direct housing provision has not translated to large scale housing delivery to the residents of Lagos rather it has crowded out the majority with benefits to the few who are connected and affluent. Rather than evolving strategies of improving housing conditions for the low-income groups in the state, the ministry has played prominent roles in depleting housing stock through forced evictions and demolitions without compensation or any form of resettlement. Some of the classical examples are the February 2013 demolition of Ijora-Badia community and March 2013 demolition in Odoragushin community.

## **B. Lagos State Development and Property Corporation**

The Lagos State Development and Property Corporation (LSDPC) was established in 1972 as a result of the amalgamation of three existing agencies; the Lagos Executive Development Board (LEDB), Ikeja Area Planning Authority (IAPA) and Epe Town Planning Authority (ETPA). With the promulgation of the LSDPC Edict No.1 of 1972, the agency becomes a unified institution for the provision of movable and immovable property in Lagos since the creation of the state in 1967. Among the functions of the LSDPC as outlined in the edict are:

- To acquire, develop, hold, manage, sell, lease or let any property movable or immovable within the State;
- To provide and maintain roads, footways, bridges, drains and sewers on its estates until a local authority takes over;
- To establish a home-ownership saving scheme in respect of any housing estate or building owned, constructed and managed by the corporation;
- Subject to the provision of the edict, to carry on all activities, which are necessary, advantageous or convenient for the purposes of carrying out its functions under the said edict.

### **Box 1.13**

#### **Assessment of the impacts on housing in Lagos State**

Since the formation of LSDPC in 1972, the most ambitious project was between 1979 and 1983 when a low income housing strategy was used to deliver almost 10,000 housing units in multiple locations across the state. Since then, LSDPC priorities have shifted from the provision of affordable housing to commercial housing. As at June 2012, LSDPC's total housing stock is 22,659 housing units in 65 estates, translating to 12,659 housing units from 1983 to 2012 (29 years). This is an average of 437 housing units per year. All the houses provided within this period are for private rental or ownership markets. They do not fit into the government supported housing which may make them affordable to the citizens since the vision of the agency has been directed towards the provisioning of market oriented housing.

## **C. New Towns Development Authority**

The New Towns Development Authority (NTDA) was established in April 1981 through the Lagos State government Official Gazette Extra-Ordinary No.19 Volume 16 to effectively implement the planned growth of Lagos State, in order to decongest the metropolitan centre and ensure even development of Lagos State towards the north west, south-west and Lekki axis. The responsibilities of the authority include the establishment of new towns and the development of sites and services schemes, provision of



infrastructures in government estates, promotion of large scale physical development, site selection for other government ministries, agencies, and private developers based on their request, development control and monitoring of unauthorised developments within government estates in liaison with the Ministry of Physical Planning and Urban Development. The authority is also responsible for all government schemes throughout the five geographical divisions of the state.

#### Box 1.14

##### Assessment of the impacts on housing in Lagos State

As at the year 2010, the authority has facilitated the development of 122 housing estates in different locations across the state, mainly through a site and services approach. Since the mandate of the authority is to serve the housing need of the affluent Lagos residents, its activities are not connected to delivering housing in the most needed sector, low-income groups.

#### D. Lagos Urban Renewal Agency (LASURA)

In 1991, the Lagos State government established the Lagos State Urban Renewal Board to implement the slum upgrading programme of the government in the identified 42 slum communities. In 2005 the board was renamed Lagos State Urban Renewal Authority to upgrade the slum and blighted communities. In the Lagos State Urban and Regional Planning and Development Law 2010, the authority has been renamed Lagos State Urban Renewal Agency with focus on urban regeneration and slum upgrading. The last restructuring activity was in January 2014 when functions of the Lagos Metropolitan Development and Governance Project (LMDGP) were dissolved into LAS-URA. Since the transformation in 2005, the agency had intervened in the Agege slum community with the upgrading of 4 houses, the delivery of 24 housing units at Iponri and the redevelopment of the Oluwole shopping facility in Lagos Island in collaboration with the Lagos State Development and Property Corporation. Efforts to regenerate Isale-Gangan I and II in Lagos Island to deliver 54 and 33 housing units, respectively and the Adeniji-Adele redevelopment, Lagos Island that will produce 96 housing units are ongoing. Also, the redevelopment of Anikantamo Plank Market and the regeneration of Ojogiwa/Okoya Streets and Jankara Market, all on Lagos Island are underway.

#### Box 1.15

##### Assessment of the impacts on housing in Lagos State

The analysis of the agency's achievements revealed strong concentration of project implementations on Lagos Island in comparison to other blighted communities across the state. In the 24-year history of the agency, significant improvement has not been made in the transformation of the city from informal landscape to a livable city, rather slum communities have increased from 42 in 1983 to more than 100 till date. Efforts of the agency in delivering adequate housing have remained infinitesimal to the needs of the city.

### **E. Lagos metropolitan development and governance project (LMDGP)**

The Lagos metropolitan development and governance project was a World Bank assisted project approved on July 6, 2006 with commencement in 2007. The project was conceived to intervene in nine slum communities with focus on housing supporting infrastructure. The interventions did not include housing but consisted of social and economic infrastructure such as road, health care, education, electricity, water, sanitation and environment. The nine targeted slums are Agege, Ajegunle, Badia, Amukoko, Makoko, Iwaya, Ilaje, Bariga and Itire-Ijeshatedo. LMDGP was closed in 2013. Its functions were dissolved into LASURA, as mentioned above. Table 1.17 provides a summary overview of the project.

#### **Box 1.16**

#### **Assessment of the impacts on housing in Lagos State**

As noted by the World Bank project assessment report, the performance of the project is unsatisfactory. During the implementation, safeguard measures to protect the beneficiaries, the urban poor, were ignored while water delivery and other projects failed to make considerable impact in the lives of the beneficiaries. Rather than bringing succor and bridging spatial inequality in the targeted communities, the project has led to a widening gap, to displacements, to forced evictions, to demolitions and to the deaths of some beneficiaries.

Table 1.17

**Overview of the LMDGP in Lagos State**

S/N	Description of Activity	Details
1	Approval	July 6, 2006
2	Project focus areas	Housing supporting infrastructure (road, health care, education, electricity, water, sanitation and environment)
3	Project coverage areas	Nine slums in Lagos (Agege, Ajegunle, Badia, Amukoko, Makoko, Iwaya, Ilaje, Bariga and Itire-Ijeshatedo)
4	Project funding body	The World Bank through International Development Association (IDA)
5	Borrower	Federal Government of Nigeria
6	Implementing agency	Lagos State government
7	Total project cost	US\$ 205,690,000
8	Commitment amount (IDA)	US\$ 200,000,000
9	Borrower	US\$ 5,690,000
10	Interests, charges and fees	8.93%
11	Disbursement as at September 30, 2013	US\$ 139,970,000
12	Closing date	September 30, 2013
13	Project life span	7 years
14	Overall implementation progress	Moderately unsatisfactory
15	Projects outcomes span	Moderately unsatisfactory

(Source: World Bank, "Lagos metropolitan development and governance project", <http://www.worldbank.org/projects/P071340/lagos-metropolitan-development-governance-project?lang=en>, accessed on February 25, 2015. // see also: Olamide Udo-Udoma, *World Bank Public Participation Policies and Processes in Relation to the lives of beneficiaries in Slum upgrading projects: Case study Makoko, Lagos, Nigeria* (M. Phil in Urban Infrastructure Design and Management), University of Cape Town, 2014.)



## PROGRAMMES FOR HOUSING DELIVERY IN LAGOS STATE

### A. Lagos Cooperative Home Ownership Incentive Scheme (Lagos-CHOIS)

The concession agreement for the Lagos Cooperative Home Ownership Incentive Scheme (Lagos-CHOIS) was executed in July 2008 while the scheme was launched in 2010 as a collaborative housing delivery arrangement between the Lagos State government and a private real estate development company. The joint venture was expected to deliver 10,000 housing units within four years in three senatorial districts of the state, the Ikorodu, Badagry and Lekki-Epe axes. The programme implemented under a private-public partnership model (PPP) involved the contribution of land by the Lagos State government, while the sole private company will source the fund, build, allocate and manage the homes, and recoup its investments. Beneficiaries are expected to approach the private real estate development company for purchase of their choice homes at a specified rate by the company. As at 2015, about 940 housing units comprising 500 at Abijo (Lekki-Epe axis) and 440 at Agbowo (Ikorodu axis) are being delivered. The price for a two-bedroom apartment is 13.35 million NGN and 18.125 million NGN for a three-bedroom apartment at Abijo. In Agbowo, a two-bedroom apartment costs 5.5 million NGN while a three-bedroom apartment costs 7.5 million NGN.<sup>1</sup>

### B. Lagos Home Ownership Mortgage Scheme (Lagos HOMS)

Lagos Home Ownership Mortgage Scheme (Lagos HOMS) is a programme of the Lagos State government aimed at financing housing delivery both on the supply and demand sides. The programme, formally launched in March 2014, is being run by the Lagos Mortgage Board in conjunction with the Lagos Building Investment Company. Under the scheme, the government will provide the housing and fund the mortgage facility to be granted by a participating bank. The beneficiaries, first home buyers, are expected to make payment on incremental basis, 30% down payment before the allocation of housing and balance of 70% spread over the next 10 years (monthly basis) at 9.5% interest rate. Prior to the commencement of the scheme, the government has constructed houses with the aim of increasing the stock that would be available for the programme. Between 2011 and 2015, about 5,645 units in different locations were supposed to be delivered by four agencies of the government and to be offered for sale to the citizens under the newly created Lagos Homes Ownership Mortgage Scheme (Lagos HOMS). However, the Lagos State government through the Ministry of Housing had claimed on April 29, 2015 that it has built over 10,000 housing units since 2007 translating to 1,250 housing units per year. One of the strategies of handing over the houses to residents is through Lagos HOMS. Since inception of the programme in

<sup>1</sup> First World Communities, "CHOIS Gardens", <http://firstworld-communities.com/home/chois-gardens/>, accessed November 10, 2015.

March 2014, government has confirmed 603 beneficiaries in April 2015.

**Box 1.18**

**Assessment of the impacts on housing in Lagos State**

It is obvious that Lagos HOMS is not yet a vibrant vehicle that will fundamentally resolve the housing predicament in the city of Lagos. The 13-year Lagos development plan had estimated a housing deficit in excess of 2 million and target the delivery of 20,000 housing units by 2015. Delivering 10,000 units in 8 years and mobilizing 603 beneficiaries in a year within a city of over 2 million housing deficit shows a long and severe future for housing in the city. On the affordability scale, the scheme is unambiguous about its target beneficiaries, the high income groups in the city. The income and payment matrix for one of the housing type, with lowest price tag, located in the peri-urban area of the city state is shown in figure 1.19 below.

**Table 1.19**

**Affordability matrix for room and parlor under Lagos HOMS**

<b>Description of accommodation:</b> Room and parlor at Epe		<b>Location:</b> Peri-urban area	
<b>Possible size of household:</b> 2		<b>Cost:</b> 4.34 million NGN	
<b>30% Down payment:</b> 1.32 Million NGN		<b>Monthly repayments:</b> 39,310 NGN	
<p>Monthly income (NGN) and</p> <p>Percentage of households</p>		<p>30% Down payment (NGN) and</p> <p>Affordability</p>	
<p>Monthly repayment and</p> <p>Affordability</p>			
Less than 20,000	45%	1.32 Million	N/A
20,000 - 39,000	25%	1.32 Million	N/A
40,000 - 59,000	18%	1.32 Million	N/A
60,000 - 100,000	8%	1.32 Million	N/A
More than 100,000	3%	1.32 Million	A
		39,310 NGN	N/A
		39,310 NGN	N/A
		39,310 NGN	A
		39,310 NGN	A
		39,310 NGN	A

A –Affordable    N/A –Not Affordable

(Source: Lagos Bureau of Statistics, 2013 and Lagos State Home Ownership Mortgage Scheme, 2014)

## THE CASE OF THE IPONRI COMMUNITY

This section attempts to narrow down many of the aforementioned housing laws, policies, institutions and programmes to the lives of Lagos citizens who reside in informal settlements. With the Iponri community as a case study, the policy and institutional applicability will be mirrored largely on the Lagos State Urban Renewal Agency (LASURA) and other possible supporting institutions. LASURA is the only dedicated agency with direct mandate in the informal settlements.

Olaleye-Iponri is located in Lagos mainland local government area. It is bounded to the north-west by Western Avenue, on the west and south by a railway track, to the east by a primary drainage channel and to the north-east by Alaka estate with a total area of 35.316 hectares (0.35316 km<sup>2</sup>). The community is a mix of residential use and pockets of commercial activities.

Map 1.20  
Olaleye-Iponri



(Source: Google Earth, 2015)

Its location within the central mainland area of Lagos makes it accessible through high volume arterial and collector roads. Among the roads are Western Avenue, an arterial linking Ikorodu Road, Lagos Island, Badagry Expressway, Ijora and Apapa, and Muritala Muhammed collector road that connects Yaba, Oyingbo regional market, Iddo regional road transport and railway stations, Carter Bridge and Idunmota in Lagos Island. The last collector road is Apapa Road traversing residential areas of Ebute-Metta west to connecting Western Avenue at Costain and Muritala Muhammed Way in Oyingbo.

Olaleye-Iponri commands strategic importance because of its location which connects Apapa port, the headquarters of a big brewing company, the middle class community of Surulere and the business district of Lagos Island. The rail line bisecting the community is



Map 1.21

**Olaleye-Iponri and the neighbouring communities**



(Source: Google Earth, 2015)

one of the unique factors that has attracted residents and attention of the relevant authorities. The community is closely linked to two major bridges that connect Island and Mainland Lagos, Carter and Eko Bridges, out of the three bridges.

It is extremely difficult to obtain the current disaggregated number of residents in Olaleye-Iponri in the official record of population data in Lagos. Available published population figures in the community are often contradictory. In 1988, the Lagos State government reported 20,000 people<sup>1</sup> while a study on the community published in 2006, 22 years later, by a private planning consultant reported 20,090 people.<sup>2</sup> However, taken into consideration the population, land area and population density of the respective local government area, the research revealed that there are estimated 46,814 people in the community, based on the annual growth rate of 3.2%.<sup>3</sup> Table 1.22 below shows that the total area of Olaleye-Iponri is about 0.35316 km<sup>2</sup> with a density of 132,558 persons/km<sup>2</sup>. This means that there are about 0.13 people jostling for every 1m<sup>2</sup> of space in the community.

Table 1.22

**Population estimation for Olaleye-Iponri community, Lagos State**

	Lagos Mainland		Olaleye-Iponri	
	2006	2015	2006	2015
<b>Land area (km<sup>2</sup>)</b>	19.62	19.62	0.35316	0.35316
<b>Population</b>	629,469	835,779	35,258	46,814
<b>Population density (persons/ km<sup>2</sup>)</b>	32,083	42,598	99,836	132,558

(Source: Lagos Bureau of Statistics, 2013 and Housing Research Group, Heinrich Böll Stiftung, 2015 (<http://www.metamorphosisalpha.com/ias/population.php>))

1 Raji Rasaki, “Managing metropolitan Lagos” at *Inaugural Programme of Africa Leadership Forum*, 1988, <http://www.africaleadership.org/rc/managing%20metropolitan%20lagos.pdf>, accessed on July 7, 2015.  
 2 C. K. George, *Basic principles and methods of urban and regional planning* (2006; Lagos: Libro Gem books).  
 3 Population growth rate in Lagos State



Table 1.23

**Economic activities within the community**



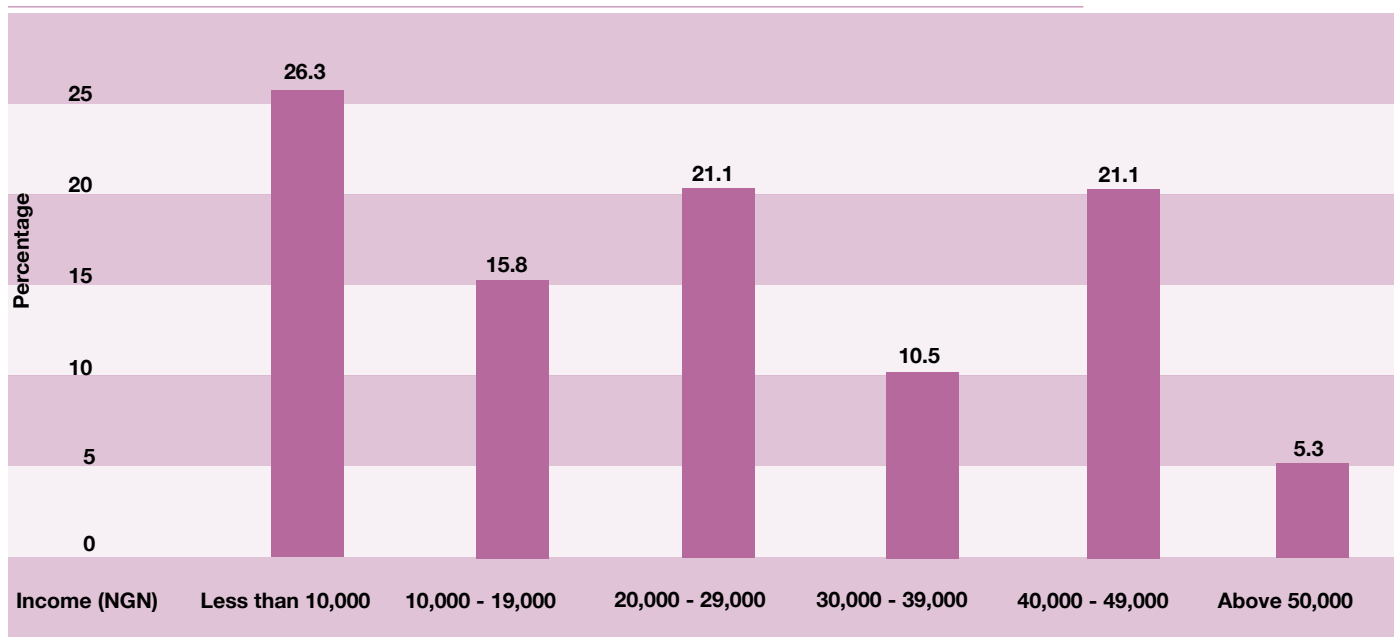
(Housing Research Group, Heinrich Böll Stiftung, 2015, based on field research)

The population is predominantly in the low income category with 26.3% earning less than 10,000 NGN, 15.8% earning between 10,000 NGN and 19,000, while 21.1% earns between 20,000 NGN and 29,000 on monthly basis as shown in table 1.24. Cumulatively, about 73.7% of the residents earn below 40,000 NGN on monthly basis.

The economic activities within the community revolve around trading in consumer goods, employment in private companies, craftsmanship and other income generating activities as shown in figure 1.23.

Table 1.24

**Income of population of Olaleye-Iponri**

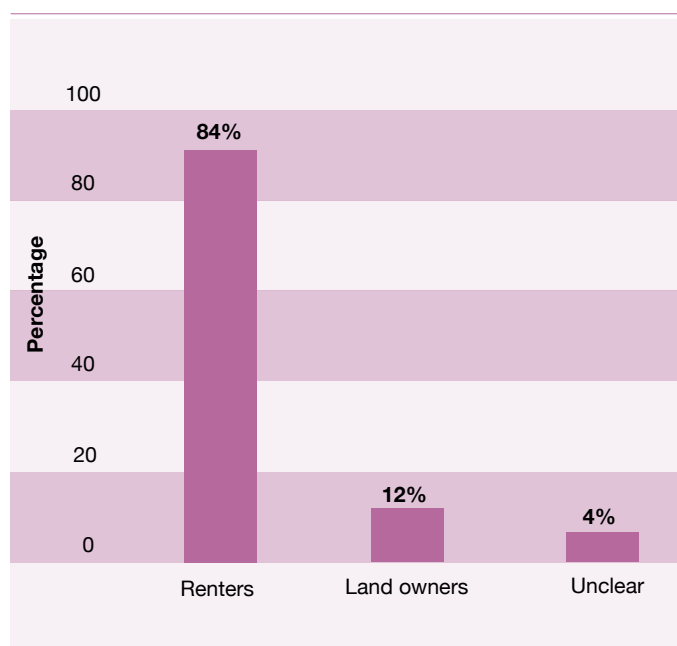


(Housing Research Group, Heinrich Böll Stiftung, 2015, based on field research)

### Brief history of landownership and occupation

Olaleye-Iponri considered today as one settlement, was originally two communities, Olaleye and Iponri. The two were gradually merged over the years for administrative and political purposes. They were founded about 180 and 140 years ago (Olaleye Village around 1830, Iponri around 1878). The whole land area was initially owned by the Oloto Chieftaincy Family which gave it as grants to a few settlers who farmed and fished on it. However, it has gradually been sold over the years, so that effectively the largest concentration of plots is in the hands of between five and six Lagos families of Sierra Leonean descent who bought them from the original settlers between the 1930s and 1950s.<sup>4</sup> The settlements' initial growth began with the construction of the various phases of the railway line, particularly the extension to Apapa around 1940s and 1950s. This brought the first wave of migrants, who served as construction workers, laborers and staff of the railways and the petty traders came from different part of the city to trade.<sup>5</sup> Currently, the majority of the residents, 84%, in the community are renters while only 12% are land owners (figure 1.25).

Table 1.25  
Status of the land ownership in the community



(Housing Research Group, Heinrich Böll Stiftung, 2015, based on field research)

### Pre-regeneration physical conditions

There was no clear baseline information on what existed in the community before the first level of regeneration in 1984. However, a clear indicator of the status of the community before regeneration was that it was one of the 42 slums identified in Lagos in 1983.

The classification of the community as slum in 1983 and the description of the same as shanties by the Lagos State government in 1988 translates to a community with gross lack

4 Tade Akin Aina, "Petty landlords and poor tenants in a low-income settlement in metropolitan Lagos, Nigeria" in *Housing Africa's Urban Poor* (Manchester University Press, 1989)

5 Aina, *ibid.*

of basic infrastructure such as health, water, sanitation, energy and transport. Supporting community facilities such as a community centre, public space and green areas were completely absent while there was severe housing shortage both in quality and quantity. The severity of physical deterioration in the community remained one of the publicly declared justifications for government intervention in the community in the pre-regeneration era.

Before the second phase of regeneration which spans from 2000 to 2008 (8 years), the community witnessed the construction of about two kilometres of road, a modern market built, two refuse houses and one kilometre of water mains. However, housing, public space, sanitation, energy and health facilities remained farfetched in the community. Looking back to the last 10-15 years, the community members ranked the following as most significant change in the community (refer to table 1.26 below).

**Table 1.26**  
**Significant changes in the community in the last 15 years**

S/N	Item	Changed ranking	Percentage ranking	Remark
1	Road infrastructure	1	40%	Road overlay with asphalt
2	Security	2	16%	Provisions of street gates and monitoring personnel
3	School	3	12%	Rehabilitation of schools
4	Water	3	12%	Improvement in the water supply

(Source: Housing Research Group, Heinrich Böll Stiftung, 2015)

### Pre-regeneration potentials of the community

Despite the deteriorated conditions and gross lack of basic infrastructure in the community, the location of the community in the central part of metropolitan Lagos is a major asset that has attracted positive and negative development to the community. Its proximity to Iddo Railway Terminus and Otto/Oyingbo transport station provided considerable platforms for low-income migrants to settle in the community. The community, in which about 50% of the employed people are into trading activities, provides residence and commercial activities to low cadre of workers at the Ijora business hub, Apapa port and at the foremost

**Pictures 1.27 and 1.28**  
**Olaleye-Iponri**



(Source: Housing Research Group, Heinrich Böll Stiftung, 2015)

brewery in Nigeria. It provides residences for workers who commute daily to Lagos Island business district. Abutted by multiple stock market quoted blue chip organisations and a chain of industrial establishments at Iganmu and Eric Moore in Surulere, the continuous survival of the community as a low-income settlement may not endure.

### History of planning and regeneration in the community

In the community two phases of regeneration periods were identified. The two periods appeared to be an endless and continuation of one another, but they have been classified based on the years of intense development activities in the community. The first phase of regeneration was from 1984 to 1988 (4 years) while the second phase was from 2000 to 2008 (8 years). In 1984, Olaleye-Iponri Village, being one of the 42 blighted areas identified in 1983, was chosen as a pilot scheme for implementation by the Lagos State government urban renewal and upgrading scheme. According to the Lagos State government, representatives of the community through their community development committee (CDC) worked with the planners under the community participation method to contribute to the development of the renewal and upgrading scheme during the planning stage.<sup>6</sup> The community was not only to identify its needs with the planners; it was also available to contribute in kind to the success of the scheme. The government affirmed that the approach of planning with the people paid off; as the planners found it easy to carry out the demolition of a number of structures to allow for the widening of almost all the roads within the village.

Table 1.29  
Details of regeneration at Olaleye-Iponri community

Regeneration phase	Projects	Important to highlight
1 1984 to 1988 (4 years)	2 km of road, new market, 1 km of water main, community centre  Earmarked land for health centre, primary and secondary schools, and children play areas	The scheme was far from being fully implemented
2 2000 to 2008 (8 years)	Road, housing	Forced evictions, high income housing, PPP

(Source: Lagos Bureau of Statistics, 2013 and Lagos State Home Ownership Mortgage Scheme, 2014)

6 Raji Rasaki, "Managing metropolitan Lagos" at *Inaugural Programme of Africa Leadership Forum*, 1988, <http://www.africaleadership.org/rc/managing%20metropolitan%20lagos.pdf>, accessed on July 7, 2015.

Such a task would have been most difficult, had the people not been involved in the planning process, the government declared. The research revealed no clarity on how this process was achieved as there was no evidence of reconstructed houses for the people.

As mentioned, the results of the scheme yielded almost two kilometres of road constructed, a modern market built, two refuse houses constructed, one kilometre of water mains laid, while the community constructed a community centre with some assistance from the Lagos mainland local government. Plots of land for the construction of a health centre, primary and secondary schools, and children play areas were also earmarked by the government. As at 1988, four years after commencement, the scheme was far from being fully implemented, but the success achieved encouraged the government to move into other areas like Badia, Otto, Bariga, Sari-Iganmu, Orile, and Ikeja to carry out slum upgrading.<sup>7</sup>

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### Pictures 1.30 and 1.31 Olaleye-Iponri



(Source: Housing Research Group, Heinrich Böll Stiftung, 2015)

The momentum for the second phase regeneration began on July 15, 1996, when the then-commissioner of environment and physical planning announced the government's plan to demolish fifteen slum communities in Lagos as part of a World Bank assisted project. The targeted slums were Badia, Ijora, Ayetoro, Ebute Metta, Makoko, Obalende, Iponri, Oko-Baba, Ilubirin, Sari Igamu, and Amukoko.<sup>8</sup> The World Bank also confirmed that it was co-sponsoring the Lagos drainage and sanitation project (LDSP) with the Lagos Urban Renewal Board (LURB) and that the project involved the involuntary resettlement of several people. The bank maintained further that it was funding involuntary resettlements in Lagos and has already moved a few hundred people in the Badia area.<sup>9</sup>

Although, the World Bank assisted LDSP ended on March 31, 1999, the continuous regeneration exercise by the Lagos Urban Renewal Board took place from 2000 to 2008. Under

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7 Rasaki, *ibid.*

8 Social and Economic Rights Action Center, "Expendable people; an exploratory report on planned forced evictions in Lagos," accessed on July 12, 2015, <http://www.serac.org/images/expendable%20people%20report%20of%20forced%20evictions%20in%20lagos.pdf>.

9 *ibid.*

this phase, the regeneration was vicious and assuming. It led to the demolition of houses, forced evictions and displacement of families. A hybrid regeneration approach comprising redevelopment and upgrading was adopted in the second phase.

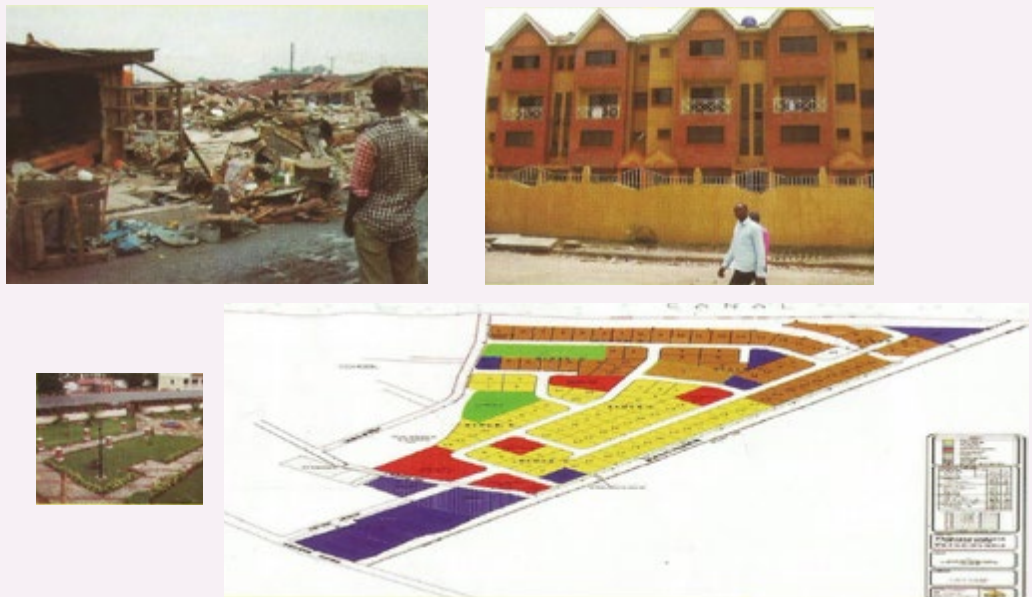
The redevelopment involved both public and private sector participants who delivered the housing components of the project. The Lagos State Urban Renewal Authority (LASURA) delivered 24 units of housing in 2007 while Mutual Benefits Assurance, a private insurance company, completed 54 housing units (Mutual Alpha Court) on its allocated section of the community in December 2014.

The upgrading aspect of the regeneration focused on roads and drainage system expansion. Some of the earlier earmarked projects such as health centre and community centre remained uncompleted till date.

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Pictures 1.32 and 1.33  
**Olaleye-Iponri regeneration layout plan**

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(Source: Lagos State Ministry of Physical Planning and Urban Development, 2012)

## STAKEHOLDERS IN THE REGENERATION PROCESS

### The community

In the regeneration of the Olaleye-Iponri community, the available government record of the first phase regeneration shows the involvement of the community members as key stakeholders. However, this cannot be confirmed because most of the community members who were available at the first phase have been displaced during the second phase regeneration project. The few available documents concerning the the second phase regeneration were silent on the community involvement.

### The local government

The role of Lagos mainland local government in the first phase was minimal to assist the community in the development of community centre. In the second phase, there were no earmarked roles for the local government.

Pictures 1.34 and 1.35

### Olaleye-Iponri



(Source: Housing Research Group, Heinrich Böll Stiftung, 2015)

### External development partners

The major external development partner in the regeneration of the community was the World Bank. Although, the role of the multilateral institution is city's slum wide and drainage sector specific, it nevertheless had impact on the flood control in the community. The intervention was short termed between June 1997 and March 31, 1999, under the Lagos drainage and sanitation project (LDSP) in collaboration with the Lagos Urban Renewal Board (LURB).

### The state development institutions

There are multiple state institutions involved in the regeneration processes ranging from the Ministry of Works, the Lagos State Market Development Board, the Lagos State Water Corporation to the Ministry of the Environment that play different roles in providing an-



cillary infrastructure especially during the first phase of the regeneration processes. Other state institutions that played major roles include the Environment and Physical Planning Office (TEPPO), now the Ministry of the Environment and the Ministry of Physical Planning and Urban Development, the Lagos Urban Renewal Board (now Lagos State Urban Renewal Agency) and the Lagos State Lands Bureau as shown in table 1.36.

**Table 1.36**  
**Stakeholder involvement in the regeneration of the Olaleye-Iponri community**

S/N	Institutions	Roles in the project		Formation roles in slum regeneration	Perceived role in slum-upgrading
		First Phase (1984 to 1988)	Second Phase (2000 to 2008)		
1	Lagos State Ministry of Housing	Not yet established at the time of project	Facilitation of part of demolished portion to private developers	<b>Provision of quality and affordable homes for the residents of Lagos State</b>	Focused on high and medium income groups
2	Lagos State Development and Property Corporation	No involvement	No involvement	<i>No roles</i>	<i>No roles</i>
3	New Towns Development Authority	No involvement	No involvement	<i>No roles</i>	<i>No roles</i>
4	Lagos Building Investment Company	No involvement	No involvement	<i>No roles</i>	<i>No roles</i>
5	Lagos State Urban Renewal Agency	Not yet established at the time of project	Project implementation (Lagos Urban Renewal Board)	<b>Implementation of slum upgrading program</b>	<b>Implementation of slum upgrading program</b>
6	Lagos State Building Control Agency	Not yet established at the time of project	Not yet established at the time of project	<b>Safety and performance of buildings</b>	<i>No record of involvement</i>
7	Lagos State Physical Planning Permit Authority	Not yet established at the time of project	Not yet established at the time of project	<b>Approval of Development Plans</b>	<i>No record of involvement</i>
8	Lagos State Ministry of Physical Planning and Urban Development	Project implementation and coordination through office of the Governor	Approval, supervision and administrative back up (The Environment and Physical Planning Office)	<b>Regulatory and supervision</b>	<b>Regulatory and supervision</b>
9	Lagos State Lands Bureau	No involvement	Land title to new development	<b>Land allocation and titling</b>	<i>Selective titling policy</i>

(Source: Housing Research Group, Heinrich Böll Stiftung, 2015)



## Badia and Makoko

As a comparison of the roles of different stakeholders in other regeneration processes in slums and low-income communities in Lagos, the following additional stakeholders' analysis is assessing the roles of different actors in the regeneration processes of Badia and Makoko. The stakeholders to be assessed include community members, local government, external development partners and state development institutions.

Table 1.37

### Stakeholder involvement in the regeneration of the Badia and the Makoko communities

S/N	Institutions	Roles in the project		Formation roles in slum regeneration	Perceived role in slum-upgrading
		Badia	Makoko		
1	Community	Self help and regular appeals to the government	Self help and regular appeals to the government	<b>Initiate and participate</b>	<i>No roles</i>
2	The local government	Appealing on behalf of the community to the alleged land owners and state government to prevent forced eviction	No involvement	<i>No roles</i>	<i>No roles</i>
3	External development partners	Funding support for infrastructure through LMDGP	Funding support for infrastructure through LMDGP	<b>Support and collaborative roles</b>	<b>Support and collaborative roles</b>
4	Non-governmental organisations	<ul style="list-style-type: none"> <li>Prevention of forced evictions through legal actions, advocacy and community mobilization</li> <li>Loan and empowerment program</li> </ul>	<ul style="list-style-type: none"> <li>Prevention of forced evictions through legal actions, advocacy and community mobilization</li> <li>Plan preparation and implementation</li> </ul>	<b>Support and partner with the stakeholders</b>	Support and partner with the community and other stakeholders excluding government
5	Lagos State Ministry of Housing	Facilitation of demolished portion for Lagos HOMS	No involvement	<b>Provision of quality and affordable homes for the residents of Lagos State</b>	<i>Focused on high and medium income groups</i>
6	Lagos State Development and Property Corporation	No involvement	No involvement	<i>No roles</i>	<i>No roles</i>
7	New Towns Development Authority	No involvement	No involvement	<i>No roles</i>	<i>No roles</i>
8	Lagos Building Investment Company	No involvement	No involvement	<i>No roles</i>	<i>No roles</i>

## Stakeholder involvement in the regeneration of the Badia and the Makoko communities *(continued)*

S/N	Institutions	Roles in the project		Formation roles in slum regeneration	Perceived role in slum-upgrading
		Badia	Makoko		
9	Lagos State Urban Renewal Agency	No involvement	No involvement	Implementation of slum upgrading program	Implementation of slum upgrading program
10	Lagos State Building Control Agency	No involvement	No involvement	Safety and performance of buildings	<i>No record of involvement</i>
11	Lagos State Physical Planning Permit Authority	Approval for Development	No involvement	Approval of development plans	Approval for Development <i>No record of involvement</i>
12	Lagos State Ministry of Physical Planning and Urban Development	Facilitation of demolished portion for Lagos HOMS	Receiving and reviewing plans	Regulatory and supervision	Facilitation of demolition and project supervision
13	Lagos State Lands Bureau	Land title to new development	No involvement	Land allocation and titling	<i>Selective titling policy</i>

(Source: Housing Research Group, Heinrich Böll Stiftung, 2015)

## FINDINGS AND RECOMMENDATIONS

### a. Unending stories of urban regeneration

Since 1984 when the regeneration of Olaleye-Iponri began, the community is still ranked among slum communities in Lagos, 31 years after. The same story is applicable to Amukoko, Badia, Makoko, Oko-Baba and Sari-Iganmu among others. This phenomenon shows the piece-meal and disjointed approach to urban regeneration in Lagos. It reveals the lack of a cohesive and sustainable approach to the overall slum regeneration in the city.

### b. Lack of historical data on planning and development

During the study project, it was extremely difficult to obtain cohesive and coordinated data on the regeneration activities in Olaleye-Iponri since 1984. The documentation process that could give historical data and assist in analysing planning trends and advancement of development in Lagos is grossly lacking.

### c. Lack of disaggregated data on communities

A major setback in the development of Lagos as observed during this study is the lack of disaggregated data on communities. The historical population trend of the Iponri-Olaleye community was colored with contradictions and different working tools. Estimations of the population of the community in this study rely on projections, extrapolations and inferences based on city wide figures. By extension, many of the communities in Lagos State cannot produce an inventory of the community infrastructure or define the physical status of their communities, whether informal or formal. This is also a major factor in the inability of the state to estimate the precise number of slums and informal settlements in Lagos State.

### d. Regeneration not based on the principles of integration and inclusion

The *regeneration through upgrading* approach was meant for the original residents of the slum community but the applied *regeneration through redevelopment* approach was not based on the principles of integrating or including the residents. The research revealed that the new houses delivered under the second regeneration project were not meant to accommodate the slum residents but rather to accommodate a new set of residents (who are in the upper income category).

### e. Absence of local government in the regeneration process

In the regeneration process of the Olaleye-Iponri community, local government administration plays little or marginal roles. In the first phase of the regeneration, Lagos Mainland local government only assisted the community in building a

community centre while there was no clear evidence of involvement in the second phase.

**f. Lack of housing delivery structure to accommodate the low-income groups**

In regenerating the slum communities or delivering housing in Lagos State, there is no formal structure designed or conceived to deliver quality and affordable housing to low income groups. The community groups are expected to set and implement their own “housing agenda”. The continuous absence of a clear plan to house the low-income groups suggests that informal settlements will continue to dominate the landscape of Lagos State for some time to come.

**g. Lack of clear institutional structure for Lagos HOMS**

The flagship housing delivery programme of the state government, Lagos HOMS, remains a non-aligned structure among the institutions responsible for housing delivery in Lagos State. Although, it has a full management staff in place, the reporting structures to the Lagos Mortgage Board, the Lagos Building and Investment Company, the Lagos State Ministry of Housing or to the Governor’s office remain ambiguous. Lagos HOMS appears to be a duplicity of institutions on housing without a clear delivery framework for the majority of the residents in Lagos.

**Recommendations**

The following points in this section are responding to the findings in the regeneration of Olaleye-Iponri community and the general housing structure in Lagos as observed in the study.

**a. Setting of a housing agenda for the city of Lagos**

Currently, the existing housing system for the state is at variance with the housing need of the city. It was not set to resolve the fundamental problems confronting housing and informal settlements’ proliferation in the city. Hence, there is a need to set a housing agenda that will reflect the real need of Lagos. Housing policies and strategies that will offer adequate and affordable choices to all categories of citizens with a view to reducing obvious inequality, incidence of poverty among other positive indices are desirable to guarantee the sustainable growth of the city.

**b. Adoption of a decentralised development model**

At the heart of snail speed development in Lagos is the over-centralization of the tools and resources for the development. Local governments that ought to be at the centre of development have been completely ostracized. To obtain disaggregated and vibrant city data, embark on community driven adequate housing solutions and to begin a meaningful regeneration and renewal of slum communities, the complete devolution of the power to the local governments offer a pathway.

### **c. Holistic process of urban regeneration**

A piece-meal regeneration approach was adopted in the Olaleye-Iponri community resulting in an unending process after 31 years of the commencement. Therefore, there is a need for a holistic regeneration process that will be project specific and city wide. The 2010 Lagos State Urban and Regional Planning and Development Law was able to outline steps but was silent on products and timing. Also, the model city plans which specified the nature and scope of products were not available to guide citizens on the expectations on the regeneration process. The guided evaluation of the law and its impacts on the slum communities is indispensable in the development in Lagos.

### **d. Institutional reform of agency for urban regeneration in Lagos**

In accordance with the “model mega city” and the “global trade vision” of Lagos, there is a compelling need to reform the agency responsible for urban renewal activities, the Lagos State Urban Renewal Agency (LASURA). The agency needs to be equipped with personnel, tools and resources to be able to respond with proactive regeneration approaches to the state wide spread of informal settlements. Part of the medium term strategy of the agency should be the empowerment of the institutions at the local government level that would be able to play additional roles in slum regeneration and urban renewal.

### **e. Land reform**

The age long restriction to formal land accessibility for housing has contributed immensely to the proliferation of slums and informal settlements in Lagos. Land accessibility has been a major source of conflict between residents of slum communities and the government and has been one of the regular justifications by the government to embark on forced evictions in slum communities. Reforming the land administration and the management towards creating a clear agenda for human settlements will be one of the major roadmaps for the housing delivery in Lagos State. There is need to strengthen the synergy among the Lagos State Lands Bureau, the Lagos State Ministry of Physical Planning and Urban Development (MPPUD), the Lagos State Ministry of Housing (MOH) and the Lagos State Urban Renewal Agency (LASURA) on mapping the land in the informal communities with a view to reducing government acquisition zones and releasing land for formal development. Also, the Lagos State Lands Bureau and the Ministry of Physical Planning and Urban Development need to streamline the documentation processes to increase land allocations and permits for housing developments.

### **f. Process shift from self-built housing to a coordinated housing system**

Majorly, the landscape of Lagos is dominated by slum and informal settlements which are the results of self-built housing approaches. To transfer the city, the housing policies, institutions, programmes and projects must begin to support and

enhance a paradigm shift from self-built housing to coordinated housing strategies. This will, however, work effectively with other factors such as the clear institutionalisation of a housing policy, a less restrictive land accessibility framework, the involvement of local administrations and communities in housing and urban governance – and most importantly the recognition of low-income groups as a large stakeholder that deserves qualitative living conditions in the development of Lagos. The existing and emerging government housing programmes could take a cue from the housing era of 1979 to 1983 under the civilian administration of Alhaji Lateef Jakande. The housing programme was largely successful because of its clear vision of mass housing delivery, its focus on the target groups, middle to low income earners, its deliberate management of building materials and manufacturers, and its supportive mortgage system through the Lagos Building Investment Company. The success of this housing programme is a learning platform for current and future governments in Lagos State.

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(Yaba local government area 2014 © Fabienne Hoelzel)

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# URBAN MOBILITY AND TRANSPORTATION

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## INTRODUCTION

Access to people, goods, services and information is the basis of economic development in cities. The better and more efficient this access, the greater the economic benefits through economies of scale, agglomeration effects and networking advantages.<sup>1</sup>

In the past few decades, African cities have been experiencing huge population increases. It is estimated that by 2020 some 55% of the African population will be living in urban areas.<sup>2</sup> Fast growing cities face enormous challenges in terms of infrastructure provision and the need to cope with the increasing demand for transport. This is especially acute as much of the existing road infrastructure in African cities is far from being appropriate for the actual transport demand. In addition, apart from a few remaining companies, almost all publicly owned and managed public transport enterprises in Africa ceased to exist during the 1990s, often as a consequence of structural adjustment policies required to comply with aid programmes associated with international agencies. Therefore, the public transport sector has suffered more than 15 years of neglect and this, combined with escalating urban populations, has resulted in chaotic, unsustainable, time and money wasting transport systems in most African cities.<sup>3</sup>

Today throughout Africa, public transport is dominated by the operations of the ‘disorganised’ informal sector. The dominance of these services hampers economic development and reduces the quality of life for citizens as the large number of vehicles required to meet demand causes congestion and parking issues and, in the main, citizens suffer with high levels of associated pollution and low levels of security and safety.<sup>4</sup>

The foregoing situation is not totally different from the system in Lagos State. The poor condition of the road network and of the public transport system affects severely the development of the city and the working and living conditions of the population, particularly the most vulnerable. Rapid growth of the private vehicle fleet, combined with reliance on informal vehicles and motorcycles, such as *danfos*, shared taxis, *okadas*, and *keke marwas* has resulted in extreme traffic congestion throughout the city, and poor quality public transport outlook. Before 2007 when the new BRT-Lite commenced, public transport in Lagos could largely and best be described as unregulated, chaotic, inefficient, expensive, low quality and dangerous, both in terms of road traffic accidents and robberies. There are about 2,600 km of roads in Lagos that are frequently congested, with over 1 million vehi-

1 Philipp Rode *et al.*, “Accessibility in Cities: Transport and Urban form” in NCE *Cities Paper 03* (2014; London School of Economics and Political Science, LSE Cities, for the Global Commission on the Economy and Climate and its New Climate Economy Programme).

2 International Association of Public Transport and African Association of Public Transport: *Report on statistical indicators of public transport performance in Africa*, 2010.

3 *ibid.*

4 *ibid.*

cles plying the roads on a daily basis. The density of bus public transport in Lagos is about 3 buses to 1000 people.<sup>5</sup>

In order to provide consistent planning and efficient implementation of the policies and address some of the issues previously mentioned, the Lagos State government established with the support of the World Bank the Lagos Metropolitan Area Transport Authority (LAMATA) in 2003, mandated with executing the Lagos Urban Transport Project (LUTP) which was initially started in 1994/95. LAMATA has the overall role of coordinating the transport policies, programmes and actions of all transport related agencies. It implements and manages public transport services in Lagos State. The “BRT Lite scheme” is one of its flagship programmes. In spite of considerable improvements in certain areas, challenges remain undaunted, especially the aggressive attitude of the traffic management officers towards road users remains a bone of contention.

The petroleum tanker drivers have repeatedly shut down access to Apapa, the Nigerian port complex, and other neighbouring roads due to disagreement with the Lagos State government while buses under the Bus Rapid Transit (BRT) and LAGBUS systems have become target of attacks during any urban crisis involving government officials, members of transport union and steet boys.

Residents who lost their homes without compensation to the transport infrastructure expansion took to various platforms to criticize the transformation while some arrested crime suspects used to have attributed their involvement in crime activities to the loss of their livelihoods as a result of property demolitions for road infrastructure expansion or renewal.

The various misunderstanding emanating from the implementation of the new transportation framework for Lagos, and the rising population, increasing population density and over 70% of Lagos in the form of slums or informal settlements (refer to chapter **HOUSING, SLUMS AND INFORMAL SETTLEMENTS**) will impose additional demand on the transportation system in the city. The transportation system needs to be strongly linked to the land use planning and to integrated mobility systems in order to achieve the envisaged significant transformation of the city (refer to the chapter **STRATEGIC PLANNING AND RBAN MEGA PROJECTS** for detailed information on the vision, mission and development pillars of the Lagos State Development Plan 2012-2025).

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5 International Association of Public Transport and African Association of Public Transport, *ibid.* // Lagos Metropolitan Area Transport Authority, *Presentation by LAMATA MD/CEO at the National Conference of the Nigerian Institute of Town Planners 2014*, Lagos, Nigeria

## CURRENT STATUS OF TRANSPORTATION IN LAGOS STATE

In 2007, Lagos State government adopted a 10-point development agenda as strategic guide for transforming the city. The ten point agenda are roads, transportation, power and water supply, environment and physical planning, health, education, empowerment, food security, shelter and employment.<sup>1</sup>

The transport network in the state is predominantly road based with 90% of total passengers and goods moved through that mode. The state has natural waterways for ferry services and a federal rail network which will be complemented by the emerging state rail network. The demand for trips in the Lagos megacity region by all modes (including walking) was estimated at 22 million per day with walk trips accounting for 40% of total trips in metropolitan Lagos. With 2.2 km of road per 10,000 populations, Lagos has one of the lowest road provisions in the West African sub-region while the total passenger traffic per day is over 20 million.<sup>2</sup> The rapid increase in population and standard of living will bring the daily demand for trips to about 40 million per day by 2032.<sup>3</sup>

Table 2.1 provides an overview of the current modes of transportation and the respective data on quantity.

Table 2.1  
Modes of transportation in Lagos State

S/N	Mode	Number	Remark
1	Number of vehicles on the road	Approx 2,000,000	(Rep. 25 to 30% of Nigeria total)
2	Vehicle annual rate of increase	100,000 vehicles per annum	
3	Vehicular density	264 vehicles/ km of roadway	Estimated at 30 vehicles/ km National average
4	High capacity buses	Approx 1,034 <ul style="list-style-type: none"> <li>• BRT Old: 100;</li> <li>• BRT since Nov 2015: 434;</li> <li>• LAGBUS: 500.</li> </ul>	Over 23,000 required at 1 bus/1,000 population

1 Lagos State government, "Report on review of high level policy documents", (sections three and seven (2010).

2 Lagos State Ministry of Transportation, "An overview of the transformation of Lagos State transport sector" (2012).

3 Lagos Metropolitan Area Transport Authority, *Presentation by LAMATA MD/CEO at the National Conference of the Nigerian Institute of Town Planners 2014*, Lagos, Nigeria.

Table 2.2

**Modes of transportation in Lagos State** (*continued*)

S/N	Mode	Number	Remark
5	Semi-formal mini buses ( <i>danfos</i> )	Over 145,000 registered	
6	High capacity buses ( <i>molues</i> )	Less than 150	Being phased out
7	Taxis	Estimated at around 7,000	
8	Other vehicles	Estimated at around 5,000	
9	Motorcycles	Now estimated around 100,000	

(Source: Lagos Metropolitan Area Transport Authority, 2015)

The BRT, which is currently the flagship of transportation in Lagos, commenced operation on the March 17, 2008 and had lifted more than 52 million passengers.<sup>4</sup> The daily passenger traffic in Lagos State is summarized in table 2.3 below.

Table 2.3

**Passenger traffic per day in Lagos State**

S/N	Mode	No. of passengers/ day	Percentage to total passengers
1	Walking	8,800,000	40%
2	Bus Rapid Transit	90,000	0.41%
3	Regulated bus (LAGBUS)	150,000	1%
4	Private cars	2,508,000	11%
5	Semi-formal mini uses ( <i>danfos</i> )	9,982,000	45%
6	Federal mass transit train	132,000	0.6%
7	Water transportation system	74,000	0.34%
8	Other non-data modes (including motorcycle, tricycle, bicycle, taxis, articulated vehicles, mini-vans and boats)	264,000	1%
9	<b>Total passengers</b>	<b>22,000,000</b>	<b>100%</b>

(Source: Lagos Metropolitan Area Transport Authority, 2015)

<sup>4</sup> "Strategic Transport Master Plan Propositions," Lagos Metropolitan Area Transport Authority, accessed January 5, 2016, <http://www.lamata-ng.com/stmp.php>.



In the mix of transportation in Lagos State, it is crucial to note the existing quantity of road infrastructure which has been acknowledged of carrying over 90% of daily passengers' movement.

Table 2.4  
**Level of road infrastructure in Lagos State**

S/N	Mode	Length (km)	Percentage
1	Federal roads	468	6
2	State roads	1,287	17
3	Local government roads	5,843	77
4	<b>Total road network</b>	<b>7,598</b>	<b>100</b>
5	<i>Rail network</i>	30	

(Source: Lagos Metropolitan Area Transport Authority, 2015)

Picture 2.5  
**Oshodi BRT lane at Lagos-Abeokuta Expressway**



(Source: Urban Mobility Research Group, Heinrich Böll Stiftung, 2015)



## CHALLENGES IN THE TRANSPORTATION SECTOR IN LAGOS STATE

The challenges in the transportation sector are multifaceted ranging from inadequacy of infrastructure, lack of coherence among coordinating agencies, non-standardization of operations and poor management and technical capacities. The problems in the sector can be summarized in a statement extracted from the Lagos Development Plan 2012-2015<sup>1</sup>:

### Box 2.6

#### Problems of the transportation sector in Lagos State

“Today, the transport system is inadequate for the growing urban population in the state. All modes of transport have challenges. The bus public transport operation suffers from high levels of fragmentation and inadequate regulation. The rail transport has few existing rail corridors and the existing corridors are grossly under-utilised. In the water transport, there is no coherence amongst water transport regulatory agencies (LASWA, NIMASA and NIWA). In the non-motorised transport, infrastructure facilities are extremely limited throughout the state. Finally in the paratransit mode of transportation (*okadas*) there is indiscipline and regulations are not effectively enforced.”

#### Inadequacy of formal modes

With the formal public transportation contributing only 2.75%<sup>2</sup> of the daily mobility in the city, it is clear that these modes cannot meet the demand of the Lagos residents, hence semi-formal and informal operators such as mini buses (*danfos*), motorcycles (*okadas*), tricycles (*keke marwas*) and informal boats (example of the Makoko community) sectors will continue to fill the gap. Underlying the need to fill this mobility gap by the informal operators are unemployment and a high poverty rate in the city and not necessarily as a choice career or grounded profession. The incursion into the transportation sector by the unemployed youth and other categories of the population who seek means of livelihood have contributed to traffic chaos and unethical behavior among the informal operators.

#### Inadequacy of infrastructure

The road infrastructure is grossly inadequate to meet the trips demand of the residents. The road network density, put at 0.6 kilometres per 1,000 people<sup>3</sup>, is low. Alternatively, Lagos State has 80 cars per 1,000 people<sup>4</sup>, with a high car density of 264 vehicles per kilometre

1 Lagos State government, *Lagos State Development Plan 2012-2015* (2013; Lagos State Ministry of Economic Planning & Budget), 161.

2 “*Strategic Transport Master Plan Propositions*,” Lagos Metropolitan Area Transport Authority, accessed January 5, 2016, <http://www.lamata-ng.com/stmp.php>.

3 Lagos State Ministry of Transportation, “An overview of the transformation of Lagos State transport sector” (sectoral explanatory document, 2012)

4 *ibid.*

of roadway.<sup>5</sup> The network's efficiency is similarly low, with a limited number of primary corridors carrying the bulk of the traffic. Inadequately designed interchanges, where they exist at all, provide only partial access to the primary network. Many tertiary roads play the roles of secondary ones. So far few junctions have been signalized while transport stations, where available, are in a disorganised state.

5 *ibid.*

Table 2.7  
Comparative analysis of road network between Lagos State and other large cities

S/N	City	Population	Length (km)	Density (persons/ km)
1	Lagos State	over 20,000,000 <sup>1</sup>	7,598 <sup>2</sup>	3,067 <sup>3</sup>
2	Tokyo	13,282,271 <sup>4</sup>	24,431 <sup>5</sup>	544 <sup>6</sup>
3	Seoul Special City <sup>7</sup>	10,440,000 <sup>8</sup>	7,689.2 <sup>9</sup>	1,358 <sup>10</sup>

Table 2.8  
Comparative analysis of rail network between Lagos State and other large cities

S/N	City <sup>11</sup>	Population <sup>12</sup>	System length <sup>13</sup> km)	Density <sup>14</sup> (persons/ km2)	No of stations <sup>15</sup>	No of lines <sup>16</sup>	Daily ridership <sup>17</sup>
1	Lagos State	over 20,000,000	30 (220 proposed by 2032)	776,867	11 (ongoing)	(7 proposed)	132,000 (10,213,984 by 2032)
2	Seoul Capital Area	25,800,000	940	27,447		19	6,898,630
3	Shanghai	24,151,500	468 (877 proposed)	51,606	303	12 (22 proposed)	6,235,616

- 1 Lagos State government, *Lagos State Development Plan 2012-2015* (2013; Lagos State Ministry of Economic Planning & Budget), 1.
- 2 "Strategic Transport Master Plan Propositions," Lagos Metropolitan Area Transport Authority, accessed January 5, 2016, <http://www.lamata-ng.com/stmp.php>.
- 3 Urban Mobility Research Group, Heinrich Böll Stiftung, 2015: Derivation from ratio of population to length of road in Lagos
- 4 "Tokyo's History, Geography, and Population," Tokyo Metropolitan Government, accessed January 5, 2016, <http://www.metro.tokyo.jp/ENGLISH/ABOUT/HISTORY/history03.htm>.
- 5 "Road management," Bureau of Construction, Tokyo Metropolitan Government, accessed January 5, 2016, <http://www.kensetsu.metro.tokyo.jp/english/douro/gaiyo/06.html>.
- 6 Urban Mobility Research Group, Heinrich Böll Stiftung, 2015: Derivation from ratio of population to length of road in Tokyo
- 7 data on the road network covers Seoul Special City only while data on rail network cover Seoul Capital Area
- 8 "Seoul Population 2015," World Population Review, accessed on January 5, 2016, <http://worldpopulationreview.com/world-cities/seoul-population/>.
- 9 E Y Shon, "Developments in road pricing and traffic restraint, Seoul case. World Bank's urban transport strategy review, Asian consultation workshop", accessed January 5, 2016, <http://siteresources.worldbank.org/INTURBANTRANSPORT/Resources/shon2.pdf>. Note: Data and figure from 1998.
- 10 Urban Mobility Research Group, Heinrich Böll Stiftung, 2015: Derivation from ratio of population to length of road in Seoul Special City.
- 11 All data, except for Lagos State: "The world's longest metro and subway systems," railway-technology.com, accessed on January 5, 2016, <http://www.railway-technology.com/features/featurethe-worlds-longest-metro-and-subway-systems-4144725/>
- 12 *ibid.* // "City Populations 2015," World Population Review, accessed on January 5, 2016, <http://worldpopulationreview.com/world-cities/>
- 13 "The world's longest metro and subway systems," *ibid.*
- 14 *ibid.*
- 15 *ibid.*
- 16 *ibid.*
- 17 *ibid.*

Table 2.9

Comparative analysis of road network between Lagos State and other large cities (*continued*)

S/N	City	Population	System length (km)	Denisty (persons/ km)	No of stations	No of lines	Daily ridership
4	Beijing Municipality	21,148,000	456 (1,000 proposed by 2020)	46,377	270	17	6,739,726
5	Greater London	8,615,246	402 (54% surface and 46% subsurface)	21,430	270	11	3,205,479
6	New York Metro	19,746,227	368 (40% surface and 60% subsurface)	53,658	468	24	4,561,643
7	Moscow	12,197,596	317.5 (Expanding to 467.5 by 2020)	38,418	190	12	6,545,205
8	Tokyo	13,282,271	310	42,632	290	13	8,498,630
9	Madrid Metro	6,500,000	317	22,184	300	13	1,720,547
10	Paris	2,249,975	218	10,320	300	16	4,175,342

To understand the level of inadequacy in the transport infrastructure in the state, tables 2.7 and 2.8 provide a comparative analysis for the road and rail networks in comparably large cities across the world.

#### Road safety, environmental and social concerns

Poor driver behavior, public transport operators' indiscipline, unsafe vehicle conditions, uneven road conditions, poor street lighting, lack of pedestrian facilities and poor traffic enforcement all combine to produce an accident rate that is probably among the highest in the world, let alone environmental concerns like vehicle emissions, improper waste oil disposal and high traffic noise level. Expensive transport fares, unreliability of the transport system and forced evictions due to expansion of transport infrastructure constitute other major social issues.

#### Inefficient land use pattern

Since over 70% of the development in Lagos is in form of slum and informal settlements<sup>6</sup>, the land use pattern is also a reflection of informalities. Self allocated land system and self built housing system are predominant in the city with large scale consequential compromise of road infrastructure standard and delivery. Detailed observation of the city architecture revealed that the navigation in many communities can be most possible through low

occupancy transport equipment and this explains the proliferation of informal mini buses (*danfos*), motorcycles (*okadas*), tricycles (*keke marwas*) as major components of transportation in Lagos. The scenario leaves about 52% (in numbers: 2,275,837) of the households in Lagos with a lack of access to adequate transportation.<sup>7</sup> Correction of land use pattern in many communities to accommodate expanded transport infrastructure often go along with forced evictions.

#### Lack of robust platform to attract organised transport companies

Organised private transport companies are still grossly underrepresented within the city of Lagos. There is no vibrant local or statewide transport policy that could stimulate, encourage or support organised private transport companies to operate and participate in the intra-city market despite the large population and huge daily mobility demand. The existing organised private transport companies operate intercity journeys with take-off points from individually owned transport stations.

#### Weak modal integration

The current transport modal network is not proportionally integrated. At the existing rail stations, there is lack of cohesiveness, orderliness and timeliness on the receptacle road transportation, where available. Rather than imposing signage that should provide guidance to the land transport station, arriving visitors and passengers at the city airport are greeted by multitude of individuals struggling to get passengers for their parked vehicles.

Picture 2.10

#### Lagos-Badagry railtrack at Odunlade



(Source: Urban Mobility Research Group, Heinrich Böll Stiftung, 2015)

<sup>7</sup> Lagos Bureau of Statistics, *Household Survey Report* (2012; Ministry of Economic Planning and Budget).



There is an obvious disconnection among all the modes within the city save for Ikorodu water transport terminal that offers pike and ride system.

#### Non-standardisation of fares

Within the city, the transport fare depends on certain factors such as the bargaining power of the passenger, the weather condition in the city, period of the day, condition of the vehicle and psycho-mood of the operator. There is no fare standardization within the system except for the recently introduced BRT and LAGBUS systems which currently accommodates less than 3% of daily mobility in the city.

#### Low coverage of petroleum pipe network

The city of Lagos hosts petroleum product depots and provides warehouses for different organisations operating in the downstream sector of Nigeria's oil and gas industry. Apart from the large concentration of petroleum depot facilities in the city, especially in the Apapa axis, there is a low pipe network coverage connecting the city to other parts of the country leaving the transportation of petroleum products to petroleum tankers. For most parts of the year, the massive concentration of trucks and tankers in Apapa contributed to the rapid deterioration of roads and the de facto shut down of the Apapa transport axis from other parts of Lagos. This leads regularly to the diversion of traffic to arterial roads in the city including the three bridges over Lagos lagoon that are already congested. The Lagos lagoon has 3 bridges to serve more than 23 million people while Thames River in Greater London has 34 bridges serving more than 8 million people.<sup>8</sup>

Picture 2.11

#### **Danfos, taxis, private cars and market activities at Oluwole, Yaba**



(Source: Urban Mobility Research Group, Heinrich Böll Stiftung, 2015)

8 "London's population hits 8.6m record high", BBC News, <http://www.bbc.com/news/uk-england-london-31082941>, accessed on January 5, 2016.

### Low cost recovery

The transport system characterised by inadequacy and poor infrastructure, proliferation of informal sector operators, weak modal integration, inefficient land use pattern, restricted network and absence of organised private sector operators results in low cost recovery and inefficient collection systems. The rate of poverty in the city can be reflected in the transport equipment portrayed by poor maintenance, low safety rate and poor quality service.

### Lack of maintenance strategy and capacity

In the intra-city transport market operations, there is one common factor both in the formal and informal sectors, which is the lack of maintenance. This is clearly reflected in the infrastructure and mobility equipment. This often compromises the passengers' safety and security, and contributes to the aesthetic depletion of the city.

### Inefficient use of overhead pedestrian bridges

A long standing disconnect exists between pedestrians and overhead pedestrian bridges. Apart from the inadequacy of the bridges in different parts of Lagos State, the available ones are rarely utilized. In many cases, pedestrians have to be compelled by different law enforcement agencies to use the bridges. The crossings of highways by the pedestrians reduce the free flow of traffic on major roads.

Picture 2.12

### Yaba bus stop, Yaba local government area



(Source: Urban Mobility Research Group, Heinrich Böll Stiftung, 2015)

Picture 2.13

### Adeleye St. Off Badagry expressway, Apapa Iganmu



(Source: Urban Mobility Research Group, Heinrich Böll Stiftung, 2015)



## TRANSPORT POLICIES AND REGULATORY FRAMEWORK

The 2000 European Commission (EC) communication on the transport sector in Sub-Saharan Africa considered that governance is a prerequisite to sustainable development of the sector and analyzed governance in the transport sector through the lens of the three dimensions:

- The first dimension of governance is about rules, interests, resources and power and how power is used and how institutions function;
- The second dimension is about key principles such as participation, inclusion, transparency and accountability.
- The third dimension is that governance encompasses several themes that impact on the state's ability to serve its citizens: democratization, human rights, rule of law and administration of justice, role of civil society, public administration reform and decentralisation.<sup>1</sup>

*Note: All the policies impacts' assessments are the inferences by the researchers.*

### A. Lagos State Development Plan 2012-2025

There are different types of instruments governing transportation in Lagos, but yet to be coalesced into a single transport policy. Notwithstanding, the Lagos State Development Plan 2012-2025<sup>2</sup> provides clear direction of government in the transport sector. Chapter 8.3 of the plan outlined the state's aim, objectives and targets for the transportation as follows<sup>3</sup>:

#### i. Aim of the policy

The aim of the development plan is to create a safe, reliable and efficient integrated and multimodal transportation system for sustainable socio-economic development of Lagos State. The strategy will ensure efficient and affordable movement of people and goods, link people to jobs and markets leading to economic competitiveness of the state, lowering of the cost of production, increased productivity, improved health and time efficiency.

#### ii. Policy objectives and outcomes

- There is increased productivity through the provision of standard and

1 A Christie *et al*, "Transport governance indicators in Sub-Saharan Africa" in *Sub-Saharan Africa Transport Policy Program (SSATP)*, working paper, (2013): 95.

2 Lagos State government, *Lagos State Development Plan 2012-2015* (2013; Lagos State Ministry of Economic Planning & Budget).

3 *ibid*, 161-166.

eco-friendly transport services in Lagos State;

- There is reduced average commuting time and cost of transportation leading to overall economic growth of the state and social well-being of the citizenry;
- There is increased access to basic social services (education, health, housing, etc) due to improved access to transport infrastructure;
- There is increased participation of all stakeholders in the transport sector;
- There is capacity in the transport sector to enable it deliver on its mandate.

Map 2.14

### Proposed integrated transport system for Lagos State



(Source: Lagos State Ministry of Transportation, "Strategic Transport Master Plan" (2015))

### iii. Policy targets

- **Access and affordability**
  - By 2025, 90% of population lives within 15mins walking distance to public transportation;
  - The capacity of the public transport sector increases from handling 7 million passenger trips per day to 12 million passenger trips per day by 2025.
- **Efficiency**
  - The average travel time to any part of the state is cut down by 50% by 2025;
  - The bus public transport network density increase from 0.6km/1000 population to 1.5km/1,000 population by 2025;

- There is a 10% fall in the number of private cars on the road year-on-year;
  - There is by 2025, a 50% drop in accident rate on roads;
  - There is by 2025, a 70% reduction in noise pollution especially from unnecessary use of the horn;
  - There is a 10% reduction per annum on negative emissions from vehicles especially buses.
- **Integration**
    - A 60% road, 20% rail and 20% water public transport modal split achieved by 2025.
  - **Management**
    - There is by 2025, a 50% fall in the numbers of unroadworthy on the Lagos State registered vehicles on the roads;
    - There is by 2025 a 70% increase in Traffic System Management awareness by the public;
    - There is by 2025, a 40% fall in traffic offences;
    - There is by 2025, a 100% registration of public transport operators;
    - By 2015, there is a well-articulated and adopted transport policy and strategic management framework.

Map 2.15

### Water routes Lagos State



(Source: Lagos State Ministry of Transportation, "Strategic Transport Master Plan" (2015))

#### iv. Policy and programs

- Access and affordability
  - Rehabilitate and repair existing transport infrastructure before embarking on new infrastructure;
  - Review transport network maintenance regulations and policies to identify potential barriers to implementation and areas which require reinforcement of regulatory framework;
  - Entrench a culture of maintenance and improvement of transport systems among all the transportation agencies;
  - Identify and respond to training requirements for maintenance from local authorities and contractors.
  
- Efficiency and impact
  - To improve safety, retrain drivers involved in public transport.
  - Continuously engage and educate the public on transport network usage safety e.g. driving behavior and attitudes especially at road junctions;
  - Publish and make easily available to the public safety and security transport standards;
  - Improve road markings and signage as well as installation of crash prevention guidance (CPG) and intelligent transport systems solutions;
  - Develop and implement a program for campaigns raising public awareness on the need to reduce the adverse environmental impacts of car use and to demonstrate to businesses, operators, schools, communities and individuals the part they can all play in meeting this challenge;
  - Create and implement mechanism enforcing strict adherence to environmental standards and benchmarks.
  
- Integration
  - Implement an integrated transport system where the various modes of transport (buses, trains, ferries) are brought together in terms of location, timetabling, ticketing and information. The integrated plan builds on from the existing initiatives which have proved successful;
  - Write new policies that will make transportation friendly, convenient and affordable to the commuters. This will be accompanied by improved traffic management and road safety through, among other things, construction of median barriers, provision of road signs, installation of intelligent road studs, rehabilitation and upgrading of traffic signal lights and improved road junctions;
  - Develop an integrated transport policy and a fully autonomous

public-private agency for the regulation and management of the transportation sector.

Features of the policy will include:

- Enhanced connectivity across the state to leverage the concentration of people and goods;
- Increased choice of travel for all stakeholders;
- Rules that govern the transportation system and ensure that all transport system designs and construction meet safety and security standards and facilitate the development of effective and efficient interventions to improve safety;
- Standardization of transport systems to reduce adverse environmental impacts e.g. inclusion of aesthetic transport systems that preserve the natural environment and cultural heritage;
- Creation of appropriate mechanisms to ensure participation of the transport stakeholders in the state infrastructure planning and development process.

Map 2.16

### Road projects in Lagos State



(Source: Lagos State Ministry of Transportation, "Strategic Transport Master Plan" (2015))

- v. Policy and management

Review and prepare a new transportation master plan. The review and planning exercise will:

- Identify limitations in the existing strategies to meet current and future state transport needs;
- Coordinate land use and transport plan making bodies, and transport operators for participation in planning meetings;
- Create a framework for a co-coordinated approach between land use and transport;
- Standardise transport systems to improve efficiency and reduce the adverse environmental impacts..

- vi. Training and capacity development

LASG will encourage the development of transportation-related expertise and research in the public, private and academic sectors. It will create an institute for transport system research and development planning. The institute will complement the outputs from the universities and technical colleges by providing on the job in-service training.

- vii. Financing

The financial demands of the sector are far in excess of the state's planned commitments or capacity to commit to the sector. The challenge is to find innovative ways of engaging other stakeholders in bridging the gap. LASG needs to develop strategies to encourage investment across transport modes in an integrated way to achieve better co-ordination. One of the strategies that are gaining momentum is developing strategic partnerships through private-public-partnerships (PPPs).

Some of the potential projects that are possible through this approach are:

- The rapid rail transit system (Red and Blue Line networks) which can be built through a *Design, Build, Operate and Transfer* (DBOT) model. LASG could inject capital on building the tracks, bridges and stations and the private sector can focus on rolling stock, depot equipment, communication and control equipment;
- Bus rapid transit where the public sector can concentrate on depots, roads rehabilitation, bus shelters, lay byes, street lighting and fencing terminals. The private sector can then concentrate on rolling stock and working capital;
- Water transport systems where the public sector can concentrate on the construction of jetties, access routes, safety regulation and security. The private sector can build terminals, purchase boats and operate the scheme.



- Roads and highways where the private sector can recover its investment through toll gates.

#### Box 2.17

##### Assessment of the impacts on transportation in Lagos State

The Lagos State Development Plan 2012-2025 formulated in 2012 (with term commencement in 2013) provides clear aim, objectives and targets for the transportation sector in Lagos State, but is not explicit on the modalities for the achievement and settlements of some of the major and fundamental problems. Considering the fact that Lagos State has over 70% of informal settlements, achieving a target of 90% of the population to live within a 15 minutes walking distance to public transportation suggests massive infrastructure delivery and consequential demolition of homes, businesses and displacement of families. The strategies for the achievement of this target remain imprecise in the absence of the resettlement policy or any support mechanism for the potentials victims of transportation improvement.

Aside the current confiscation of motorcycles (*okadas*), there is no clear exit model for the operators. Similarly, the plan is conspicuously silent on the future of mini-buses (*danfos*), that constitute about 72% of the road mobility and three-wheelers (*keke marwa*).

In reducing the emission and noise pollution and in checking the vehicles' road worthiness, types, specifications operating standard, maintenance and consumer protection among other industry procedures, there is a need for a transport regulatory institution as identified in the plan. Unfortunately, the establishment and operation of this institution, which ought to prescribe standards and rules before projects are commissioned and become operational, is not given priority.

The training and capacity development outlined in the plan appears to be a top cadre approach ignoring informal operators in the sector who may play significant roles in the formal sector if properly engaged and trained.

#### B. Lagos State Strategic Transport Master Plan

The plan developed by the Lagos Metropolitan Area Transport Authority (LAMATA) is a strategic long-term path aimed at transforming the Lagos transport sector beyond its current challenges. The plan identifies possible transport infrastructure and services required for meeting travel demand by 2032, 7 years above the projections of Lagos State Development Plan 2012-2025.<sup>4</sup>

##### i. Vision and aim of the policy

The vision for transport in Lagos as envisaged in the plan is one which supports the establishment of a modern integrated multimode transportation system that matches

4 *ibid.*

standards of a world class megacity. The plan also aims to improve the operations of the Lagos freight transportation system. The implementation of the plan hinges on major reforms based on 25 strategic decisions under the following objectives:

ii. Plan objectives

- Increasing transport choices for all users:
  - Developing a comprehensive Mass Rapid Transit (MRT) systems covering the whole metropolitan area.
  - Developing the waterways network in full integration with land-based MRT systems.
  - Improving road network efficiency by removing impediments such as bus parks and markets from right of way (ROW) and installing modern Intelligent Transport System (ITS); and
  - Introducing walking and cycling facilities to promote Non-Motorised Transport (NMT).
  
- Introducing an integrated transport system:
  - Integrated fare and ticketing system: Installing modern electronic ticketing systems;
  - Integrated information and communication system: Introducing a unified passenger information system for all modes of transport;
  - Transport authority: Designating a single authority to design, contract and enforce operations of the integrated transit system, and;
  - Coordinated services and timetables: Contracting qualified private sector firms to operate various multimode routes within the integrated transit network with strict adherence to service coordination policies
  
- Making the transit system attractive, convenient, affordable and accessible:
  - Introducing variety of seasonal tickets that can be used on all modes,
  - Providing dedicated transit routes to reduce travel time and operating costs;
  - Eliminating competition between buses heading for same destination (called in-the-market competition along same corridor);
  - Improving passenger waiting facilities at bus parks, bus stops and transfer points.
  
- Reducing urban transportation induced emissions:
  - Gradual introduction of modern rail, bus and boat vehicles that will replace existing moribund fleet;
  - Promoting NMT and creating public awareness about the benefits

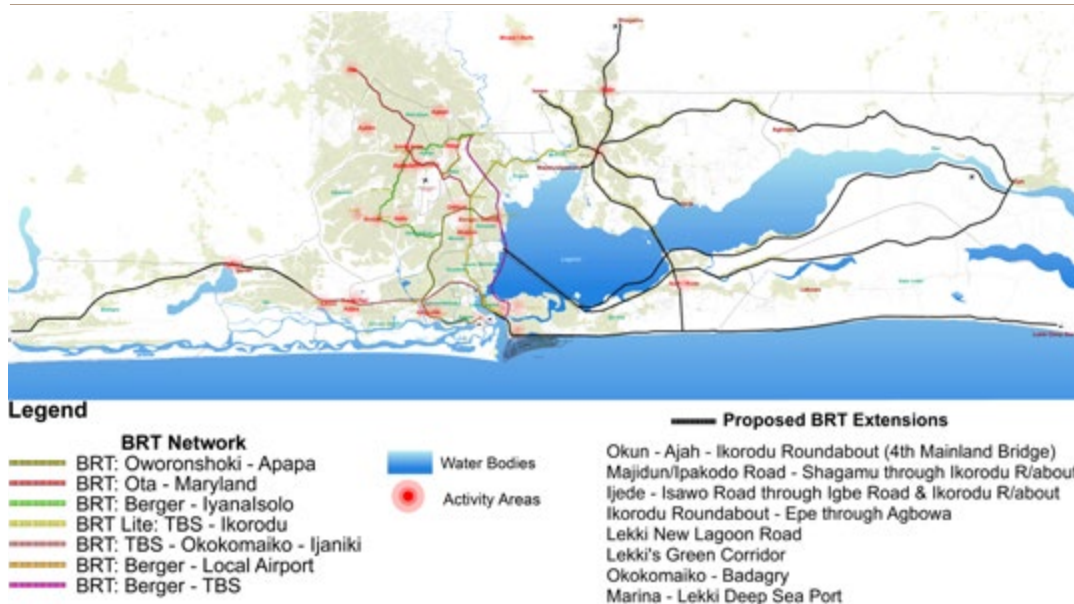


of this unutilised mode;

- Improving vehicle emission standards and enforcing air pollution regulations.
- Optimising usage of current road network:
  - Removing bus parks, street traders, markets and other hindrances from all transit corridors;
  - Constructing and managing the major road network to improve movement of passengers and goods including the construction of a high standard full ring road system around in Lagos State;
  - Introducing traffic signals at most at-grade intersections and establishing a modern traffic control centre as hub for managing flows at these intersections. On-street parking on the Islands must also be regulated and enforced with introduction of paid parking system, equipped with modern payment technologies;
  - Installing state-of-the-art Intelligent Transport System (ITS) along the arterial system to detect and manage real time events efficiently.
  -

Map 2.18

### Bus Rapid Transit routes with proposed extensions in Lagos State



(Source: Lagos State Ministry of Transportation, "Strategic Transport Master Plan" (2015))

- Integration of land use development (urban physical planning) and urban transport planning:
  - Introducing mandatory traffic impact assessment for major land use development projects;
  - Focusing future developments along main transit corridors;

- Promoting NMT especially inside communities through the development of pedestrian and bicycle master plans, and;
  - Developing alternative activity centres that will reduce need for long-distanced motorised trips.
- **Securing long term financing of investment plan**
  - Developing an economically viable investment plan based on a robust cost-benefit analysis procedure;
  - Actively procuring private sector financing through PPP schemes.
- The master plan recommends the following transport infrastructure:
    - 6 rail lines;
    - 1 monorail line;
    - 14 BRT routes;
    - 26 water transport routes;
    - 3 cable car lines;
    - Several road improvements and traffic management initiatives to improve passenger and goods flow movement in the city.

#### Box 2.19

#### Assessment of the impacts on transportation in Lagos State

The strategic plan appears to be action oriented, detailed and tailored to resolve the transportation problems in Lagos. It focuses more on the infrastructure delivery, the quality of services and the funding mechanism. Its implementation has led to the emergence of three (3) Bus Rapid Transit (BRT) corridors (TBS-Ikorodu, Berger-TBS, and Lekki axis) and the construction of one (1) rail (Blue Line; Ojo-Marina). In 2013, the United Nations environment program named Lagos BRT as one of the 30 innovative and visionary approaches to sustainable infrastructure development in the cities across the world. New water routes such as Bayeku-Ajah, Ikorodu-Lekki have been charted and operational while road sector has equally received attention in terms of improvement and extension.

Despite of the robust provisions and milestone achievements of the Lagos State Strategic Transport Master Plan, there are gaps which the plan did not cover. For example, under the emission reduction strategy, the plan specified the gradual introduction of modern rail, bus and boat vehicles that will replace existing the moribund fleet, but it was conspicuously silent on how this will be achieved and how it will affect, influence or absorb the operations of the informal sector operators such as *danfos*, *keke marwas*, *okadas* and informal boats. The plan did not recognise petroleum pipeline network planning, development and management as a strategic factor for success of transportation in Lagos; hence the fundamental problems with the traffic bottleneck in Apapa may not be resolved any time soon. Depot relocation will relocate the problems if the pipeline network inadequacy is not addressed. Also, the slow rate of project implementation under the plan may reduce significantly the level of successes to be recorded at the end of the plan period in 2032.

Picture 2.19

**Suru Alaba rail station, Ojo Road, Amuwo Odofin**



(Source: Urban Mobility Research Group, Heinrich Böll Stiftung, 2015)

**C. Lagos Road Traffic And Administration Law 2012**

The law cited as Lagos Road Traffic Law 2012 expanded the responsibility of the Lagos State Traffic Management Authority (LASTMA) on control and management of vehicular traffic in the state to include:

- (a) Prohibition or restriction of the use of any specified highway by vehicles of specified class or description;
- (b) Prohibition of driving or propelling of vehicles on any specified highway otherwise than in a specified direction;
- (c) Prohibition of vehicles parking or waiting on any specified highway;
- (d) Prohibition or restriction of the use of sirens, and the sounding of horns or other similar appliances either in general or during specified hours or in respect of specified areas;
- (e) Regulation of the conduct of persons driving, propelling, being in charge of or riding any vehicle or animal on a highway;
- (f) Application of breath testing, blood and urine specimen testing devices on any driver to detect whether he is driving under the influence of alcohol, or drugs;
- (g) Demand of a psychiatric evaluation of any person who drives against the

normal flow of traffic or who fails to comply with any of the provisions of this law, if in the opinion of any officer of the authority such an evaluation is necessary for the purpose of determining the person's ability to operate a motor vehicle provided that such shall be at the driver's cost; and

(h) General regulation of traffic on public highways.

Table 2.20

**Prominent provisions in the Lagos Road Traffic Law 2012**

		Provision
<b>3 (Control of motorcycles and tricycles)</b>	(1)	No person shall ride, drive or propel a cart, wheel barrow, motorcycle or tricycle on any of the routes specified in schedule II to this law.
	(2)	No person shall operate a motorcycle or tricycle without a rider's card issued by the Lagos State Motor Vehicle Administration Agency.
	(3)	No person shall operate a motorcycle or tricycle either as a rider or a passenger without wearing a standard protective crash helmet as may be prescribed under the regulations to this law.
	(4)	No motorcycle operator shall carry more than one (1) passenger at a time, provided that a pregnant woman, a child below the age of twelve (12) years, or an adult with a baby or heavy/large load placed on the head or which obstruct normal sitting on the motorcycle shall not be carried as passenger.
	(5)	Any person who fails to comply with any of the provisions of this section commits an offence and shall be liable on conviction to –
	(i)	imprisonment for a term of three (3) years or render community service in accordance with the provisions of section 347 of the administration of the criminal justice law of Lagos State; and
	(ii)	have his vehicle forfeited to the state.
	(6)	Where a rider is convicted of an offence under subsections (1), (3) and (4) of this section, the passenger shall also be liable to the same penalty, provided the passenger is not a child.
	(7)	As from the commencement of this law commercial motorcycles shall only operate between the hours of 6.00 a.m - 8.00 p.m within the state.
<b>7 (Penalties for neglect of traffic directions)</b>	Where an officer of the authority is for the time being engaged in the regulation of traffic on a highway, or where any traffic sign being a sign for regulating the movement of traffic or indicating the route to be followed by vehicle has been lawfully placed on or near a highway in accordance with the provisions of this law, any person driving or propelling any vehicle, who –	
	(a)	neglects or refuses to stop the vehicle or to make it proceed or to keep to a particular lane or direction of traffic when directed to do so by the officer in the execution of his duty; or
	(b)	drives his vehicle against oncoming traffic or fails to conform to the direction or indication given by the traffic sign, shall be guilty of an offence, and shall be liable on conviction for:
	(i)	1st offender one (1) year imprisonment and forfeiture of the vehicle to the State;
	(ii)	2nd and subsequent offender three (3) years imprisonment and forfeiture of the vehicle to the State.
	(c)	all offenders shall have their data and biometrics captured.
<b>8 (Removal of Abandoned Vehicles from Highway and Sides of Private Premises)</b>	(1)	Where a motor vehicle is stationary or abandoned on a highway or street or near private premises, any police officer, member of the task force or officer of the authority may cause the vehicle to be removed to a vehicle park if –
	(a)	the officer has reasonable grounds for believing that the location of the vehicle is in contravention of the provisions of any enactment or Regulation relating to the parking of vehicles; and

Table x.x

**Prominent provisions in the Lagos Road Traffic Law 2012 (continued)**

Provision	
(b)	he has reasonable grounds for believing either –
(i)	that the vehicle is not in a condition in which it can be moved under its own power; or
(ii)	that no person authorised to drive the vehicle is in the immediate vicinity of the vehicle.
(2)	The owner or occupier of the premises adjoining the highway or private premises where the vehicle is stationary or abandoned shall lodge a report of such vehicle to the nearest office of the authority or to the nearest police station.
(3)	Where the owner or occupier of premises adjoining the highway or private premises fails to make a report of a stationary or an abandoned vehicle to the office of the authority or the nearest police station within 48 hours, the owner or occupier of such premises shall be guilty of an offence and on conviction be liable to a fine of twenty-five thousand naira (25,000 NGN).
(4)	Where the vehicle was found not to have been abandoned but left on the highway for an unreasonably long time, the owner shall bear the cost of towing the vehicle to a vehicle park as prescribed in schedule I to this law and shall be guilty of an offence and on conviction shall be liable to a fine of fifty thousand naira (50,000 NGN) or to a term of imprisonment for three (3) months or both.
(5)	Where the owner of an abandoned or removed vehicle fails to claim the vehicle for a period of one (1) month, the ministry shall publish a notice of its intention to dispose the abandoned or removed vehicle at the end of one (1) calendar month from the date of such publication in the state official gazette and one national newspaper.
(6)	The ministry shall, at the end of one (1) month's notice, dispose such vehicle.
<b>9 (Provision of vehicles parks by the state)</b>	(2) The authority shall not be under any duty to protect removed vehicles otherwise than as mentioned in paragraph (c) of subsection (1) above and in particular shall not be under a duty to protect removed vehicles from damage attributable to sun, rain, wind or other physical conditions.
<b>17 (Disposal of removed vehicle, etc.)</b>	(1) Where any removed vehicle is not claimed in accordance with section 16 within a period of one (1) month, the removed vehicle shall be vested to the state government.
	(4) The state government shall not be under any duty to protect any removed vehicle and, in particular, shall not be under a duty to protect a removed vehicle from damage attributable to sun, rain, wind or other physical conditions.
<b>30 (Owner of commercial vehicle liable in certain cases of overloading and exceeding speed limit)</b>	Where a person is convicted of an offence in respect of the overloading of a commercial vehicle or trailer or of driving a commercial vehicle at a speed exceeding that provided by law, then in addition to the person driving the vehicle at the time of the commission of the offence, if such person not being the owner of the vehicle, the owner of such vehicle shall also be liable, and may be charged accordingly. Provided that such owner shall not be convicted of the offence if he can prove to the satisfaction of the court that no act or omission on his part was contributory to the commission of the offence.
<b>36 (General penalty)</b>	(1) Any person who fails to comply with any of the provisions of this law for which no specific penalty is provided commits an offence and shall be liable on conviction as follows –
	(a) as a first offender to a fine of twenty thousand Naira (20,000 NGN);
	(b) as a subsequent offender to a fine of thirty thousand Naira (30,000 NGN) or to imprisonment for a term of three (3) years or both.
	(2) In addition to any penalty that may be provided for failure to comply with any provision of this law or the Lagos State Traffic Management Authority law, where such failure occurs, the vehicle may, upon conviction, be forfeited to the state.



Table 2.21

**Prominent provisions in the Lagos Road Traffic Law 2012** *(continued)*

Provision	
(1)	The commissioner may in accordance with the Regulations Approval Law Cap. R5 Vol. 6 Laws of Lagos State 2003 make regulations to-
(m)	<b>empower any authority to –</b>
(i)	fix time table for stage carriages on any route;
(ii)	determine stopping times at stands and stopping places;
(iii)	determine the days and hours during which stage carriages may ply for hire on any specified route;
(iv)	require the fitting to hackney carriages of meters or other similar devices to indicate authorised fares;
(v)	provide for the additional examination of hackney and stage carriage drivers before the issue of a badge.

(Source: Lagos Road Traffic Law, 2012)

City high risk provision

Picture 2.22

**Oshodi, Lagos State**



(Source: Urban Mobility Research Group, Heinrich Böll Stiftung, 2015)

## Box 2.23

### Assessment of the impacts on transportation in Lagos State

The Lagos Road Traffic Law 2012 has the intention of controlling and managing the vehicular traffic in Lagos State but rather than being a measure towards resolving the transport problems it remains a stop gap. Many of the provisions of the law portray Lagos as a city under emergency rule where citizens are in extreme disagreement with government institutions. The provisions that offenders will forfeit their vehicles to the state which will in turn dispose the vehicle, after one month, failed to take into consideration the precarious poverty index of the residents of the city. In the process of using the law to outlaw the operations of motorcycle taxis (*okadas*) and tricycles (*keke marwa*), the situation became a keen struggle between the policy's declared illegality and the livelihood of the citizens.

Since the commencement of the implementation in August 2012, it has set a situation whereby the city and its residents are in regular combat mode on transportation with high level of mutual suspicion rather than increase the level of mutual collaboration. The law has continued to provoke variance between the state and the residents. Its implementation led to a protest by members of the Nigerian Bar Association, Ikeja Branch, over the incarceration of a member at Badagry prison in May 2013, on allegation of traffic offence. The protest led to the withdrawal of the case against the charged member by the state, as a *Guardian* article reported on May 15, 2013, 7. The other alleged traffic rules violators were not so provident.

Section 38 of the law provided that the commissioner may empower any authority to fix the time table for stage carriages on any route, determine the stopping times at stands and stopping places; and determine the days and hours during which stage carriages may ply for hire on any specified route among other responsibilities. This provision shows the introduction of the confusion into transportation in the city where any agency can be called upon to deal with the sensitive and intelligence part of transportation.

Despite the enormous demand from the residents on compliance, the law does not recognise the transport infrastructure especially the adequacy, the conditions and the quality of the roads as part of the traffic control and management problems as it completely exonerates the state and its officials from any compulsion to make this available to the residents. The law missed an opportunity to empower residents to demand accountability on damaged roads for long period of time. It seeks to curb the excesses of the informal operators and other classes of vehicles by prescribing jail term and exorbitant fine as penalty for traffic offence; however, it presented Lagos to any discerning investor as a potential conflict point between the city and its residents.

If the city wants to imbibe the principles of contemporary urban planning and inclusive governance, there is need to urgently amend the Lagos Road Traffic Law 2012.





## TRANSPORT INSTITUTIONAL FRAMEWORK

There are 11 formal institutions responsible for the transportation sector created by the Lagos State government while there are 11 federal government of Nigeria owned institutions with direct and regular participation in the Lagos transportation sector. Figures 2.24 and 2.25 present the relationship among these institutions both at the state and federal levels, respectively.

Figure 2.24

### Transport institutions in Lagos State by the Lagos State government

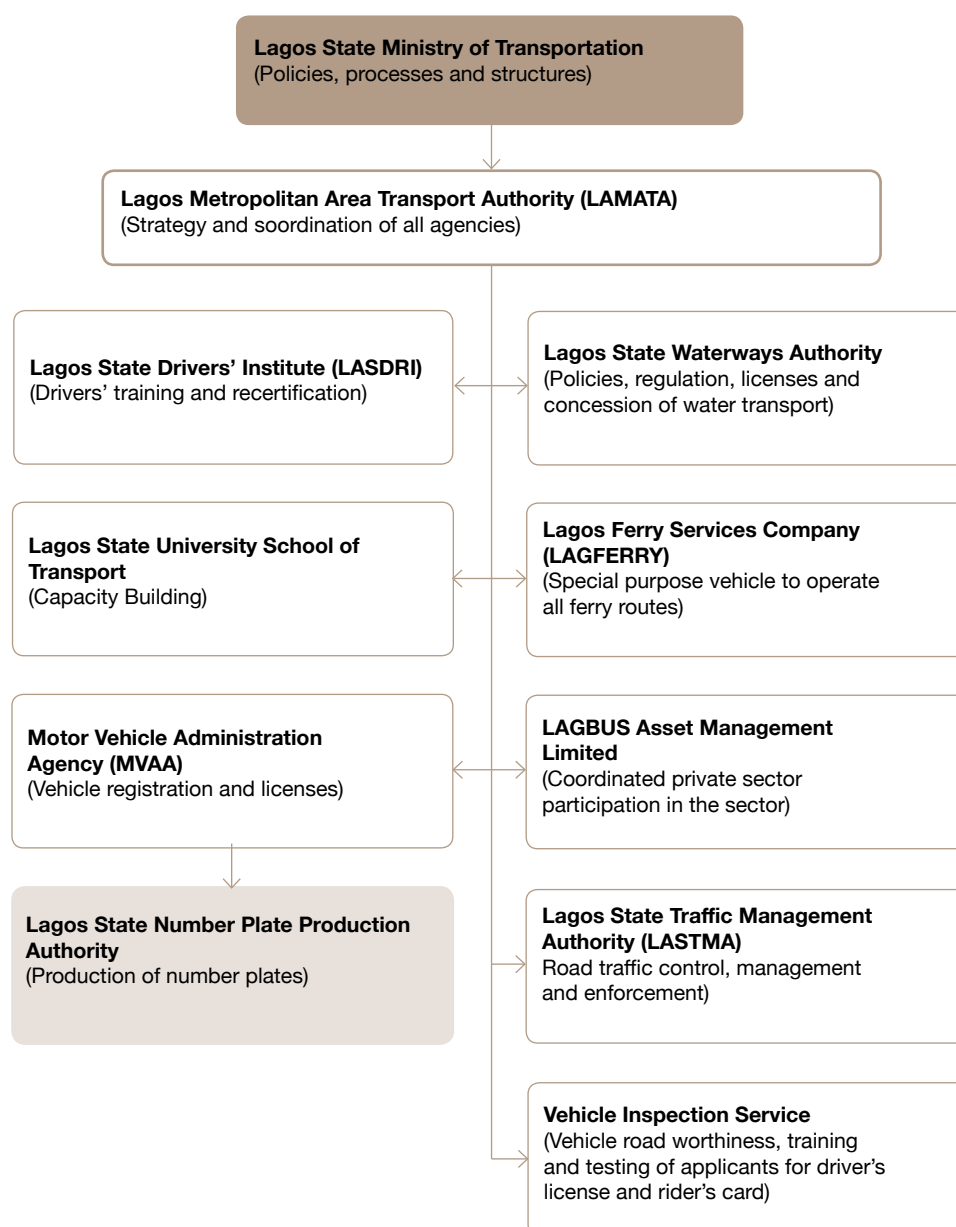
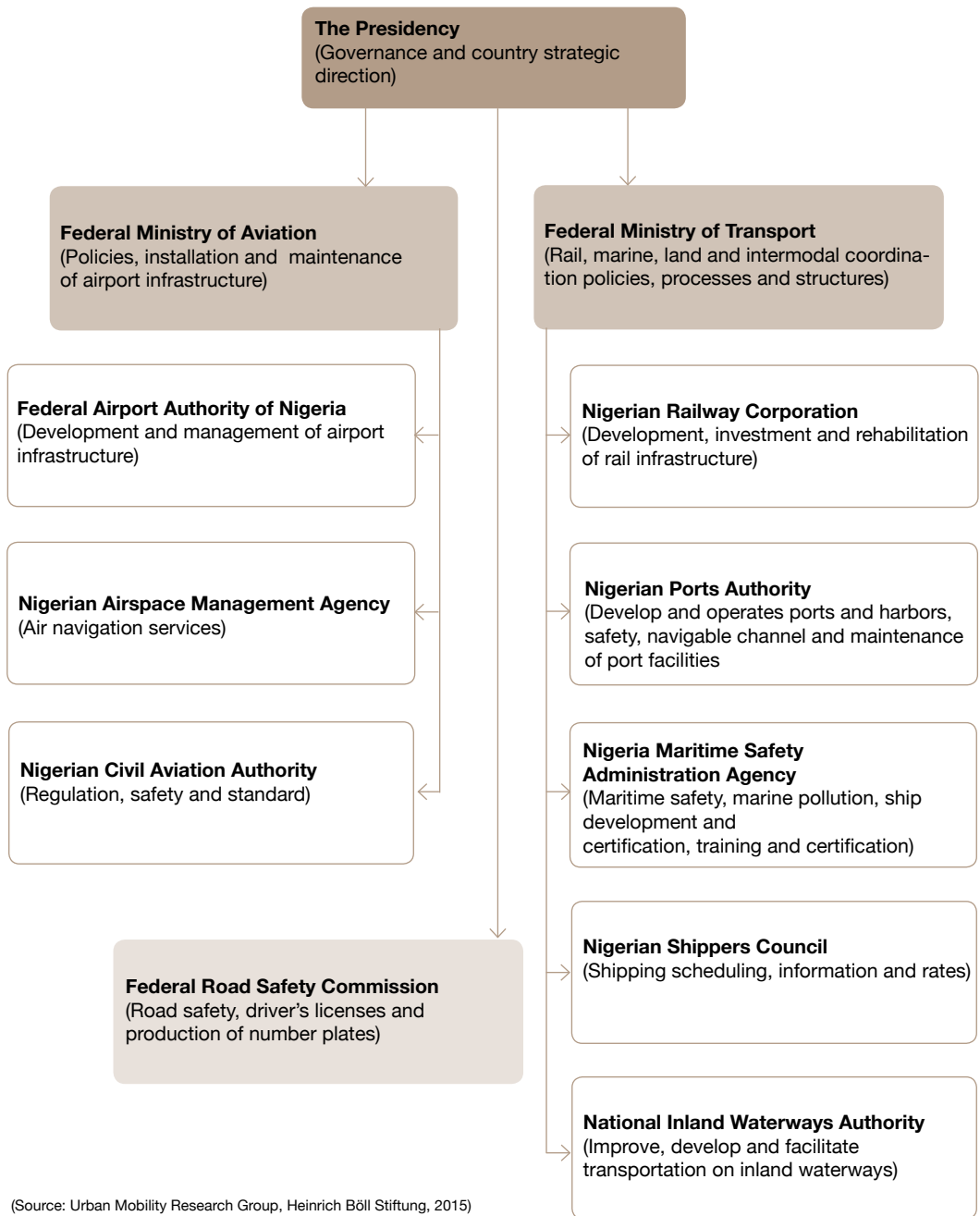


Figure 2.25

**Transport institutions in Lagos State by the federal government**



(Source: Urban Mobility Research Group, Heinrich Böll Stiftung, 2015)

**State institutions**

**A. Lagos State Ministry of Transportation**

The Ministry of Transportation is the primary organ for managing the transportation function sector in the Lagos State. Public transportation functions were initially performed by the transportation unit under the planning division of the old Ministry of Works and Planning until 1979 when a fully fledged Ministry of Transportation was created. In 1984, under the military administration, it was merged with the Ministry of Works and the enlarged ministry became known as the ministry of works and transportation. Ten years later, 1994, another military admin-

istration carved out transportation functions again from the Ministry of Works and Transportation into an autonomous Ministry of Public Transportation, which was later changed into Ministry of Transportation in 2002. The vision of the ministry is to provide safe, efficient and coordinated inter-modal transportation system for the sustainable socio-economic development of Lagos State while its mission is to ensure the free flow of the traffic and transport infrastructure development with the primary goal of achieving the stress free movement of people and goods across the state and to ease the motor vehicle administration for the growth of growth of local and foreign investments in Lagos State.<sup>1</sup>

#### Assigned ministerial responsibilities

- (i) Public transportation policy direction and control;
- (ii) Supervision, monitoring and evaluation of the implementation of all transportation policies and programmes by transportation related agencies in Lagos;
- (iii) Formulation and enforcement of all relevant laws affecting transportation;
- (iv) Formulation of policies and programs to enhance the free flow of traffic in Lagos State;
- (v) Provision of road infrastructure and furniture appropriate for transportation and traffic management and control;
- (vi) Supervision and control of mechanic village, motor parks, terminals and transportation unions;
- (vii) Performing oversight function on all state of transportation related agencies;
- (viii) Establishing inter-face with other agencies of the state government on transportation and other related matters;
- (ix) Liaison and co-operation with the Federal Ministry of Transportation and transport agencies of the federal government and other states of the federation.

#### Objectives (broad)

- (i) To bequeath to Lagosians, an efficient and affordable integrated public transportation system that would galvanize the economy of the state in

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<sup>1</sup> Lagos State Ministry of Transportation, "An overview of the transformation of Lagos State transport sector" (sectoral explanatory document, 2012).

particular and the nation in general as Lagos is the commercial hub of Nigeria;

- (ii) Embark on various policy reforms in the transport sector by investing in a safe, secure, integrated and intermodal transportation systems;
- (iii) Explore other available modes of transportation such as water and rail while optimizing the use of the road mode as well as investing in the much needed human capacity to ensure sustainable development in the sector.

#### Objectives (specific)

- (i) Provide efficient and save integrated transportation system;
- (ii) Accelerate the improvement of traffic infrastructure;
- (iii) Introduce a rapid transit system to cope with the increasing mobility demand;
- (iv) Reduce travel time within the metropolis drastically;
- (v) Encourage private sector participation in the public transportation and associated deliverables.

#### Box 2.26

##### Assessment of the impacts on transportation in Lagos State

The focus of the transportation unit since its foundation in 1979 was the provision of transport infrastructure until 2002, when the focus began to change towards policy-making and the supervision and control of the transport sector in Lagos.

The ministry has successfully facilitated the creation of 10 entities with different functions while it has led the formulation of plans and laws, among which is the Lagos State Road Traffic Law 2012. It has introduced the Bus Rapid Transit (BRT) system, the light rail project, the revival of water transportation and the expansion of road infrastructure.

Despite the achievements, transportation is yet to be affordable to the residents; an integrated modal system is yet to be achieved while quality and quantity of the infrastructure is yet to meet the demand of the residents. Also, the travel time within the metropolis has not been reduced drastically. Safety and security remain a major concern of the residents as the conditions for the organised private sector are not attractive enough.

## **B. Lagos Metropolitan Area Transport Authority (LAMATA)**

In 1992, the “Lagos mass transit and transport systems management program” examined the fundamental problems in the traffic sector and one of its major recommendation was the creation of Lagos Metropolitan Area Transport Authority LAMATA. LAMATA was established through the LAMATA Law of January 13, 2002, to coordinate transport policies, programmes and actions of all agencies at different tiers of government. The detailed framework considered functions and responsibilities of the existing Lagos State government transport-related ministries, departments and agencies, and in this context, proposed LAMATA’s roles including its core functions, organisational structure, resource requirements and relationship with stakeholders. LAMATA is envisioned to provide a strategic planning platform to address long neglected transport needs of the metropolis and coordinate activities of the different executing agencies to provide a common and consistent basis for implementation. It was established as a semi-autonomous corporate body with perpetual succession (it shall continue to exist irrespective of continuity of its directors or political administration so long it is legally in existence) and a board responsible for formulation, coordination and implementation of urban transport policies and programmes in Lagos State. The authority has the overall responsibility for transport planning and coordination in the Lagos State with the primary mandate to play a lead role in carrying out transport planning, assist in transport policy formulation, coordination of major operational and investment decisions and implementation. The law grants LAMATA several powers to facilitate the discharge of its statutory functions, including the power to levy and collect user charges in connection with the provision of its services and to collect any other tariffs, fees and road taxes as may be authorised by the Governor.

### **LAMATA roles and responsibilities**

The law establishing LAMATA was strengthened further in 2007 to include planning and regulatory functions across the various modes of transport. Under the amended LAMATA Act 2007, the authority is empowered by law with responsibilities to carry out the following key functions in the Lagos State:

- (i) Coordinate transport policies, programmes and actions of all agencies;
- (ii) Maintain and manage the declared road network (DRN), mainly bus public transport routes of about 632 km;
- (iii) Plan, coordinate, manage and develop the supply of adequate and effective transportation;
- (iv) Recommend route planning and general location of bus shelters; pedestrian ways and bridges;

- (v) Collect and levy transport road user charges and establish a transport fund (TF) as a user reform financing mechanism to increase the low level of cost recovery in the transport sector, and to sustain the performance of LAMATA;
- (vi) Collect 50% of net the motor vehicle administration (MVA) revenue (specific items) to be paid directly into the TF;
- (vii) Regulate the Bus Rapid Transit (BRT) along prioritised corridors;
- (viii) Coordinate activities of the state licensing authority and all vehicle inspection units;
- (ix) Make policy recommendations on public transportation to the Governor, including mechanisms for implementation;
- (x) Prepare plans for the development and management of an integrated multi-mode public transport system.

The government envisaged that the successful performance of these functions by LAMATA will assist in poverty alleviation by increasing economic efficiency through lower transport costs and prices, and enhancement of employment and social opportunities.

#### Box 2.27

#### Assessment of the impacts on transportation in Lagos State

LAMATA has since its establishment in 2002 redefined the approach to transportation in Lagos State. It introduced innovative mobility strategies into the transportation system in Lagos and gradually moved the transportation from the post-1983 haphazard sector into a semi-organised urban service. The authority is behind the establishment of multiple institutions, formulation of strategic master plan, conceptualisation and implementation of new transportation projects such as the BRT, the light rail project, the cable car (gondolas), the revival of water transportation and the expansion of road infrastructure. However, the combination of the roles of a service provider and a regulator for LAMATA is overwhelming for the authority. This is being reflected in the conditions of the BRT buses and the road infrastructure such as bus shelters, road markings, electronic information boards, and the ticketing procedures. The quality and maintenance of the buses have been compromised while there has been observable deterioration in the quality of other infrastructure rather than consistence improvement and upholding of pristine conditions. In correcting this compromise, LAMATA had revoked the concessionaire license given to the National Union of Road Transport Workers (NURTW) to operate the BRT system. Aftermath of the revocation, a new concessionaire has been engaged with new 434 buses for operation. The extent of new concessionaire to operate a sustainable BRT system will be a project for examina-

tion in the future. In LAMATA's efforts at transforming the transport sector of Lagos State, the safeguard measures against the residents that are being negatively affected by the projects seems inadequate. Compensation for loss of properties affected by widening of roads still follow the rigid mindset of the presentation of formal property documents, which the majority of properties in Lagos does not have, and not necessarily of social protection of the victims. The obvious lack of transparency and accountability in many of the operations and projects of the authority continue to threaten large scale attraction of reputable and qualified private sectors to the system.

### **C. Lagos State Waterways Authority (LASWA)**

The Lagos State Waterways Authority (LASWA) is the organisation responsible for regulating, developing and managing all aspects of the waterways of Lagos State. It was established through Lagos State Waterways Authority Act 2008 after purported repealing of National Inland Waterways Authority Act, 1997. The vision is to develop and promote safe and appropriate navigation and recreational activities for all waterway users, while protecting, maintaining and enhancing the unique conservation status of the waterway

#### **Goals of LASWA**

The vision of LASWA will be achieved through the following goals:

- (i) Manage, improve and enhance navigation opportunities for the waterway;
- (ii) Protect the interests of those navigating and using the waterways;
- (iii) Promote better access and information for canoeists and users of small craft;
- (iv) Contribute to enhanced bio diversity, heritage and landscape values of the waterway;
- (v) Develop the health, economic and social benefits of navigation, to the advantage of everyone;
- (vi) A renewed focus on boating education and safety campaigns;
- (vii) Partnerships with the boating community;
- (viii) New penalties for unsafe behavior;
- (ix) Increased compliance checks .

### LASWA roles and responsibilities

- (i) Construct, hire, purchase or otherwise acquire workshops and vessels of any class within the state;
- (ii) Regulate, establish and maintain within the waterways in Lagos, lines, regular services of ships or other like carriers and generally regulate the use of state and internal waterways by all users including private and common carriers;
- (iii) Enter into contracts for the maintenance, exploration, superintendence, management and transit of all state and inland waterways and terminals, platforms, piers and jetties with any other person, authority, company or such other private operators;
- (iv) Own, construct, purchase, take on lease or otherwise acquire and work in any wharf, pier, dock, jetty, transportation terminal, building or work capable of being advantageously used in connection with the business of the authority as waterway transportation or carriers;
- (v) Design ferry service and other water transportation routes, issue, regulate and control all licenses for ferry services and other water transportation;
- (vi) Charge and collect water transportation tolls, rates and charges;
- (vii) Clear and maintain waterways free from all obstructions, derelicts, wrecks and abandoned properties;
- (viii) Install route buoys, gauges, distance boards and markings along the water ways;
- (ix) Insure the vessels and other properties of the authority in any manner it deems fit;
- (x) Undertake capital and maintenance dredging and channelization of the waterways;
- (xi) Undertake hydrological and hydrographical surveys of the waterways;
- (xii) Undertake installation and maintenance of lights, buoys and all navigational aids along water channels and banks of water ways;
- (xiii) Clear water hyacinth and other aquatic weeds;



- (xiv) Insure the vessels and other properties of the authority in any manner it deems fit.

#### Box 2.28

##### Assessment of the impacts on transportation in Lagos State

The authority made considerable contribution to the mobility index in Lagos State with monthly movement of 1.2 million people, equivalent to about 40,000 people per day and 0.57% of the daily mobility in Lagos State. The potential future lock down for the authority will possibly come from the legal angle in a challenge on the legality of state law repealing federal law. The National Inland Waterways Authority Act 1997 was enacted by the federal government of Nigeria to govern the use of inland waterways by the federal government and other 36 state entities. Repealing of such an act by one of the 36 state entities signaled a potential for legal conflict. Concerned stakeholders may use this to test the jurisdictional and applicability of both state and federal laws with consequential distraction for LASWA. Despite impressive outlook in the sector, the access appears to be restricted and based on patronage system. Safety on the waterways remains a key issue for the regulatory role of the authority while boats operating in communities such as Makoko, Epe, Ejinrin, Festac, Igbologun, Egan and Badagry appear not to be under the remit of the authority.

#### D. Lagos Ferry Services Company (LAGFERRY)

Lagos Ferry Services Company (LAGFERRY) was incorporated on January 15, 2008 as a limited liability company with the Lagos State government as the sole initial investor. It is a special purpose vehicle (SPV) complimenting the efforts of the Lagos State government in developing water transportation sector and subsequently reducing the strain on Lagos roads. The company has been granted a universal license for all the ferry routes as defined by the Lagos State Waterways Authority (LASWA). The all-access license permits LAGFERRY or its potential franchisees to deliver water transport services to previously underserved areas of the State. The vision of the company is to provide the safest, most affordable and time efficient journey for its clients. It seeks to alleviate the daily challenges of commuters on the roads by providing a viable alternative via the inland waterways of the Lagos lagoon. It envisions becoming the most trusted name not only in the water transport sector but in public transportation. The secondary goal is to serve as an industry catalyst and be a facilitator for the success of water transportation in Lagos.

#### Box 2.29

##### Assessment of the impacts on transportation in Lagos State

The company can be described as a public commercial entity to actualise the strategy of government in the water transportation sector. It is an operational entity with supervision and guide from LASWA. The company can be credited with the success of moving 1.2 million passengers on monthly basis. Although, the licensing structure by LASWA is not clear,

but granting universal license to LAGFERRY may suggest a sole player in the sector while potential operators can only obtain franchise. The sole player strategy may work in the medium term, but it will stifle competition in the long term, insulate operators from direct supervision of LASWA, reduce rate of growth and expansion and negate the overall vision for the water transport in the state.

#### **E. LAGBUS Asset Management Limited**

LAGBUS was incorporated on November 18, 2004 and started operations on February 17, 2007 with 123 buses on three routes. It has over 500 buses and 40 routes currently in operation. LAGBUS has the vision to deploy buses in a dedicated right of way with prepaid tickets, selected operators and GPS monitoring to create a modern bus transportation system for Lagos. The success will depend on the expertise of its people, a uniform service, high standards and full compliance. Its mission is to create a modern, secure and sustainable bus transportation service designed for the special needs of Lagos State.

#### **Principles of establishing LAGBUS**

In evolving LAGBUS as an institution that will implement a new public bus system in Lagos, it has to be guided by the following principles:

- (i) The company must run as a private limited liability company;
- (ii) Management of the maintenance company must be separated from the bus company ;
- (iii) Bus company must operate in conjunction with local transport operators
- (iv) Ticketing is to be centralised;
- (v) Backward integration with investment in bus assembly plants is necessary;
- (vi) Ownership of the company should include institutional private investors.

#### **Goals of LAGBUS**

- (i) To ensure project sustainability;
- (ii) Promote operation of safe brand new bus fleets on Lagos roads;
- (iii) Ensure deployment of electronic payment system;
- (iv) Empower existing stakeholders;

- (v) Ensure timely fleet renewal and expansion;
- (vi) Manage sub-operators and franchisees operating within the bus route network.

#### Objectives of LAGBUS

The goals are envisaged to be accomplished by the following objectives:

- (i) Run bus operations in all the 57 local governments and LCDA's in Lagos state;
- (ii) Achieve excellent customer service;
- (iii) Expand and integrate the bus route network in Lagos State;
- (iv) Deploy scheduled bus services along the bus route network in Lagos State;
- (v) Develop technical and infrastructural capacity for the integrated bus system.

#### Box 2.30

##### Assessment of the impacts on transportation in Lagos State

Conceptually, the LAGBUS system appears to be a unique and problem solving model for transportation in Lagos. Its operational routes have increased from 3 in 2007 to 40 in 2015, and the fleet has also increased from 123 to 500 buses between 2007 and 2015. It has 6 main depots and 4 mini depots in 9 different locations in Lagos while its introduction has reduced significantly the old high occupancy buses, known as *molues*. Similarly to BRT, LAGBUS is being supervised by LAMATA, but with different operating procedure. While BRT operates through a single concessionaire with direct reporting to LAMATA, LAGBUS operates through multiple franchises with reporting to a limited liability company and overall coordination by LAMATA.

The impressive outlook of LAGBUS notwithstanding, the system is dealing with structural and operational challenges. Although, the conditions of the buses are better than the equipment being operated under the Bus Rapid Transit (BRT) system, they are nonetheless showing signs of inadequate maintenance conditions reducing the quality of journey by the passengers. Despite the increment in the number of fleet and operational routes, the system appears to be inadequate as evidenced in the number of people waiting to board on daily basis. The schedule is irregular while ticketing is still manual. The entry point into the system by potential private investors is still shrouded in protective arrangement and technically reducing the growth of participants under the franchise system. In the conceptual city transportation hierarchy, LAGBUS ought to pick passengers from the BRT and rail stations and feed into the secondary routes within each districts, but it seems that the discreet aim of replacing the old bus system *molues* overshadowed this fundamental strategy.

## F. Lagos State Traffic Management Authority (LASTMA)

The Lagos State Traffic Management Authority (LASTMA) was set up through the Head of Service Circular HOS/12/2000 of 13th July, 2000, with responsibility for regulation of traffic. In June 2004, the LASTMA Bill was signed into law.

### Vision

The vision of the authority is to develop a culture of regulation, control and management of traffic operations state wide and to ensure hitch free traffic flow on Lagos road.

### Mission

The mission statement for the agency is to reduce to the barest minimum, deaths, injuries, and economic losses through road traffic accidents, conflicts, congestion, delays and saving man hours usually wasted on public highways in Lagos State by employing modern traffic management techniques to inject order and control into the road traffic system in the state

### Goal

The goal of establishing the authority is to create an atmosphere for a sustainable social and economic growth by ensuring free traffic flow in the state.

### Staff capacity

At inception, all staff of the former Traffic Management System Department of the Ministry of Transportation was transferred to the newly created agency while about 240 staff consisting of various cadre were seconded to complement the effort of the already existing staff inherited from the Ministry of Transportation. On commencement in 2000, the staff strength was about 450 which has increased to 2,715 as at December 2011. The entry qualification into LASTMA ranges from first school leaving certificate (primary six) to university degree for different positions.<sup>2</sup> The agency commenced her operations with (5) zones which have evolved to the present 18 area commands, 35 zonal offices and headquarters operations.<sup>3</sup>

### Roles and responsibilities

The authority, at inception, was saddled with the following responsibilities:

- (i) Traffic control, management and enforcement, state wide;
- (ii) Public education and enlightenment;
- (iii) Road research and statistics;

<sup>2</sup> *ibid.*

<sup>3</sup> "Area commanders and zebras," Lagos State Traffic Management Authority, <http://www.lastma.gov.ng/index.php/area-commanders-and-zebras>, accessed on January 5, 2016.

- (iv) Road furnishing installation and maintenance;
- (v) Driver training and rider training;
- (vi) Traffic safety and accident management;
- (vii) Maintain healthy relationship with federal road safety commission and other traffic agencies;
- (viii) Training of state and local government traffic personnel;
- (ix) Traffic control and enforcement of state and national laws that govern the safe use of vehicles and declared roads in Lagos State;
- (x) Deter and apprehend road traffic offenders;
- (xi) Educate drivers, motorists and the general public on the proper use of the highways;
- (xii) Conduct research on driver behavior and traffic safety, in order to develop the most efficient and effective means of bringing about safety improvement;
- (xiii) Install and maintain traffic control devices on highways;
- (xiv) Establish and regulate the conduct of driving schools;
- (xv) Destination and enforcement of the use of bus-stops and bus terminals;
- (xvi) Co-operate with bodies, agencies or groups engaged in road safety activities or in the prevention of accidents on the highways;
- (xvii) Determine works and devices designed to improve traffic flow and device the appropriate road works and the locations where works and devices are required;
- (xviii) Identify, develop, promote and maintain new or alternate methods of traffic management and road safety;
- (xiv) Removal of abandoned and broken down vehicles on highways.

*Note: Underlined roles are no longer performed by LASTMA.*

### Box 2.31

#### Assessment of the impacts on transportation in Lagos State

In the years preceding May 29, 2015, LASTMA appears to be the most famous institution in Lagos State. Officers of the authority supported by men of the Nigerian police, in implementing their roles and the Lagos Road Traffic Law of 2012, were very decisive in dealing with different categories of motorists. Vehicles were impounded from alleged traffic offenders with heavy imposition of fines. Vehicles that cannot be claimed by offender within reasonable period were forfeited to the state and auction at giveaway prices to interested members of the public. While some offenders received jail terms, others were sent to psychiatric hospital for mental ability evaluation. The traffic management system became a corruption breeding platform for many officials of the authority and became a basis for constant crisis between the officials and different stakeholders in the city. On certain occasions, the crisis led to the death of authority's officials and residents.

LASTMA's activities in Lagos have entrenched the culture of prompt removal of abandoned vehicles and timely response to rescue and recovery operations. The number of hours it takes to remove a broken down vehicle from the road has reduced considerably as incidence of driving against traffic also reduced. The system brought good level of discipline among motorists, but unfortunately it did not resolve traffic problems in Lagos State. Its violent approach to manage transportation in the city of Lagos makes it a non-sustainable strategy of resolving the transport crisis in the city leading to back down order, released of over 400 forfeited vehicles awaiting auction and removal of top echelon officers of the authority by the new Governor of Lagos State between June and September 2015.

#### Semi-formal institutions for transportation delivery and management in Lagos State

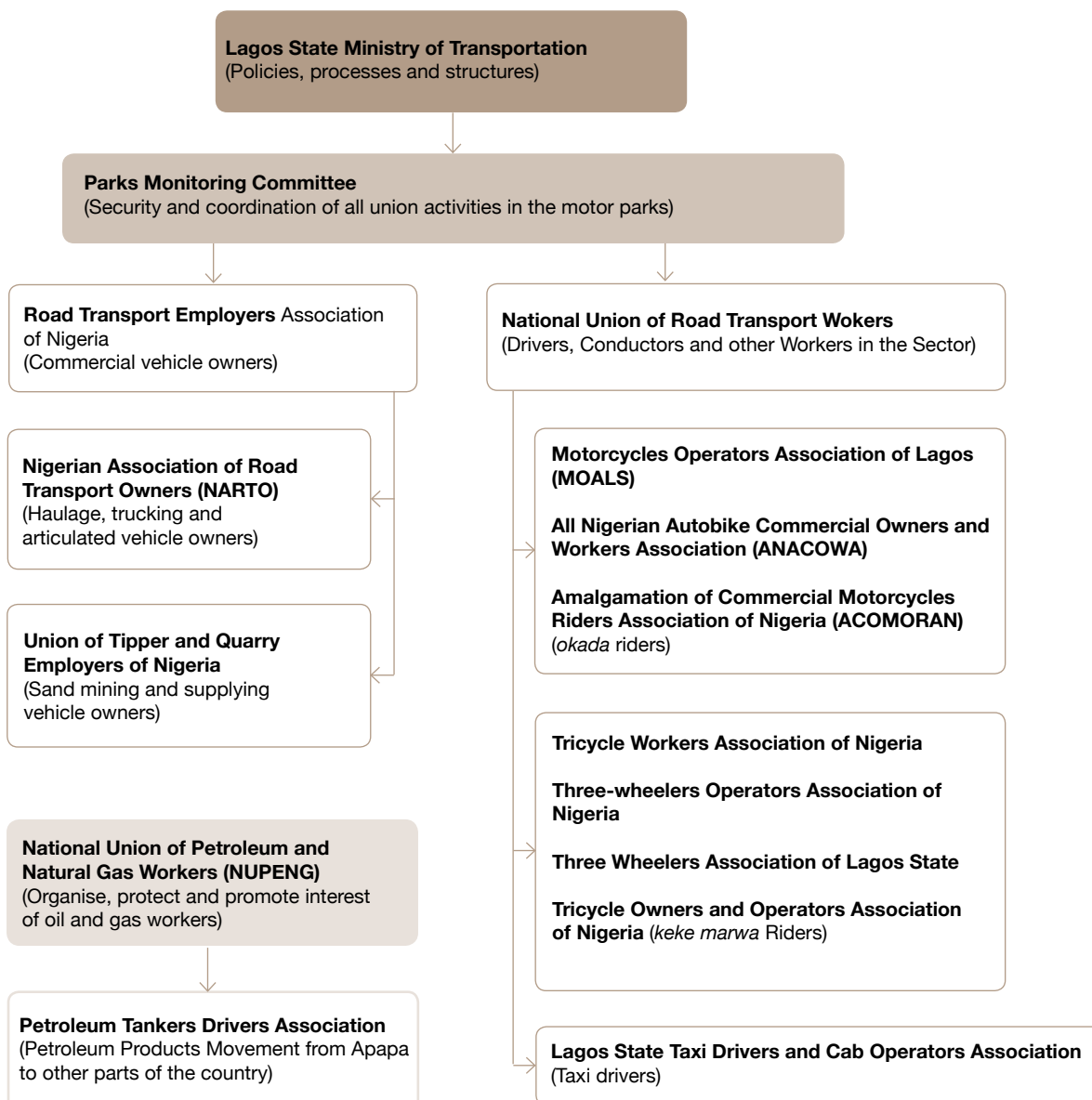
In addition to 22 formal institutions identified, there are 2 major semi-formal institutions with numerous affiliates influencing the direction of transportation in Lagos. They are described as semi-formal because they are registered with the government, but coordinating large members within public transport sector without instruments enjoyed by formal institutions. Although, all of the semi-formal institutions are trade associations, they nevertheless, have significant influence on Lagos transport system. Their roles are mainly to promote the welfare of the members, promote safe and quality transportation system and collaborate with the government in ensuring safe transportation and free flow of traffic in the city. As at 2005, the Lagos State government recognised only two transport associations and advised other associations to affiliate with either of the recognised two. The recognised associations are the Road Transport Employers Association of Nigeria (RTEAN) and the National Union of Road Transport Workers (NURTW). RTEAN are the owners of vehicles who engage members of NURTW to operate the vehicles. There is a history of regular clashes between the two parties over fees payable, amount to be remitted by members of NURTW and control of about 223 transport parks in Lagos.

However, an extraordinarily important player within the system is the Petroleum Tankers Drivers Association, a unit under the National Union of Petroleum and Natural Gas Workers (NUPENG). Unlike other associations, this body has no direct reporting or relationship with the Lagos State government. Its influence on Lagos transportation is enormous as its members are dominant in Apapa through parking of their petroleum products tankers and therefore causing traffic congestion on all links roads coming into the city from all directions of the country, as mentioned earlier.

Figure 2.32 shows the relationship between the formal and semi-formal transport institutions in Lagos State.

Figure 2.32

**Formal and semi-formal transport institutions in Lagos State**



Urban Mobility Research Group, Heinrich Böll Stiftung, 2015





## SCHEMATIC AFFORDABILITY EVALUATION FOR THE TRANSPORT SYSTEM IN LAGOS STATE

Access to people, goods, services and information is the basis of economic development in a city. Beyond the design, implementation, capacity and maintenance of the available public transport system, the costs of travel play an important role whether it is affordable for many people. Table 2.33 shows approximately the compiled costs for a return journey between Mile 12 (Kosofe) and the CMS bus stop on Lagos Island (distance of around 22 km).

Assumptions on table:

- 5 persons per household as contained in Lagos State Household Survey, 2012<sup>1</sup>
- 3 daily travels per household
- 18 travels per week and household (includes trips on the weekend)
- 72 travels per month and household
- 25% maximum affordability threshold of transportation cost to monthly income

■ affordable  
■ fairly affordable  
■ not affordable

Table 2.33

### Cost of return journey and affordability between Mile 12 and CMS

Monthly Income	% of households	Mode	Daily fare by mode (return journey)	Household size and no. of travel	Daily cost of transportation	Monthly cost of transportation	Affordability status
Less than 20,000	45	BRT	240	5 p. / 3 travels	720	51,840	not affordable
		danfo	600	5 p. / 3 travels	1,080	43,200	
		cab	5,000	5 p. / 3 travels	15,000	360,000	
20,000 - 39,000	25	BRT	240	5 p. / 3 travels	720	51,840	
		danfo	600	5 p. / 3 travels	1,800	43,200	
		cab	5,000	5 p. / 3 travels	15,000	360,000	
40,000 - 59,000	18	BRT	240	5 p. / 3 travels	720	51,840	
		danfo	600	5 p. / 3 travels	1,800	43,200	
		cab	5,000	5 p. / 3 travels	15,000	360,000	
60,000 - 100,000	9	BRT	240	5 p. / 3 travels	720	51,840	
		danfo	600	5 p. / 3 travels	1,800	43,200	
		cab	5,000	5 p. / 3 travels	15,000	360,000	
more than 100,000	3	BRT	240	5 p. / 3 travels	720	51,840	fairly affordable
		danfo	600	5 p. / 3 travels	1,800	43,200	not affordable
		cab	5,000	5 p. / 3 travels	15,000	360,000	

(Source: Urban Mobility Research Group, Heinrich Böll Stiftung, 2015, based on Lagos State Household Survey (2013) and field research)

1 Lagos Bureau of Statistics, *Household Survey Report, 2012 Edition, Ministry of Economic Planning and Budget* (2012).



## THE CASE OF THE BLUE LINE (LURN)

Urban transport is mainly road based which consists of more than 90% of transportation on Lagos State. According to LAMATA, Lagos caters for about 22 million trips per day with approximately 2 million vehicles on the road per day.<sup>1</sup> In decongesting the roads, the Lagos State government through LAMATA conceptualised the idea of the Lagos urban rail network (LURN) to move large number of commuters within and outside the city, and also become a basis for integration of land uses and transportation while entrenching development of all sectors socially and economically.

The section reviews the **Blue Line** of LURN including the stakeholders, budgets, proposed coverage area and expected outcomes.

### LURN

LURN is a network of originally seven – *now six* – urban rail-based lines and one mono rail covering major priority and high commuter demand corridors within the Lagos metropolis and adjoining border communities in Ogun state. The rail transit is concentrated in locations where there is high traffic volume. The six lines and one mono rail links activity centres in the state as well as cutting across existing transport corridors. The network is fully integrated with the planned and existing water transport and the BRT routes.

#### Box 2.34

##### The proposed rail lines of LURN

- **Blue Line:** Okokomaiko to Marina
- **Red Line:** Agbado to Marina via Iddo and Muritala Mohammed International Airport (MMIA)
- **Green Line:** Marina to Lekki (planned airport)
- **Yellow Line:** Otta (Ogun State) to Iddo
- **Purple Line:** Redeemed Camp (Ogun state) to Ojo
- **Brown Line:** Mile 12 to Marina
- **Mono Rail:** Victoria Island to Ikoyi

(Source: Lagos State Ministry of Transportation, 2014)

<sup>1</sup> “Strategic Transport Master Plan Propositions,” Lagos Metropolitan Area Transport Authority, accessed January 5, 2016, <http://www.lamata-ng.com/stmp.php>.

Map 2.35

Proposed six rail lines for Lagos State



By the year 2032, on completion of the entire system, the rail network is supposed to be carrying daily passengers of 10,213,984 as shown in table 2.36 below. The blue line is expected to be operational already by the year 2016. Figures 2.37 and 2.38 provide the timeline for different line under the rail system.

Table 2.36

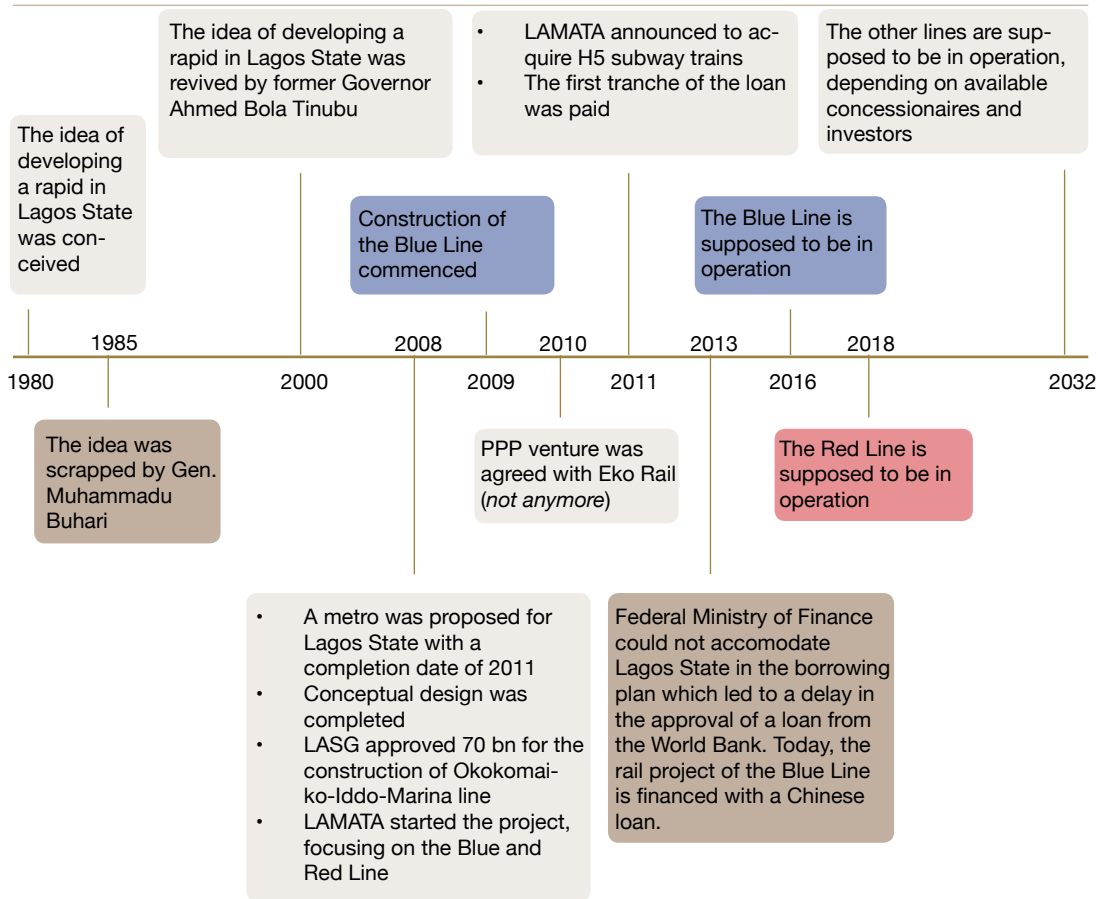
Total system length, estimated cost and capacity of LURN

S/N	Rail line	Length (km)	Cost (\$)	Projected passenger volume (peak hours)	Daily passenger carriage
1	Blue line (Marina to Okokomaiko)	27	1.4 bn	74,000	450,000
2	Red line (Agbado to Marina)	20	1.2 bn	65,000	–
3	Green Line (Marina to Lekki Free Zone)	37	1.4 bn	80,000	–
4	Yellow Line (Otta/MMA to Iddo)	34	1.3 bn	25,000	–
5	Purple Line (Redemption Camp to LASU Ojo)	60	2.3 bn	35,000	–
6	Brown Line (Mile 12 to Marina)	20	780 m	60,000	–
7	Orange Line (Redemption Camp to Marina)	42	1.6 bn	35,000	–
8	Mono rail (Victoria Island to Ikoyi)	–	–	–	–
<b>Total</b>		250		374,000	<b>10,213,984</b>

(Source: Lagos State Ministry of Transportation, 2015)

Figure 2.37

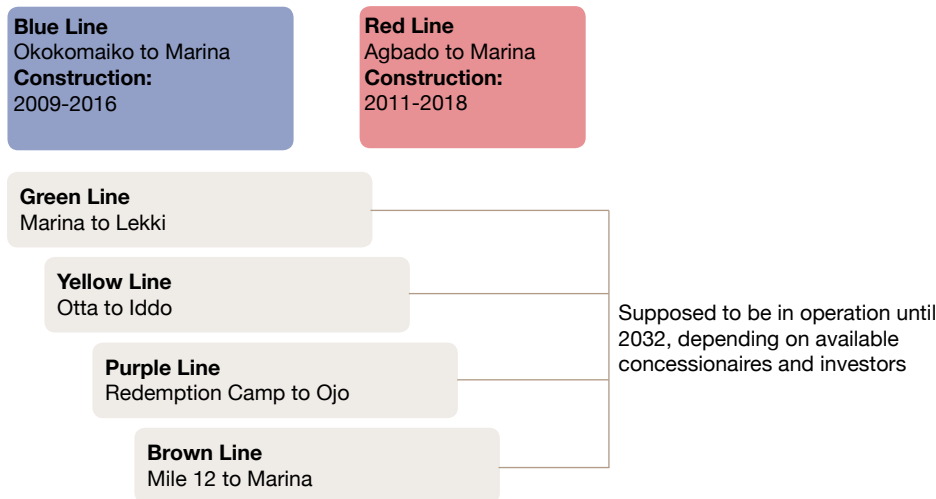
**Completion timeline for different activities under LURN**



(Source: Urban Mobility Research Group, Heinrich Böll Stiftung, 2015)

Figure 2.38

**Completion timeline for different lines under LURN**



(Source: Urban Mobility Research Group, Heinrich Böll Stiftung, 2015)

## Objectives of LURN

- (i) Reduce severe traffic congestion
- (ii) Promote the use of public transport
- (iii) Improve road traffic safety
- (iv) Increase travel efficiency and workers' productivity
- (v) Improve the image of public transport and attract more car users to public transport
- (vi) Significantly contribute towards urban restructuring, shortening of travel distances and improving city sustainability
- (vii) Stimulate economic growth, development and job creation
- (viii) Improve quality of the environment - air and life
- (ix) Promote business tourism

## Implementation of the Blue Line

The Blue Line running east-west along a 27 km corridor with 11 stations from Okokomaiko to Marina is the flagship of all the rail networks. It is currently undergoing construction in the middle of Lagos-Badagry Expressway which is being redeveloped and expanded into a ten-lane integrated highway. The corridor was chosen as a flagship project because of large concentration of high density neighbourhoods and heavy traffic flow. The total passenger volume/day is 450,000 on average on completion by 2016 with an estimated travel time of 37 minutes from Okokomaiko to Marina down from present 2 hour journey time. The total passenger volume/day is expected to climax at 850,000 by the year 2032.<sup>2</sup> Along the blue line track are 11 proposed stations as shown in box 2.39 and map 2.40.

### Box 2.39

#### Proposed stations along the corridor for the Blue Line

- |                             |                                |
|-----------------------------|--------------------------------|
| 1. Marina station           | km 0                           |
| 2. Ebute-Ero station        | km 1.5 (removed from the plan) |
| 3. Iddo station             | km 3.0 (removed from the plan) |
| 4. National Theatre station | km 4.6                         |
| 5. Iganmu station           | km 7.3                         |
| 6. Alaba station            | km 9.9                         |

<sup>2</sup> "Strategic Transport Master Plan Propositions," Lagos Metropolitan Area Transport Authority, accessed January 5, 2016, <http://www.lamata-ng.com/stmp.php>.

7. Mile 2 station	km 11.7
8. Festac station	km 14.4
9. Alakija station	km 16.1
10. Trade Fair Complex station	km 19.3
11. Volkswagen station	km 21.8
12. LASU station	km 23.4
13. Okokomaiko station	km 25.8

(Source: Source: Lagos Metropolitan Area Transport Authority, 2015)

Map 2.40

**Proposed stations along the Blue Line from Marina to Okokomaiko**



(Source: Source: Lagos Metropolitan Area Transport Authority, 2015)

**Government agencies implementing the Blue Line project**

The construction project is being financed under loan agreement between:

- the Chinese government and
- Lagos State government.

Among the government agencies participating in the project are the following Lagos State ministries:

- Ministry of Works and Infrastructure (MWD);
- Ministry of Physical Planning and Urban Development (MPPU&D);
- Ministry of Transportation (MoT);
- Lagos State Lands Bureau and;
- Federal Ministry of Transportation.

The project is being delivered under a private-public partnership model with Lagos State government providing the track and ancillary infrastructure while a concessionaire will provide mobility equipment. Table 2.41 provides the project implementing partners as shown on the on-site project board.

Table 2.41

**Blue Line project implementation partners**

<b>Role</b>	<b>Party</b>
<b>Client</b>	LAMATA on behalf of the Lagos State government
<b>Contractor</b>	China Civil Engineering Construction Cooperation (CCECC)
<b>Consultant</b>	Nexant
<b>Concessioner</b>	Eko Rail ( <i>now being replaced with new concessionaire</i> )

(Source: Lagos Metropolitan Area Transport Authority, 2015)

Table 2.42

**Stakeholder relations of the Blue Line project**

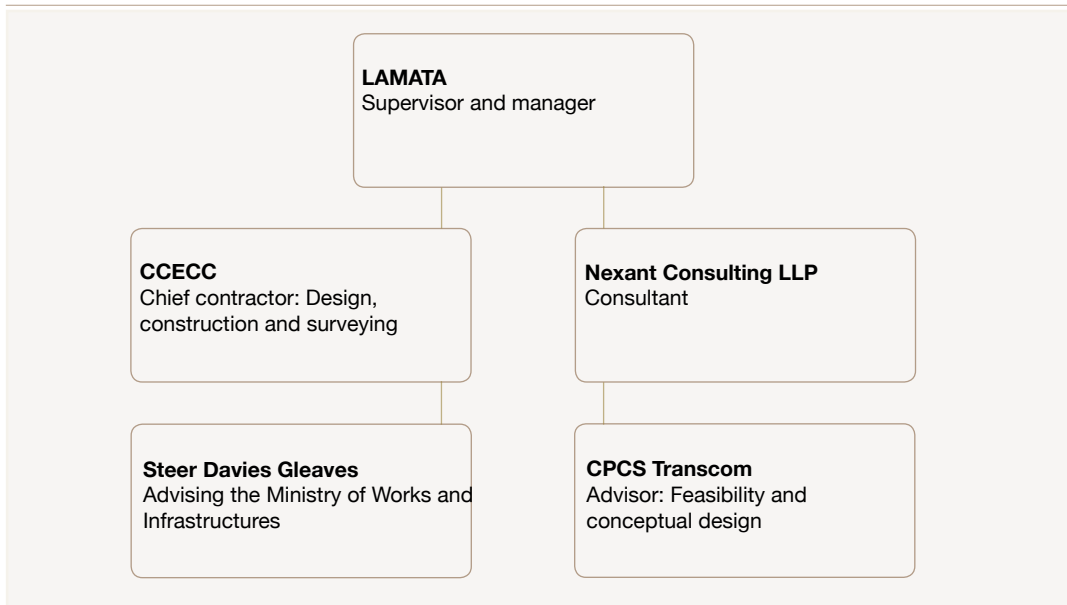
<b>Lagos State government</b>	Investor and owner
<b>Lagos Metropolitan Transport Authority (LAMATA)</b>	Supervising and managing agency on behalf of the Lagos State government
<i>currently vacant</i>	Concessionaire
<b>Ministry of Physical Planning and Urban Development</b>	Ensures that the project development is in line with existing mater plans and policies
<b>Ministry of Land</b>	Preparation of resettlement action plans and land acquisition for the project
<b>Ministry of Transport</b>	Coordinates all transport agencies
<b>Ministry of Works and Infrastructure</b>	Upgrading of the expressway Lagos-Badagry in line with light rail to reduce congestion
<b>Local governments and communities</b>	Receive compensation for land expropriation and benefit from the new train line once it is completed

(Source: Urban Mobility Research Group, Heinrich Böll Stiftung, 2015)



Table 2.43

**Contractors and consultants of the Blue Line**



(Source: Urban Mobility Research Group, Heinrich Böll Stiftung, 2015)

**Survey of potential beneficiaries of the Blue Line**

To know the perception of commuters along the blue line, a survey was conducted at the locations of **four proposed stations** along the corridor. The survey was conducted through the use of questionnaire. A total of **twenty questionnaires** were administered along the blue line corridor Okokomaiko to Marina, focusing on:

- Orile
- Iganmu
- Mile 2
- Alaba Suru stations

resulting in **five questionnaires** per station.

Each questionnaire was divided into sections including socio-economic characteristics of respondents, respondents’ perception on the proposed rail transit and fare commuters are willing to pay.

**Social and economic characteristics of the respondents**

**a. Occupation**

The main occupation of the respondents is shown in figure 2.44. The dominant occupation of the people interviewed is trading, accounting for 50%. Craftsmanship such as mechanics, welding, panel beating, vulcanizing, accounts for 33%. Public sector employee accounted for 9%, private sector employment accounted for 6% while 2% accounted for the unemployed. This implies that the rail line option will be helpful in moving people and their trading goods.

Table 2.44

**Occupation of respondents**

2	Unemployed
6	Private sector employment
9	Public sector employment
33	Crafts
50	Trading

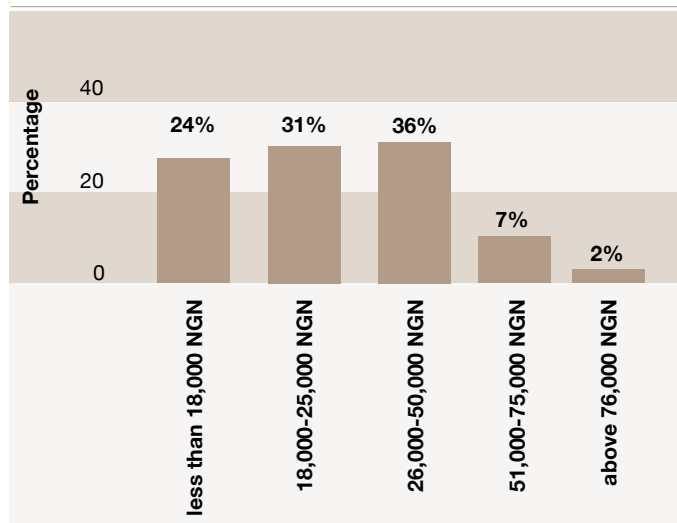
(Source: Urban Mobility Research Group, Heinrich Böll Stiftung, 2015)

**b. Monthly income**

The monthly income distribution of the respondents is shown in figure 2.45 with about 24% of the respondents earn less than 18,000 NGN per month. This category of people has to supplement their meager income with secondary activities in order to be able to meet their basic needs, including housing. Relative higher incomes were recorded with 31% earning between 18,000 NGN and 25,000 NGN, 36% earning between 26,000 NGN and 50,000 NGN, 7% are earning 51,000 NGN and 75,000 NGN and 2% are earning above 76,000 NGN.

Figure 2.45

**Monthly income of respondents**



(Source: Urban Mobility Research Group, Heinrich Böll Stiftung, 2015)

## Respondents' perception of the proposed rail transit

### a. Ability of the rail system to improve mobility in Lagos State

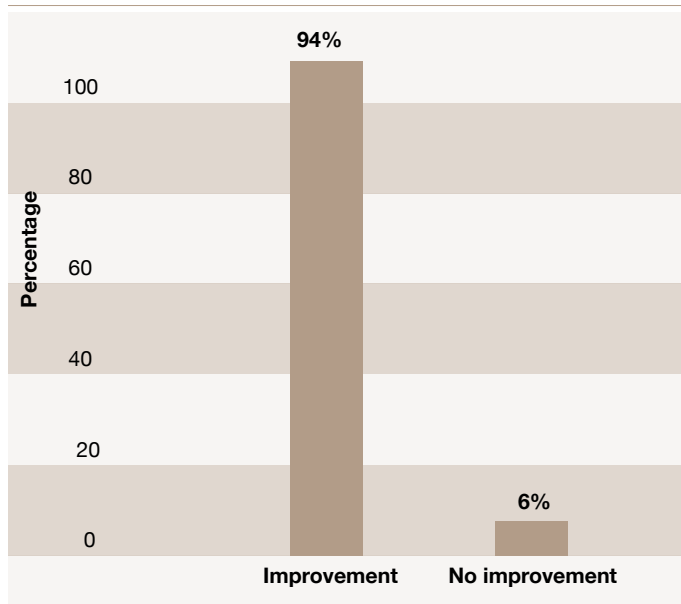
Figure 2.46 reveals that majority of the respondents agreed that the rail option will improve the mobility within the city, resolving problems related to road transportation, which include an increase in car ownership, the inability to forecast travel time, delay in travel on roads and the inefficiency of the road system and the road space.

### b. Method of improving mobility

Figure 2.47 shows that 8% of the respondents agree that the rail option will improve mobility and transportation within the city through increased travel efficiency, 18% are of the opinion that the rail option will increase mass transportation, 22% agree to a reduction in travel time, 23% agree to reduced fares while 29% agree to a traffic reduction.

Figure 2.46

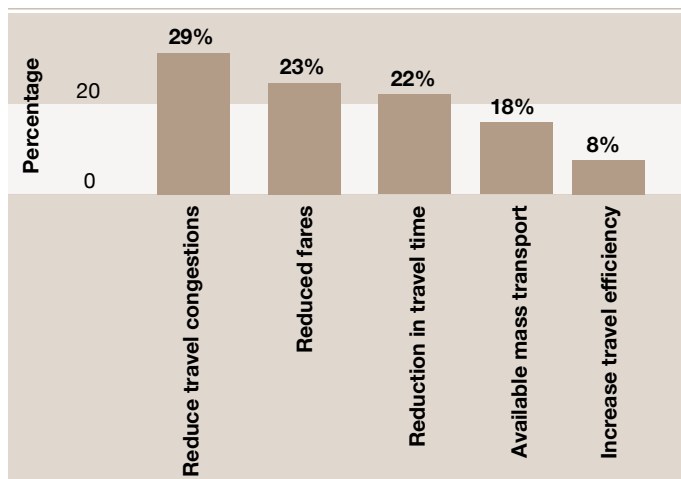
### Respondents' perception on contribution of rail line to improve mobility



(Source: Urban Mobility Research Group, Heinrich Böll Stiftung, 2015)

Figure 2.47

### Methods of improving mobility

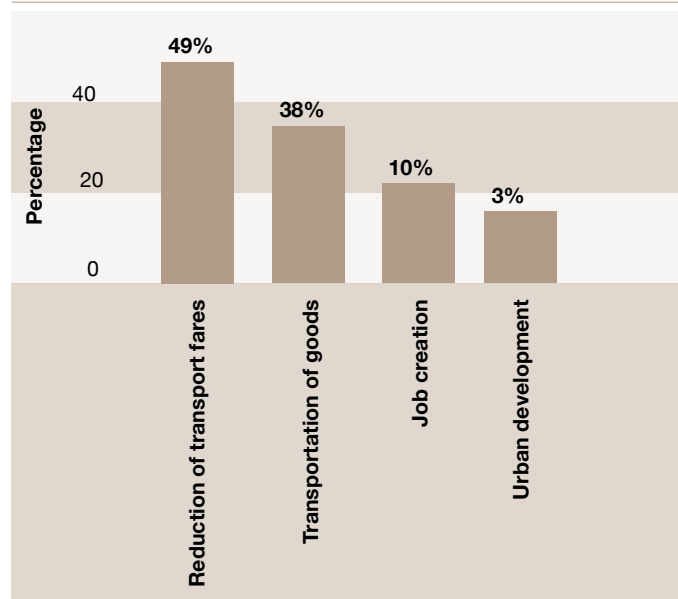


(Source: Urban Mobility Research Group, Heinrich Böll Stiftung, 2015)

### c. Importance of rail line to the urban poor

In figure 2.48, 49% of the respondents confirmed that the rail line will reduce transport fares for the urban poor, 38% said the new offer in mass transportation will bring better transportation opportunities to people and goods while 10% said it will create employment and 3% said it will bring general development opportunities. It can be deduced that all the listed options are of great importance to the urban poor who are majorly traders and that there is a need for more affordable fares.

Figure 2.48  
Importance of rail line to the urban poor



(Source: Urban Mobility Research Group, Heinrich Böll Stiftung, 2015)

### Sustainability of the new rail transport

#### a. Concerns of unsustainability

11% of the population expressed opinion that the rail will not be sustainable, 40% agreed that it will be sustainable while 49% are not sure of its sustainability except for proper maintenance culture.

#### b. Factors for sustainability

The respondents are of the opinion that factors such as poor maintenance culture, rapid urbanisation, lack of technical skills, embezzlement and corruption might not make the rail option sustainable. The mentioned factors need hence to be tackled to guarantee the long term success of the project.

Figure 2.49

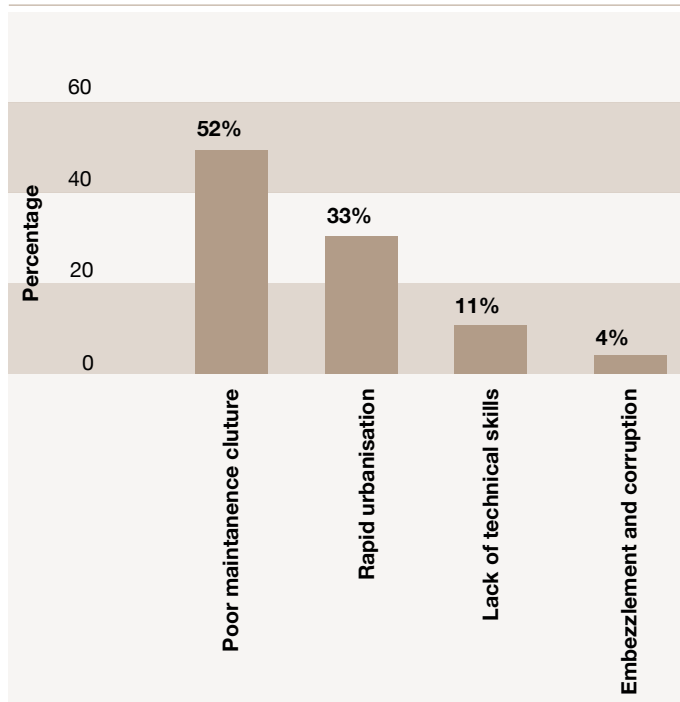
### Sustainability of the new rail transport



(Source: Urban Mobility Research Group, Heinrich Böll Stiftung, 2015)

Figure 2.50

### Factors that might decrease the sustainability of the new rail transport



(Source: Urban Mobility Research Group, Heinrich Böll Stiftung, 2015)

c. Fares that the respondents consider as affordable

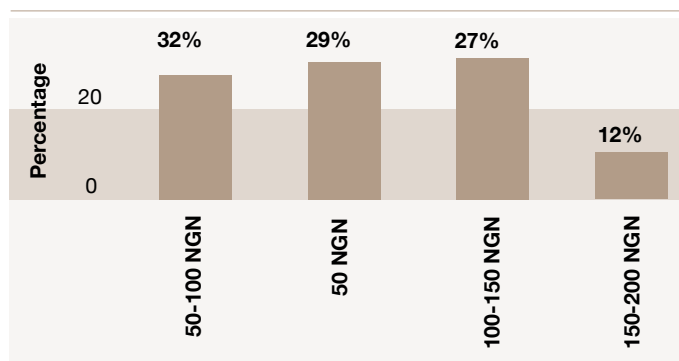
Figure 2.52 shows that 29% are willing or able to pay 50 NGN, 32% are willing or able to pay between 50-100 NGN, 27% are willing or able to pay between 100-150 NGN while 12% are willing or able to pay between 150-200 NGN.

d. Factors for modal choice

18% said they are indifferent to modal choice, 26% said they will use the new rail line to avoid congestion, 27% said the new rail line will be convenient to transport their goods while 29% said the new rail line will be faster than their existing travel option to reach the Marina CBD.

Figure 2.52

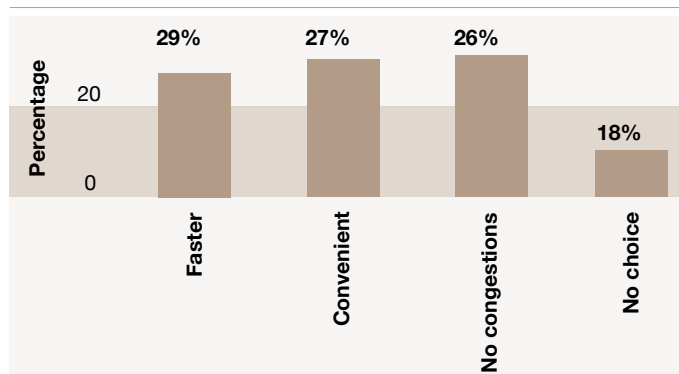
Proposed payable fares by the respondents



(Source: Urban Mobility Research Group, Heinrich Böll Stiftung, 2015)

Figure 2.53

Factors that will influence the choice to use the new rail line



(Source: Urban Mobility Research Group, Heinrich Böll Stiftung, 2015)

## Conclusion on the Blue Line case study

Based on the presented results, one is unfortunately left to wonder on the efficiency of the planned rail system – firstly in terms of the planning process, secondly in terms of the implementation, and thirdly in terms of the operation.

The planning and implementation processes of rail systems are complex and cost-intensive, let alone the operation and maintenance costs. The latter may in a all-season hot and tropical environment result in even higher costs. Additionally, train drivers need to be trained which causes additional costs. Given the enormous challenges that Lagos State is facing in order to implement, operate and maintain a functioning and safe transportation system, it is astonishing that Lagos State government has not favoured the expansion of the BRT system over the implementation of the rail system. BRT is cheaper and easier to implement and recognised as a valid alternative to rail systems. New bus routes can gradually be implemented as funding is available and informal bus drivers can easily be trained as BRT drivers. As it seems, Lagos State government has greatest difficulties to find funders and concessionaires for its urban rail network. Consequently, it makes itself again dependent on Chinese investments, constructions and even operation without generating any benefit for Lagosians. The entire technology will be brought from China – which is good for the Chinese economy as it will require as well maintenance work from Chinese firms – instead of emphasising on the capacity building of locals and the integration of the millions of informal bus drivers. The strategy behind the urban mobility policies are difficult to understand and appear being little coordinated with other ministries such as the Ministry of Physical Planning and Urban Development even though the strong correlation between urban form and urban transportation is evident. Figure 2.50 above reflects exactly this: The respondents of our little survey fear that the poor maintenance culture, the rapid urbanisation, the lack of technical skills, embezzlement and corruption might not make the rail system sustainable. Instead of improving the maintenance culture in the existing BRT system – that, as mentioned, has been a problem – the government decided to implement a transportation system that is on all levels and many times over more complex, more expensive, extremely time-consuming and less predictable in terms of success.





## RECOMMENDATIONS

### a. Adoption of decentralised development model in Lagos State

At the heart of the snail speed development in Lagos is an over-centralization of tools and resources for development. Local governments that ought to be at the centre of development have been completely ostracised. To obtain disaggregated and vibrant city data, embark on local driven transport solution and to evolve a sustainable and inclusive transport system in Lagos State, the increased decentralisation of power to local governments offers a pathway.

### b. Unbundling of the Lagos Metropolitan Area Transport Authority (LAMATA)

The multiple roles of LAMATA as service provider, industry coordinator, fund warehouse and regulator are overwhelming for one institution. The authority should be unbundled into three institutions with LAMATA focusing on coordination and service delivery, the Lagos Transport Safety and Standard Commission (LTSSC) can deal with industry wide standard, regulations, guidelines, equipment specification, emission control and consumer protection among other regulatory issues. LTSSC can absorb the current Vehicle Inspection Service. The third institution, Lagos Transport Fund (LTF) can mobilize, warehouse, grow and disburse the fund as appropriate.

At this stage of transportation in Lagos, LAMATA should begin a vibrant engagement of local administrations by building their capacity to play significant roles in the future of transportation in Lagos State.

### c. Broad based Lagos State transportation policy

Despite the existence of the Lagos State Strategic Transport Master Plan, the Lagos State Road Traffic Law 2012 and the excerpt of Lagos Development Plan 2012-2025, there is need for a holistic and broad Lagos State transportation policy that will aggregate all the stakeholders in the sector, roles and responsibilities of stakeholders, clear entry and exit points for potential operators and investors as well as transparent finance and funding mechanism for the sector. Also, such a policy would outline the training needs and approaches for all categories of players in the sector, the transport infrastructure maintenance operation framework, and the monitoring and evaluation strategies for the transportation sector in Lagos.

### d. Land use revision and fundamental urban design redevelopment of the city

A key factor for the success of transport transformation in the city of Lagos is the redefinition of the city's urban design approaches. Retrofitting a 70% informal and slum city with a contemporary, smart and sustainable transportation system will be a complex task, hence, LAMATA should collaborate closely with the Ministry of Physical Planning and Urban Development, Lagos State Urban Renewal Agency, Ministry of Housing, Lands Bureau, Min-

istry of the Environment and other relevant agencies to set forth the redevelopment of the city in an inclusive and participatory manner. In the past 10 years, if the Lagos State Urban Renewal Agency (LASURA) had received considerable political, institutional and financial support from the Lagos State government as compared to the Lagos State Traffic Management Authority (LASTMA), transportation in Lagos might have improved tremendously while multifaceted problems confronting the sector today would have reduced significantly. If LASURA would have been empowered to implement large scale interventions in many slum communities through upgrading and redevelopment, Lagos State would have witnessed a consequential increase in road and other transport infrastructure both in quantity and quality. Perhaps, the Lagos Road Traffic Law that threatened motorists and residents of the city would have been formulated in another inclusive manner considering the level of engagement between the residents of informal communities and LASURA. It is instructive to note that while LASURA seeks to support, expand and improve on the livelihoods of the residents, LASTMA seeks to control, enforce and penalize the mobility of the residents.

**e. Vibrant resettlement and compensation policy**

In many instances, the transport infrastructure project implementation under LAMATA has continued to maintain the policy of “no formal title, no compensation” for victims of transformation without taking into consideration that formal titles have been severely restricted to the majority of property owners in the state. The policy has continued to promote social and economic inequality, recycle poverty, increase the number of disloyal citizens and threaten democratic principles. The project implementation under LAMATA needs to imbibe the principle of improving the conditions of “project affected persons” (PAP)<sup>1</sup> instead of leaving them in a precarious social and economic condition than they were before the commencement of the project. To achieve this principle, LAMATA may spearhead the reengineering of the compensation system in Lagos State and partner with relevant agencies to develop a city wide resettlement policy.

**f. Formulation of clear and non-combatant phase out plan for informal operators by LAMATA and the Lagos State Ministry of Employment and Wealth Creation**

As a matter of priority, LAMATA, in collaboration with the new Ministry of Employment and Wealth Creation, should develop a phasing-out plan for integrating informal operators into the formal system. The plan will outline phase out strategies for mini buses (*danfos*), motorcycles (*okadas*), tricycles (*keke marwa*) and informal boats. The phase out plan should be devoid of the autocratic approach which many governments in the cities of developing countries usually adopt. The plan should be participatory which all the stakeholders in the sector will be committed to and exhibit a high level of transparency in its implementation. Parts of the plan may include alternative opportunities for the operators in the informal sector, entry models into the formal sector, type and specifications of new

1 “Social development, involuntary resettlement,” World Bank, accessed January 28, 2016, <http://web.worldbank.org/WBSITE/EXTERNAL/TOPICS/EXTSOCIALDEVELOPMENT/EXTINVR/0,,contentMDK:20480221~menuPK:1242368~pagePK:148956~piPK:216618~theSitePK:410235,00.html>.

transport equipment expected in the city, platforms for participation in the new formal system, incentive strategies and training opportunities for the operators with a view to share the larger vision of the city.

**g. Expansion of transport fund to support phase out of informal operators**

If the state will consider a non-combatant phase out and the integration of the informal operators to the formal system, the expansion and the utilisation of the existing transport fund will become expedient. The fund should be expanded to explore opportunities in the informal sector by raising fund through transport trade associations. A certain percentage of each association's monthly income between 5% and 10% should be remitted to the fund which should be reinvested to the sector. The fund should focus among other areas on training, equipment procurement and maintenance, support mechanism and certification.

**h. Pipeline reticulation plan as part of overall transport strategy for the city**

Apart from the "Report on Transportation"<sup>2</sup> in the Vision 20:20 that outlined the roadmap for the petroleum pipe network, all the transportation plans in Lagos State did not have a considered pipeline network in the overall strategic direction for transportation in Lagos. Perhaps, the conclusion is that the pipe networks are the remit of federal government of Nigeria. However, the pipe network triggered problems have technically knocked out Apapa and all its road feeders from the road network in Lagos with consistent reverberating effect on the traffic situation in the city of Lagos. LAMATA can increase its influence in the sector with a strong collaboration with the Nigerian National Petroleum Corporation and other relevant agencies in the sector. Resolving the perennial gridlock at Apapa would be a major milestone for transportation in Lagos. Pending the resolution, the Lagos Ferry Services Company and its franchisees may increase its fleet around Apapa to relieve the road sector.

**i. Massive and transparent investment in transport infrastructure**

To bridge the huge transport infrastructure gap in the city, it is imperative that the government considers massive and transparent investment in infrastructure. It will be deceptive to conclude that LAMATA alone can provide transport infrastructure in a city of some 20 million people and with a large scale transport infrastructure deficit. Hence, it will require extensive collaboration with both local and international stakeholders, especially the local administrations, private infrastructure investors through transparent and accountable private-public-partnership, development partners and organised private sector transport operators.

**j. Early information on institutional, managerial and operational framework for Lagos Urban Rail Network (LURN)**

In the last public statement by the new Governor of Lagos State in June 2015 in this matter, he affirmed that a part of Lagos urban rail network, the Blue Line (Okokomaiko to Marina) will commence operation in 2016. As at date, there is no clear information to the public on

<sup>2</sup> National Technical Working Group on Transportation of National Council on Vision 2020, *Nigeria Vision 2020 Program, Report of the Vision 2020* (2009)

the operational framework for the system. It is incumbent on LAMATA to take urgent steps in realizing the following or making the information on them available, if the rail operation is commencing in 2016.

- (i) Clarify the identity, board and managerial framework, capacity and mandate of the institution that will drive the operation of the rail system. Currently, there is no clear institution that will manage the operation of the rail system. The formation of a new entity may be appropriate;
- (ii) Clarify the types of train and schedule of operation (movement timetable to be printed and circulated in Lagos) and types of services that will be available;
- (iii) Clarify the price schedule, types of tickets, terms and conditions for buying tickets, modes of payments and locations to purchase tickets.
- (iv) Provide safety information;
- (v) Enable consumer protection and feedback mechanism;
- (vi) Provide the stations' operation schedule.

**k. Upgrade and repositioning of auto mechanic workshops in Lagos State**

As transport remains a vital factor for driving the social and economic growth of the city, the current infrastructure and equipment maintenance framework cannot support the system. With the emergence of new initiatives and expansions in the sector, it is expedient to reposition the maintenance component to be able to play a vibrant supportive role in the sector. This can be achieved by providing comprehensive training programs focusing on the bottom of the ladder maintenance personnel. Such personnel would include existing artisans from different mechanic workshops across the city, converting *danfo* drivers and conductors, *okada* and *keke marwa* operators among other personnel. Also, there is a need to upgrade the existing mechanic workshops with a view to reposition them for the emerging opportunities in the sector. Upgrading can be achieved in phases with the categorisation of workshops as training and upgrading can be supported through a transport fund. Specific details, processes and procedures are expected to be captured in the suggested holistic Lagos State transport policy (refer to c.).

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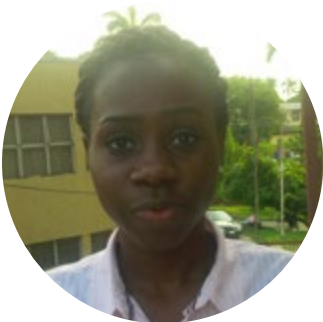
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# SOLID WASTE MANAGEMENT

3



(Makoko, 2013 © Fabienne Hoelzel)

Research

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# SOLID WASTE MANAGEMENT

3

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## INTRODUCTION

According to Lagos State government, Lagos produces 10,000 metric tones of waste daily.<sup>1</sup> It is probable that the effective number of solid waste production is much higher as the figures are only based on official numbers. The informal waste collection has formally been banned and consequently does not enter into the official countings. The generation, disposal, and management of waste represent some of the most visceral flows of our society. The world currently generates about 4 billion tons of waste per year, sustaining a 433 billion dollar industry which discards, transforms, and moves garbage across cities, states and continents. Waste management might account for as high as 6% of employment globally, and it has been proven to have a substantial impact on climate change.<sup>2</sup>

Many cities in developing and emerging regions have been undertaking efforts to form new arrangements between the flexible informal systems and the institutional and legally recognised forms of waste management. Formal and informal activities can be connected by offering official waste collection stations that are discharged by municipal waste trucks. However, in order to tackle the enormous challenges of city regions like Lagos that grows at a rate of 300,000 people per year and to relieve the overstrained central government, the approach might just be to implement multi-layered urban governance by integrating formal and informal forms of urban management and by strengthening local governments and communities.<sup>3</sup>

The chapter will outline the waste management system in the urban agenda and in the government programmes of both state and local. A special emphasize is on understanding the multi-scalar nature of today's waste management system, and how it is performed in everyday life in the different neighbourhoods of Lagos. Broaching the issue of multi-scalar connections automatically touches on the politically sensitive topic of informal waste pickers and cart-pushers, which are officially forbidden since the new Lagos Waste Management Law came into power in 2007.<sup>4</sup> However, for many urban poor waste picking is an obvious income source. Further, the informal waste pickers may represent a key jigsaw piece in the municipal waste management system for different reasons. Many streets are too narrow for conventional waste trucks to enter. Additionally, poor people may not have the monetary resources to pay for garbage disposal – a situation of which clever cart pushers may create an income from and contribute to a healthier and cleaner city by significantly reducing greenhouse gas emissions through the reuse of materials.

- 1 Lagos State government, *Lagos State Development Plan 2012-2015* (2013; Lagos State Ministry of Economic Planning & Budget), 106.
- 2 Michele Acuto, "Everyday International Relations: Garbage, Grand Designs, and Mundane Matters," in *International Political Sociology* 8 (2014), 345–362.
- 3 Fabienne Hoelzel and Ebun Akinsete, "Towards a new community-led governance approach, integrating the global into the mundane – and why design matters," in *Public Sphere Journal. Africa Summit Special Issue* (London: London School of Economics, ISSN 2056-533X), 26-42.
- 4 Law no. 5, 2007.

The chapter chronicles in a first step the history of solid waste management in Lagos State and maps the relevant laws and policies that guided the establishment of the Lagos State Waste Management Authority (LAWMA), and have since then regulated the operations of it. In a second step, the current governance mechanisms within and around LAWMA are examined. In a third step, the results of the waste management field research in the Kosofe and Amuwo Odofin local government areas are presented. The field research aims to reflect the practicability and day-to-day reality of the theoretical waste service model that has been set up by LAWMA. The chapter closes with a summary of findings and a conclusion.

## POLICIES, LAWS AND INSTITUTIONS

### 3.2

In 1873, in an effort to try to clean up Lagos, the following was gazetted:

“Householders and owners of unoccupied lands throughout the town are requested to keep the streets clean and around their premises, by sweeping them at least once in a week as well as cutting and clearing away bush and grass and removing other sources of nuisance.”<sup>1</sup>

Sir William Macgregor was the Governor of the Lagos colony between 1899 and 1902, when the population was around 40,000, and he introduced a number of very significant drainage and sanitation measures. The public health ordinance was circulated in 1908, under the Lagos municipal board of health, to improve environmental health conditions. Early legislation with focus on solid waste dates from the township ordinance 1917, when Lagos became the first city to have a town council; this established the broad principle of municipal responsibility for health and sanitation. The Nigeria town and country planning ordinance of 1946 also covered sanitation issues and was in operation until 1992.

From the 19th century sanitary inspectors or attendants carried out duties largely concerned with the control of infectious diseases and their activities became prominent during the Bubonic plague outbreak in 1924. In the 1930s they became known as nuisance inspectors and were concerned with waste and environmental sanitation, amongst many other things. The “dreaded and respected” sanitary inspectors continued into the 1950s and 1960s and had several name changes until they became known as environmental health officers in 1988. Environmental health officers head environmental departments within local governments and the Ministry of Environment also has officers with this portfolio. There appears to be little information about any major waste management initiatives during the 1950s and 1960s, a period characterised by agitation for independence and the subsequent civil war, which started in 1967. The oil boom years of the 1970s saw increased industrialisation and urbanisation in Lagos, and the city became so overwhelmed with waste that it became known as one of the dirtiest cities in the world. The hosting of FESTAC in Lagos in 1977 was a catalyst to address the ever increasing waste management problem. In April 1977 the Lagos State refuse disposal board (LSRDB) was created, under the Lagos city council, and managed by Canadian pollution consultants. In 1981, its name was changed to the Lagos State Waste Disposal Board (LSWDB) because of the added responsibilities for commercial, industrial and drain clearing, and the collection and disposal of derelict and scrapped vehicles. Lagos State was the first state government to establish a Ministry of Environment in 1979. Environmental issues are administered by the ministries of environment at the federal and state levels and by environmental health departments at the local government level.

<sup>1</sup> Ade Aduwo, “Historical preview of town planning in Lagos” in *Urban and Regional Planning in Nigeria. A Collection of Readings*, ed. AM Laseni (1999; Lagos: Nigerian Institute of Town Planners Lagos Chapter).

### **Establishment of the Lagos State Waste Management Authority (LAWMA) in 1991**

The Lagos Waste Management Authority (LAWMA), formerly known as the Lagos State Refuse Disposal Board (LSRDB), was established in 1991 to collect, transport and dispose solid wastes in the state under edict No. 55. However, under military rule it had fallen into disorder and in 1999 the Lagos State Waste Management Authority was designated as the only authority permitted by law to undertake commercial, industrial and trade waste collection services in Lagos State. It is supervised by the office of environmental services within the Lagos State Ministry of Environment, which was established in 1979.

The agency became responsible for the collection and disposal of municipal and industrial waste, as well as for the provision of commercial waste services to the state and local governments. LAWMA is charged with the responsibility of ensuring effective and efficient disposal of both residential and industrial waste in Lagos. Apart from being responsible for general solid waste management LAWMA has the role of management of all government disposal facilities. In 2007 its functions were redefined in the Lagos Waste Management Authority Law, and under sections 1 & 2 (3) (c) its functions were to be carried out by a governing board. The governing board provides for one local government chairman from each of the three senatorial districts in Lagos to be members and also a representative from a community based organisation. Section 5 (1) (l) of the law empowers the governing board to enter into contract with local governments, state agencies, regional authorities and private persons to provide waste management services and to plan, design, construct, manage, operate and maintain solid waste disposal and processing on their behalf.

LAWMA's mandate is to enforce environmental laws on defaulters or violators, and promotes strict compliance and awareness of environmental practices among citizens of Lagos State. These responsibilities are implemented by a department with monitoring, enforcement and compliance responsibilities.

#### **Box 3.1**

##### **Laws related to the establishment and operation of LAWMA**

- Edict no. 9 1977 (Lagos State Refuse Disposal Board);
- The Land Use Act 1978;
- Environmental Sanitation Law 1978 (which insisted on use of dustbins and that it was a nuisance to indiscriminately dispose of refuse);
- Lagos State Waste Disposal Law 1981;
- Environmental Sanitation Law 1983 (went further to categorise waste into commercial and domestic waste and prohibited burning of any commercial waste);
- The constitution of the Federal Republic of Nigeria 1989;
- Edict no. 55 1991 (LAWMA);
- Lagos State Environmental Protection Agency 1999;
- Lagos State Environmental Sanitation Law 2000 (recognises LAWMA as an agency of government that should provide commercial services to the state and local governments);

- National Environmental Standard and Regulations Enforcement Agency Act 2007;
- Lagos Waste Management Authority Law 2007.

### Box 3.2

#### **Federal policies and legislations that have influenced waste management policies**

- Harmful Waste Act 1988;
- Federal Environmental Protection Agency (FEPA ACT) 1988;
- National policy on the environment 1989;
- Federal Republic of Nigeria Constitution of 1989 (This stated the mandatory establishment of state and local government environmental protection bodies.);
- National Management of Solid And Hazardous Wastes Regulations 1991;
- National guidelines and standards for environmental pollution control 1991;
- National Effluent Limitations Regulations 1991;
- National Environmental Protection (Pollution Abatement in Industries and Facilities Generating Waste) Regulations 1991;
- Environmental Impact Assessment Act (EIA) 1992;
- Environmental Impact Assessment Procedural Guidelines 1995;
- FEPA Sectoral Guidelines for Solid Waste Management Projects 1998;
- National Oil Spill Detection and Response Agency Act (NOSDRA ACT) 2005;
- National Environmental Standards and Regulations Enforcement Agency Act (NESREA ACT) 2007 (this repealed the Federal Environmental protection Act of 1988. However, the subsidiary legislation under the FEPA Act is still in force);
- National Environmental Protection (NEP) (Effluent Limitation) Regulations;
- NEP (Pollution Abatement in Industries and Facilities Generating Waste) Regulations;
- NEP (Management of Solid and Hazardous Waste Regulations);
- National Environmental (Sanitation and Wastes Control) Regulations, 2009.

### **Restructuring in 2007 and ban on cart pushers**

In 2007, LAWMA's functions were redefined in the Lagos Waste Management Authority Law. Pilot studies with private sector participants (PSPs) began in 2003 and have now formally been brought in to collect, transport and dispose of waste. An informal labour force collects any residual waste, although this has been deemed illegal and LAWMA has imposed a ban on refuse cart pushers, they still operate illegally, usually at night. During this period the state government began "Operation Clean Lagos", upgrading dumpsites and restructuring the private sector declared programme to ensure contractors only got paid if they actually brought the waste to approved dumps.

#### **Box 3.3**

##### **Lagos Waste Management Authority Law 2007: Mission**

- To provide professional, efficient and sustainable waste management and disposal services to the generality of Lagosians, corporate bodies and governments (local and state) in Lagos State.

#### **Box 3.4**

##### **Lagos Waste Management Authority Law 2007: Vision**

- To provide unprecedented, efficient waste management services to all its domestic and industrial/commercial clients, governments inclusive;
- To ensure adequate provision of waste receptacles as alternative to indiscriminate waste dumping;
- To ensure effective partnership with the private sector and other stakeholders in waste management;
- To ensure adequate public enlightenment and education for re-orientation and decent waste collection and disposal habits.

#### **Box 3.5**

##### **Lagos Waste Management Authority Law 2007: Aims and objectives**

LAWMA has a mandate to protect public health and the environment for the benefit of present and future generations while promoting justifiable economic development. This is to be achieved through strategic measures such as reforms and setting standards which seek to ensure best waste practices within the society.



Table 3.6

**LAWMA departments and units**

• Corporate services
• Waste management services (Landfill management, sanitation, environmental health, marine operations, enforcement)
• Commercial services (Medical/hazardous waste, PSP industrial and domestic operations, recycling)
• Planning, research and statistics
• Legal services
• Engineering services
• Finance
• Internal audit
• Projects
• Press and public relations
• Corporate intelligence and strategy
• Monitoring and advocacy
• Procurement

Table 3.7

**LAWMA's statutory responsibilities**

1.	Management of solid waste in the state;
2.	Evacuation and prevention of refuse backlog;
3.	Clearance of public and market wastes;
4.	Sanitation of major highways and street sweeping activities;
5.	Management of transfer loading stations;
6.	Management of existing landfill sites;
7.	Development of policy initiative for future waste management activities;
8.	Provision of counselling to private refuse operators on waste management;
9.	Provide back-up services to private sectors participants (PSPs) on waste collection and transportation;
10.	Provide emergency services to the state government where necessary;
11.	Appraisal of proposals on establishment of waste management facilities;
12.	Establishment of performance standards on waste management activities;
13.	Identification of sites for development of waste management facilities;
14.	Street cleaning, removing, collecting and disposing of domestic, commercial and individual waste;
15.	Removing and disposing of abandoned and scrap vehicles;
16.	Removing and disposing of carcass of dead animals from public places;
17.	Preparing and updating from time to time the master plans for waste collection and disposal in the cities, towns, and villages in the state and control resultant waste system within the state;
18.	Making provision for waste management services to state agencies, local governments, industries, business entities and private persons within the state, by receiving waste at the authority's facilities pursuant to contract agreement between authority and such other party;
19.	Issuing, reviewing and revoking licence of private waste collectors.

### **LAWMA recycling initiatives: recycling banks**

The LAWMA recycling bank is one of the latest initiatives towards the adoption of recycling as an alternative option to going to dumpsite. There are plans for recycling banks which will serve as store houses for paper, can, glass and plastic waste to be situated in every estate within Lagos State. LAWMA has already introduced recycling banks in some organised areas where households are encouraged to deposit recyclables like plastics, cans, and bottles. Some of former scavengers in the state are employed by LAWMA to be resource managers of the recycling banks.

The list of implemented test projects include:

1. Compost plant at the Odogunyan Compost Plant, Ikorodu for the treatment of market waste;
2. Waste-to-energy plant at Ikosi Market: generation of biogas from the market waste is used to operate 2KVA generator at the market;
3. Plastic recycling plant at Olushosun for the conversion of water sachets into garbage bags. A buyback programme for water sachet, cartons, paper and glass has been introduced;
4. Creation of recycling clubs in secondary schools to instil recycling habit in young people.

#### **Box 3.8**

##### **Assessment of the LAWMA recycling initiatives**

The mentioned test projects of the waste-to-energy, resource recovery and recycling activities by LAWMA demonstrated little success in terms of commercial viability and general usability. It appears that the above listed projects and initiative have failed to deliver what they were intended to. The Odogunyan compost plant is not in operation anymore since the farmers reject the the compost, whereas the biogas generator was never in operation at all. The same applies to the buyback programme for used materials. Problems include lack of proper feasibility studies, lack of finance, weak business plans, and above all the insufficient involvement of the future users already in the planning process.

# GOVERNANCE AND STAKEHOLDERS

## 3.3

Recent explorations on the contemporary urban strategies evolve increasingly around “urban governance,” “the governance of cities,” or “urbanising of government”.<sup>1</sup> Contemporary governance approaches should be close to the needs and realities of everyday life and include the integration of informal activities and structures, as opposed to excluding them. Governance, in this context, is understood as a shift from more formal structures of central management to processes through which the metropolitan or city government relates to their environment, not least in public service delivery. Urban governance should be understood as processes through which public and private resources are coordinated in the pursuit of collective interests.<sup>2</sup>

Waste management cuts per se across several institutional structures and policies, as well as sectors, and is therefore particularly suitable to look at urban governance practice in Lagos.

### **Relevant institutions to waste management in Lagos include:**

- National Environmental Standards and Regulations Enforcement Agency;
- Federal Ministry of Environment;
- Lagos State Ministry of Environment;
- Lagos State Environmental Protection Agency (LASEPA);
- Lagos State Waste Management Authority (LAWMA);
- Lagos State Waste Management Agency operatives (PSP);
- Waste Management Society of Nigeria, Lagos State.

Administratively, Lagos State, with its capital at Ikeja, comprises five divisions:

- Lagos;
- Ikorodu;
- Ikeja;
- Epe;
- Badagry.

In 1991, the divisions were further subdivided into

- 20 local government areas (LG);

and in 2006, to improve the local administration,

- 37 local council development areas (LCDA) were created,

1 Philipp Rode and Priya Shankar, “Governing cities, steering futures” in *Governing Urban Futures*, eds. Ricky Burdett, Philipp Rode, Priya Shankar, Shan Vahidy (2014; London School of Economics and Political Science, LSE Cities), 4-5.

2 John Pierre, *The Politics of Urban Governance* (Basingstoke: Palgrave Macmillan, 2011).

bringing the local government entities to 57.<sup>3</sup>

However the LCDAs are not recognised at federal government level and this created some contention between Lagos State and the federal government. At the local government level, which is the third tier of government, the waste and environmental management unit handles general environmental sanitation. The unit is headed by a chief environmental health officer (CEHO) under direct supervision of the executive chairman. The CEHO is responsible for policy formulation, implementation, inspection, monitoring and prosecution of defaulters of any environmental offences at that level. It also liaises with the state government on environmental issues, through the Ministry of the Environment.

In April 2008, in accordance with the law establishing the Lagos State Waste Management Governing Board, a nine-member board was inaugurated, which included three chairmen of local government councils, each representing the three senatorial districts of Lagos State.

#### Box 3.9

##### Dumpsites in Lagos State

LAWMA manages four approved major dumpsites:

- Olushosun dumpsite site in northern Lagos;
- Abule-Egba dumpsite site in western Lagos (officially shut down);
- Solous II dumpsite;
- Solous III dumpsite.

Solous II and III are located along the LASU-Iba Road. The largest dumpsite possibly in Nigeria is the Olusohun dumpsite. LAWMA is working on extracting methane gas from that site as well as from the Abule Egba dumpsite. Dumpsites were to be upgraded to landfill sites by 2013 (refer to map 3.11 for location).

#### Box 3.10

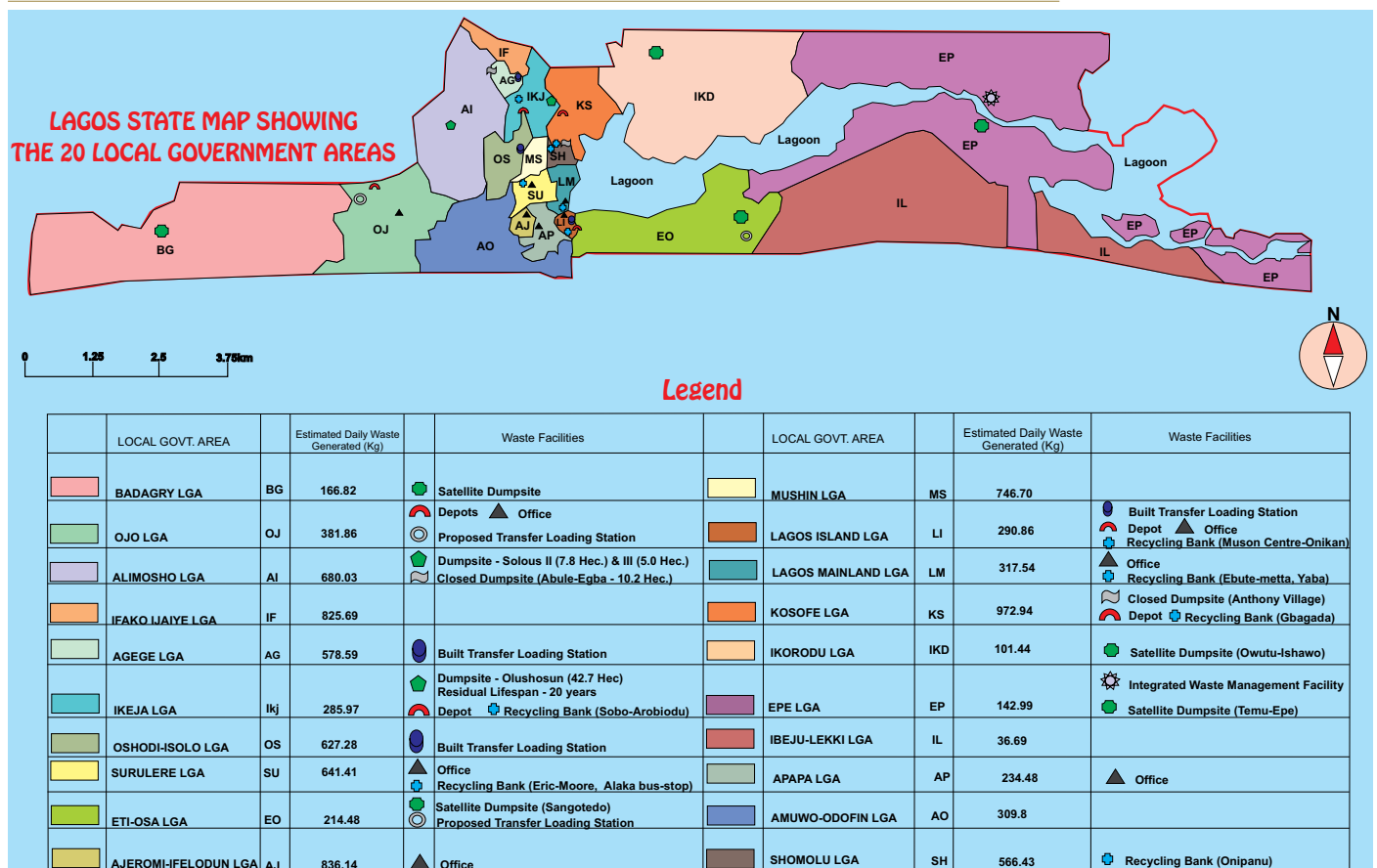
##### Waste transfer stations in Lagos State

- Simpson (Lagos Island);
- Oshodi;
- Agege (this is the only one actually designed as an incineration plant but is presently not working).

(refer to map 3.11 for location)

Map 3.11

Waste management facilities in Lagos State



(Source: Waste Management Research Group, Heinrich Böll Stiftung, 2015)

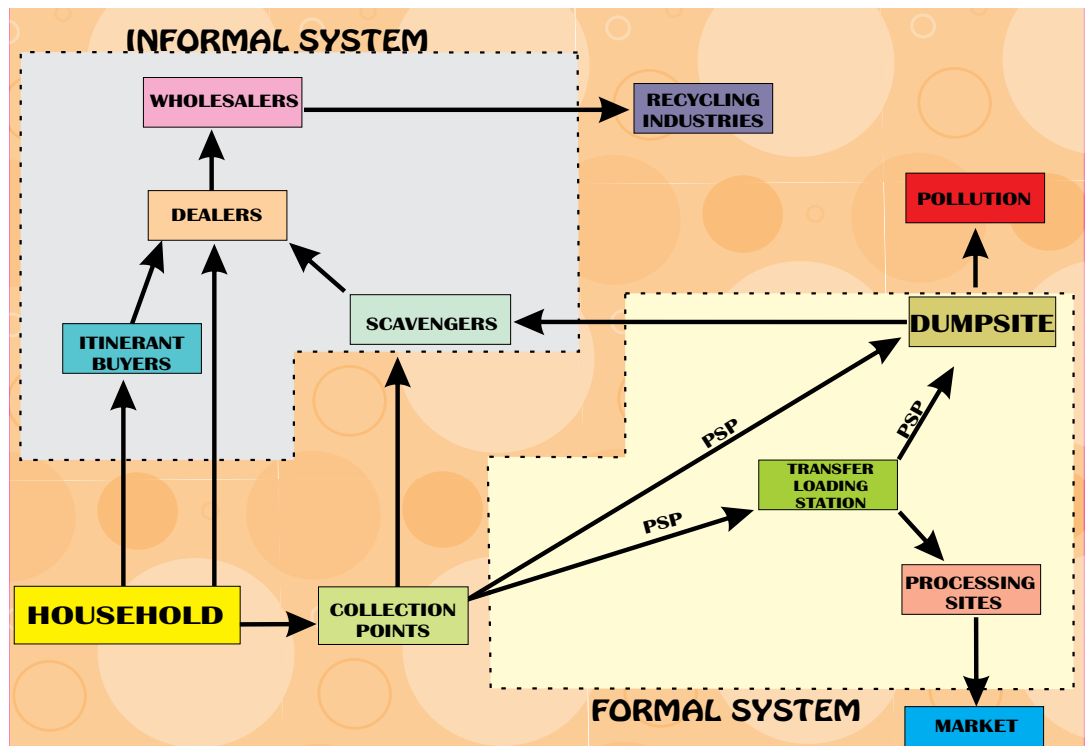
As part of efforts to improve the state of the environment LAWMA has embarked on a number of projects and strategies geared towards achieving an effective and efficient waste management system. These include:

- Procurement of compactors for dumpsites;
- Rehabilitation of the four major dumpsites, at Olusosun, Soulos and Abule-Egba;
- Evacuation of refuse backlogs at illegal dumpsites located in various areas in the state;
- Creation of more transfer loading stations;
- Review of the operations of private sector participation (PSP) in the waste collection;
- Intensive day and night sweeping.

**Private sector participation (PSP)**

Current policy targets include attracting private sector partners to establish 20 transfer loading stations around the state by 2025; extending street cleaning beyond the main high-ways into all suburbs and by 2020 improve the efficiency of waste collection by 80 per cent in the state. Also increase the number of clinical facilities and collectors of medical

## Analysis of the waste management delivery system in Lagos State



(Source: Waste Management Research Group, Heinrich Böll Stiftung, 2015)

waste and promote recycling by facilitating the use of renewable energy from dumpsites, construction of recycling plants and composting plants in all five divisions of Lagos. The state wants to organise stakeholder forums at local government area levels for community development associations and waste operators for improved understanding of roles and responsibilities.

LAWMA engages, coordinates and evaluates the activities of the private sector participation (PSP) in municipal solid waste collection. The introduction of PSPs was as a result of irregular and erratic services of government owned agencies. The PSP operation is state-wide. PSPs are supposed to collect household waste once or twice a week. The Lagos State government provides bins for households after an annual payment of the land use charge, which is made through the Land Records Company (LRC). Around 1996/1997 the PSP pilot scheme project in started with 22 private sector service providers (PSSPs), today there are over 750 formal PSPs operating in the state.

Residents have complained about erratic unscheduled services and the inability of PSPs to perform their duties because of broken down vehicles. There have been complaints about PSP operators increasing charges, although it is illegal for any PSP to increase the monthly charges without LAWMA's approval of the increment.

### Box 3.13

#### Erratic unscheduled PSP services: customer service

Unsatisfied customers of PSP operations in a particular area, can forward any waste management complains directly to LAWMA through:

- Free toll line: 5577
- Official line: 07080601020
- Email: info@LAWMA.gov.ng

However, test calls within the framework of this study were not answered.

#### Cart pushers

As mentioned, cart pushers were banned in 2007. They still operate illegally, being involved in house-to-house waste collection transportation and recovery by using specially built carts. Cart pushers are often the only waste service available in low-income neighbourhoods. The non-formalization of the activities of the group has made it almost impossible to have accurate data/records of their activities within the waste management industry. However, they cart away several hundred tons of waste per day. In Lagos State, it is estimated that 5,000 cart pushers are operating within the industry.<sup>4</sup>

#### Cart builders

This is another group of locals who are also playing a major role in the operations of informal private sector in integrated solid waste management. Though very small in number, they are the one that invest their money in the construction of the carts being used by the cart pushers.<sup>5</sup>

#### Scavengers

This informal group is involved in on-site waste recovery off-site waste/ resource recovery, they recover re-usable and recyclables materials like plastics, aluminum, glass, paper, scraps metal, animal wastes like horn, bones etc. Some of them go from door-to-door to recover re-usable and recyclable materials, while the majority limit their operation to the waste brought to the disposal sites. It is a common sight within communities and neighbourhood to see heaps and mountains of recovered materials waiting to be purchased or transported to the recycling companies. Several million-naira worth's of materials are recovered yearly by over four thousand scavengers within this constituent of informal private sector in integrated solid waste management in Lagos State.<sup>6</sup>

4 Adebola Olugbenga O., "The roles of informal private sector in integrated solid waste management in the achievement of the Millennium Development Goals (MDGs) in Lagos, Nigeria (paper presented at the Solid Waste, Health & Millennium Development Goals CWG- WASH Workshop in Kolkata, India, 2006), and information retrieved in an interview with Adebola Olugbenga in May 2015.

5 Olugbenga, 2006, *ibid*.

6 Olugbenga, 2006 and 2015, *ibid*.

### Resource merchants

This group of traders is involved in the purchase of all recovered recyclables and re-usable materials from the scavengers. Some members of this group are retired scavengers who cannot scout for materials on the site anymore due to either age or advancement in financial capability.<sup>7</sup>

### Recyclers

Micro and small-scale recyclers convert recovered materials like paper, aluminum, animal by-products, plastic, and metal to valuable materials and raw materials for the consumption of the industrial sector.<sup>8</sup>

### International support

LAWMA has also received support from development agencies such as the World Bank, the Clinton Foundation, and the U.S. Agency for International Development (USAID). Around 2005 the Lagos State government sought World Bank assistance to improve governance, infrastructure expansion and service delivery and this became the Lagos Metropolitan Development and Governance Project (LMGDP) with the goal to improve the quality of life of Lagos inhabitants.

Under the urban infrastructure component the LMDGP on solid waste management was developed with the objectives to upgrade dumpsites and design, construct and operate transfer loading stations. The overall cost of the LMGDP was over 200 million USD and the project ended in September 2013.

The LMDGP was approved in 2006 and closed in 2013 with a “moderately unsatisfactory” overall implementation progress and a “moderately unsatisfactory” outcome span (for detailed assessment of the LMGDP program refer to chapter **HOUSING, SLUMS AND INFORMAL SETTLEMENTS**).

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<sup>7</sup> Olugbenga, 2006 and 2015, *ibid*.

<sup>8</sup> *ibid*.



## THE CASE OF KOSOFE

Kosofe local government area is located in the northern part of Lagos State. It is bounded by three other local governments, namely Ikeja, Ikorodu and Somolu. Its jurisdiction comprises of 10 wards and encompasses an area of about 178.85 km<sup>2</sup>. The local government administration is at Ogudu Road.

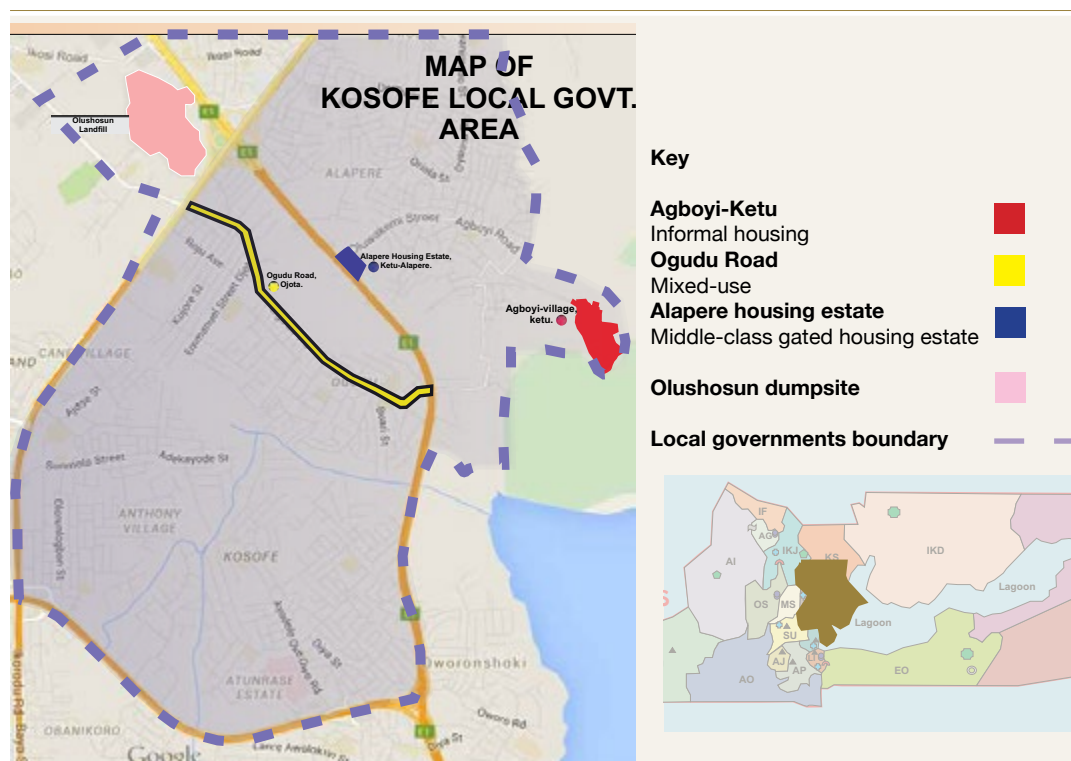
The waste management research group performed the field research through mapping and photographing on the ground, and by interviewing residents and owners of local businesses. The 23 interview questionnaires contained 23 questions. 20 questionnaires were answered correctly and evaluated for this case study.

The case study maps the waste management processes of **three neighbourhoods**, different in character, land use, functions and social structure:

1. **Agboyi-Ketu:** Low-income, informal settlement and slum area (red on the map);
2. **Ogudu Road:** Mixed-use area (yellow on map);
3. **Alapere housing estate:** Middle-class, gated housing estate (dark blue on map).

Map 3.14

### Scope of the Kosofe study area



(Source: Waste Management Research Group, Heinrich Böll Stiftung, 2015, based on Google Maps)

Figure 3.15

**Agboyi-Ketu: Mapping of urban texture, fabric, land-use, and waste collection**



Figure 3.16

**Alapere: Mapping of urban texture, fabric, land-use, and waste collection**

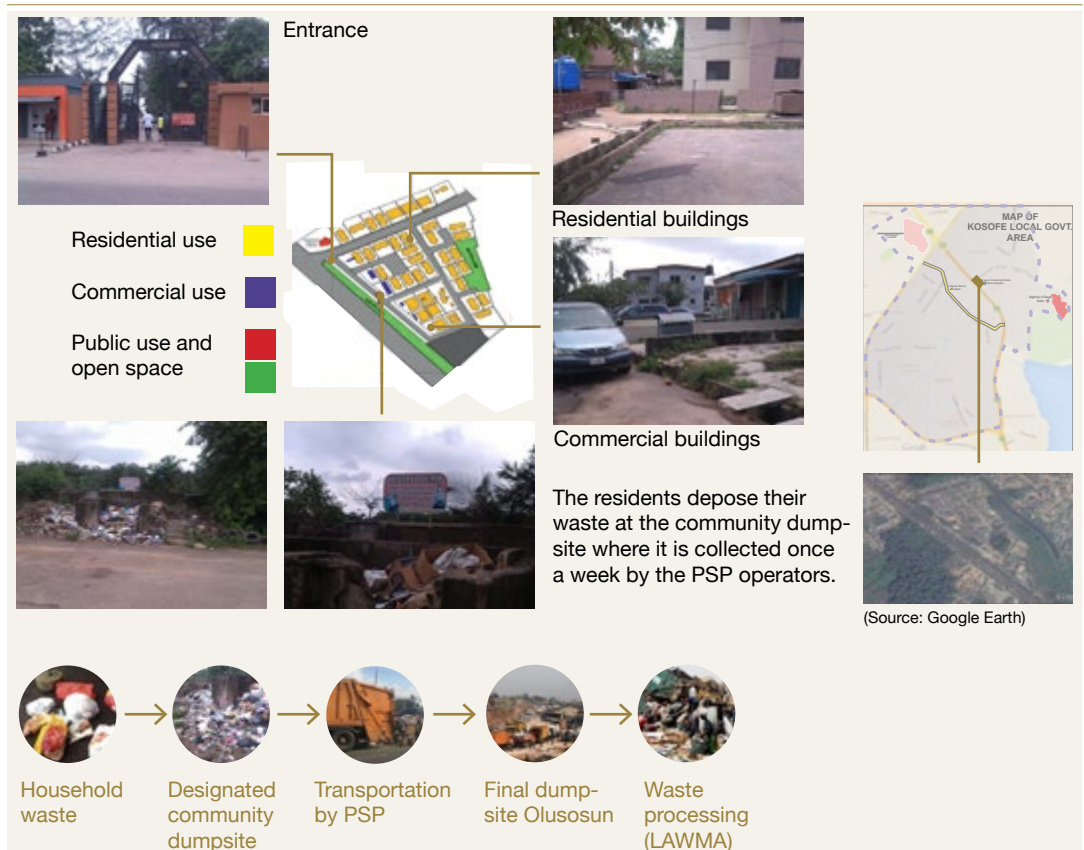


Figure 3.17

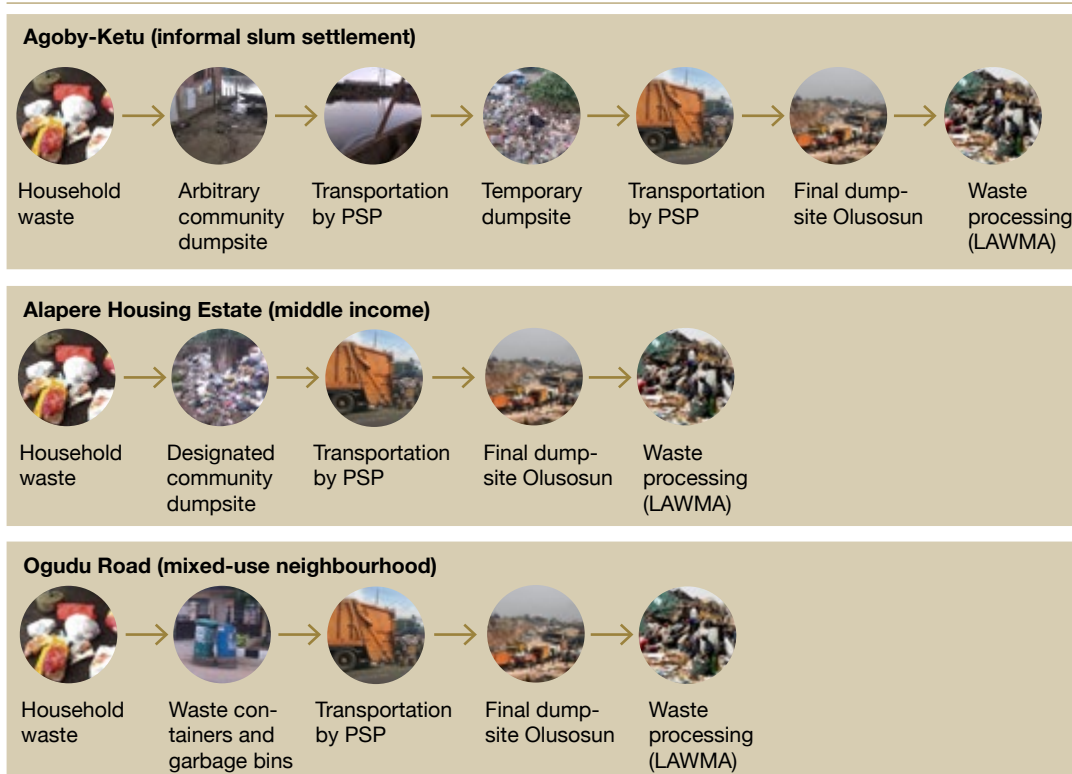
**Ogudu Road: Mapping of urban texture, fabric, land-use, and waste collection**



(Source: Waste Management Research Group, Heinrich Böll Stiftung, 2015)

Figure 3.18

**Kosofe: Comparison of solid waste management delivery**



(Source: Waste Management Research Group, Heinrich Böll Stiftung, 2015)

### Waste collection frequency in Kosofe

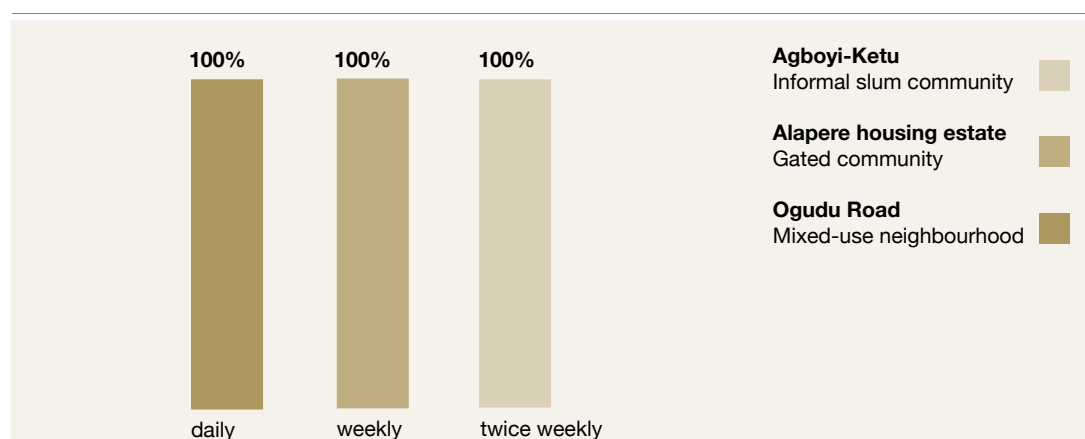
Figure 3.19 reveals the frequency of waste collection in the study:

- In the **Agboyi-Ketu community**, the “informal settlement” – an euphemistic term for slum – the respective private sector participant (PSP), in license order of LAWMA, comes to collect the waste twice a week.
- In the **Alapere housing estate**, the gated-community estate, it was noted that waste was collected once a week.
- In **Ogudu Road**, the mixed-use area, the respective private sector participant (PSP), in license order of LAWMA, collects the waste generated twice a day, between 9 am and 12 pm during the day and 9 pm and 11 pm at night.

However, the households in both informal settlement and gated community are not satisfied with the frequency of waste collection in their respective areas. It was suggested that the frequency of waste collection in the stated study areas should be increased to promote effective evacuation of solid waste.

Figure 3.19

#### Kosofe: Waste collection frequency in the three case study examples



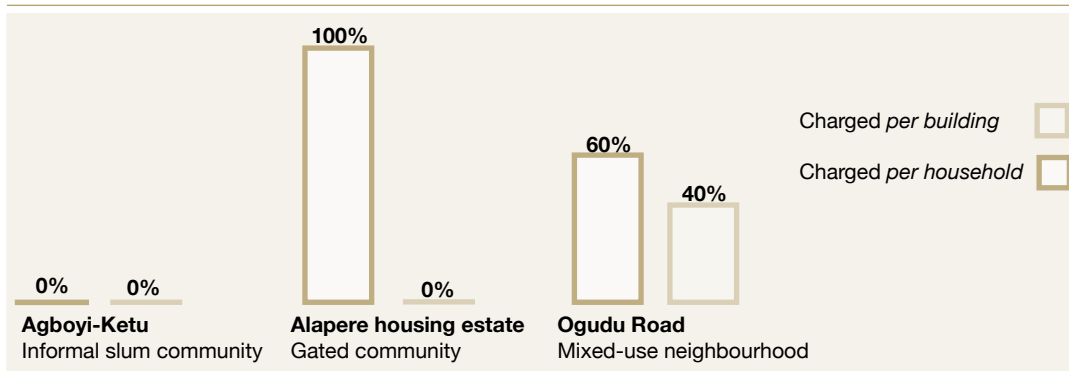
(Source: Waste Management Research Group, Heinrich Böll Stiftung, 2015)

### Waste service charges in Kosofe

Figure 3.20 reveals the method of billing residents for waste disposal. It was noted that the majority of the LAWMA/PSP operators charge the residents per building. This is the case in the **Alapere** housing estate and **Ogudu Road**. Some shops are likely to be charged individually. In **Agboyi-Ketu**, the community is not charged for the LAWMA/PSP services. The individuals willingly contribute the little amount they can afford to the LAWMA/PSP operators to be able to transport the waste to a temporary site where it can be easily collected and transported to the nearest dumpsite.

Figure 3.20

**Kosofe: Waste service charges in the three case study examples**



(Source: Waste Management Research Group, Heinrich Böll Stiftung, 2015)

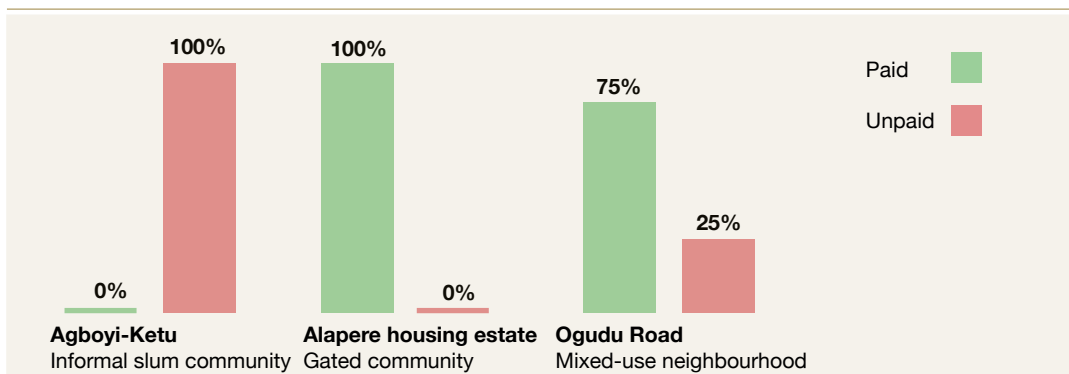
**Payment of waste service charges**

The analysis in figure 3.21 reveals the payment practice of the residents:

- In **Agboyi-Ketu**, as mentioned above, the residents due to their poverty, are not able to pay service charges.
- In **Alapere** housing estates, 100% of the households pay their waste service charges to the estate management company, while
- In **Ogudu Road** it was noted that the majority, 75%, pay their waste service charges while some of the residents, 25%, do not pay.

Figure 3.21

**Kosofe: Payment of waste service charges in the three case study examples**



(Source: Waste Management Research Group, Heinrich Böll Stiftung, 2015)

**Expected improvement of LAWMA/PSP services in the three case study areas**

Residents and business owners were asked what they would like to improve in LAWMA services. The results are summarized in figure 3.22 below:

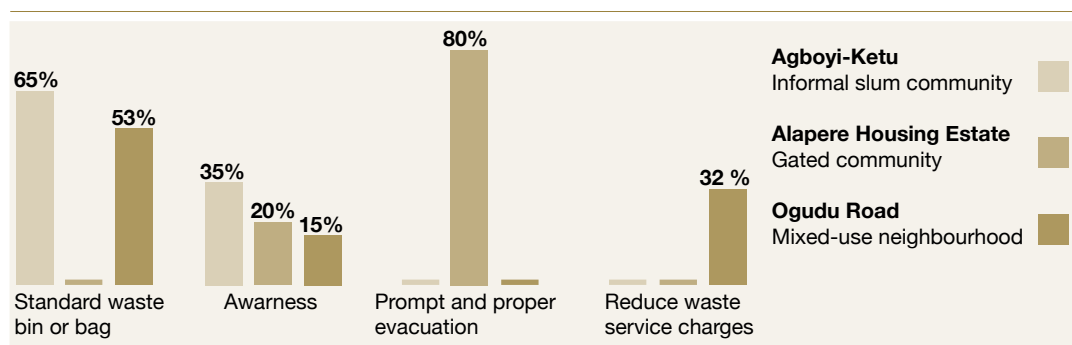
- In **Agboyi-Ketu** (55%) and **Ogudu Road** (53%), the majority of the respondents wish an improvement on provision of standard waste bins and bags in order to be able to dispose their waste properly.
- In the **Alapere**, the majority of the respondents, 80% wish improvement on prompt and proper evacuation of the solid waste.



- 45% of the respondents of the **Agboyi-Ketu** informal settlement and
- 32% of the respondents of **Ogudu Road** want a reduction of the solid waste service charge.
- 20% of the respondents of **Alapere** make an urgent appeal for awareness on how to properly dispose solid waste as well as 15% of the respondents from Ogudu Road.

Figure 3.22

**Kosofe: Expected improvement of LAWMA services in the case study areas**



(Source: Waste Management Research Group, Heinrich Böll Stiftung, 2015)

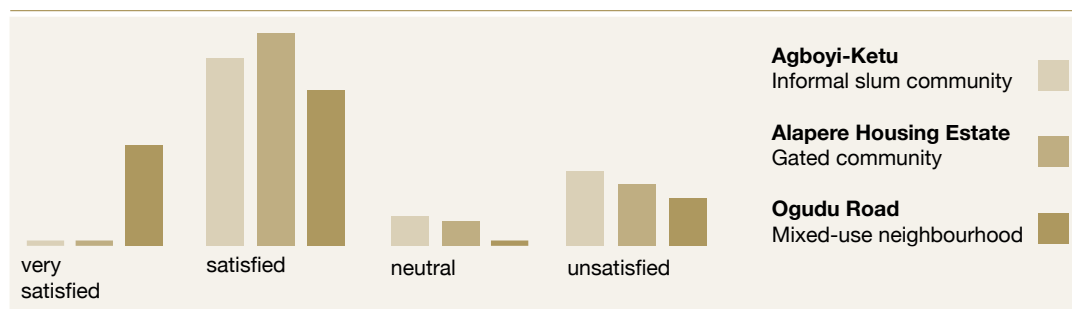
**Acknowledgement of PSP or LAWMA operator’s activity for waste collection**

Figure 3.23 below summarizes residents’ perception as regard to PSP or LAWMA activities in the Kosofe study area:

- In **Agboyi-Ketu**, **Alapere** and **Ogudu Road**, 65%, 75%, and 55%, respectively, asserted that they are satisfied with the LAWMA/PSP operators’ services;
- In **Ogudu Road**, 35% were very satisfied;
- In **Agboyi-Ketu**, **Alapere** and **Ogudu Road**, 25%, 20%, and 15%, respectively, were unsatisfied with the services performed by LAWMA and PSP.

Figure 3.23

**Kosofe: Acknowledgment of LAWMA/PSP services in the case study areas**



(Source: Waste Management Research Group, Heinrich Böll Stiftung, 2015)

## Conclusion on the Kosofe case study

Solid waste management is an important environmental issue and its effective management has been a major challenge for the government agencies and their partners in charge. Solid waste management service delivery affects the quality of the life of each and single city dweller significantly, and it involves actively everyone.

The case study of **Kosofe** clearly revealed the planning framework adopted by LAWMA in municipal waste management in order to promote good environmental condition and ensuring the sustainability of municipal solid waste management; it also focused on the resident's compliance to the strategy put in place to manage solid waste.

Based on these findings, it can be concluded that there is need to improve on the system and quality of LAWMA services in the study area. The frequency of waste collection by LAWMA, the number of available vehicles and the amount charged for disposing waste all determine the level in which the communities will patronize the organisation.

The example case of **Agboyi-Ketu**, a poor informal settlement, clearly reveals that LAWMA's policies and operation systems struggle in poor neighbourhoods which are most likely inaccessible due to narrow streets.

In general, more effective and flexible mechanisms would encourage the communities to cooperate better with LAWMA and promote sustainable waste management. Civil society needs to be more involved into waste management issues through awareness campaigns and educational programmes at all levels, including kindergarten and schools, while LAWMA needs to adapt less centralised and more inclusive policies.

Waste is a resource. The full recognition and compensation of informal cart pushers and other informal waste workers may be one approach; low-threshold access and less bureaucratic procedures when it comes to encouraging entrepreneurial activities may additionally stimulate and enable private businesses, both pro-profit and non-profit.





## FEES, BILLS AND PICK-UP DATES IN THE CASE STUDY AREAS OF KOSOFE AND AMUWO ODOFIN

### Customer rates on waste service

There is a universal arrangement of waste service charge around Lagos with minimal differences in socio-economic characteristics. The minimum standard is:

- Two-bedroom flat: 250 NGN per month
- Three-bedroom flat: 300 NGN per month
- Rooming housing: 150 NGN per room and month<sup>1</sup>

### Bill of charges

The bills are being paid in three ways, depending on the neighbourhood:

- To LAWMA directly;
- To PSP participants;
- To the respective estate management company.<sup>2</sup>

### Illegal waste pickers

Waste pickers who are not officially integrated into LAWMA's waste management delivery system and who relate directly to the consumer, e.g. cart pushers, are seen as illegal. If caught, they attract imprisonments by the state government.<sup>3</sup>

### Notification of waste collection

Stickers placed in front of the residents' apartment inform the residents on the specific day of a week when the waste is expected to be collected. Thus, not all housing units in the case study area receive such a sticker. The reason for the inconsistency seems to be the result of difficulties within the organisational processes of the involved PSP.<sup>4</sup>

1 Waste Management Research Group of Heinrich Böll Stiftung, results of the field research, 2015.

2 *ibid.*

3 Waste Management Authority Law 2007, *ibid.*

4 Waste Management Research Group, 2015, *ibid.*



## THE CASE OF AMUWO ODOFIN

**Amuwo Odofin** is a local government area located in the Badagry division of Lagos State. It is located at the Lagos west senatorial district with a vast land and large population. It covers a land mass of 100 km<sup>2</sup>, divided into two geographical spheres of upland and riverine area.

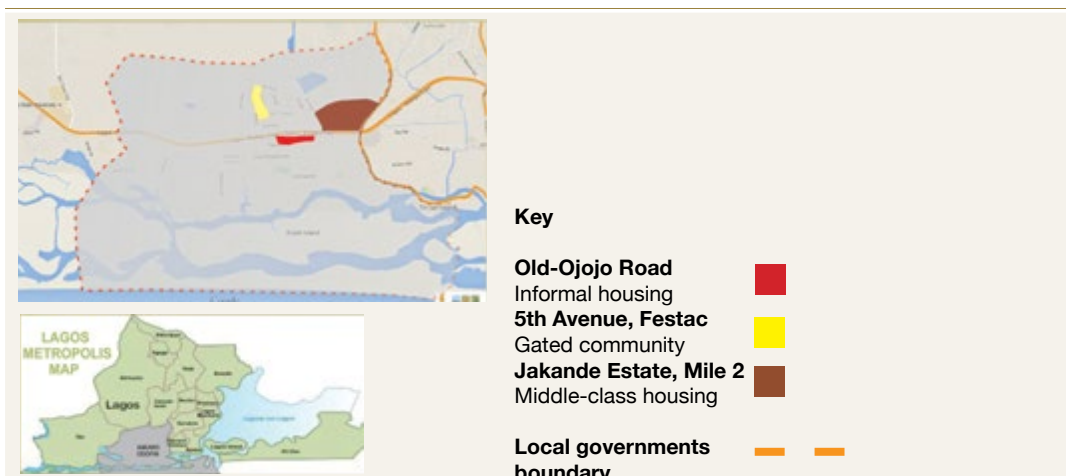
The waste management research group performed the field research through mapping and photographing on the ground, and by interviewing residents and owners of local businesses. The 23 interview questionnaires contained 23 questions. 20 questionnaires were answered correctly and evaluated for this case study.

The Amuwo Odofin case study maps the waste management processes of **three neighbourhoods**, different in character, land use, functions and social structure:

1. **4th Avenue, Festac:** A gated community (yellow on map);
2. **Jakande estate, Mile 2:** A middle-class estate (brown on the map);
3. **Old-Ojojo Road:** A low-income, informal settlement and slum area (red on map).

Map 3.24

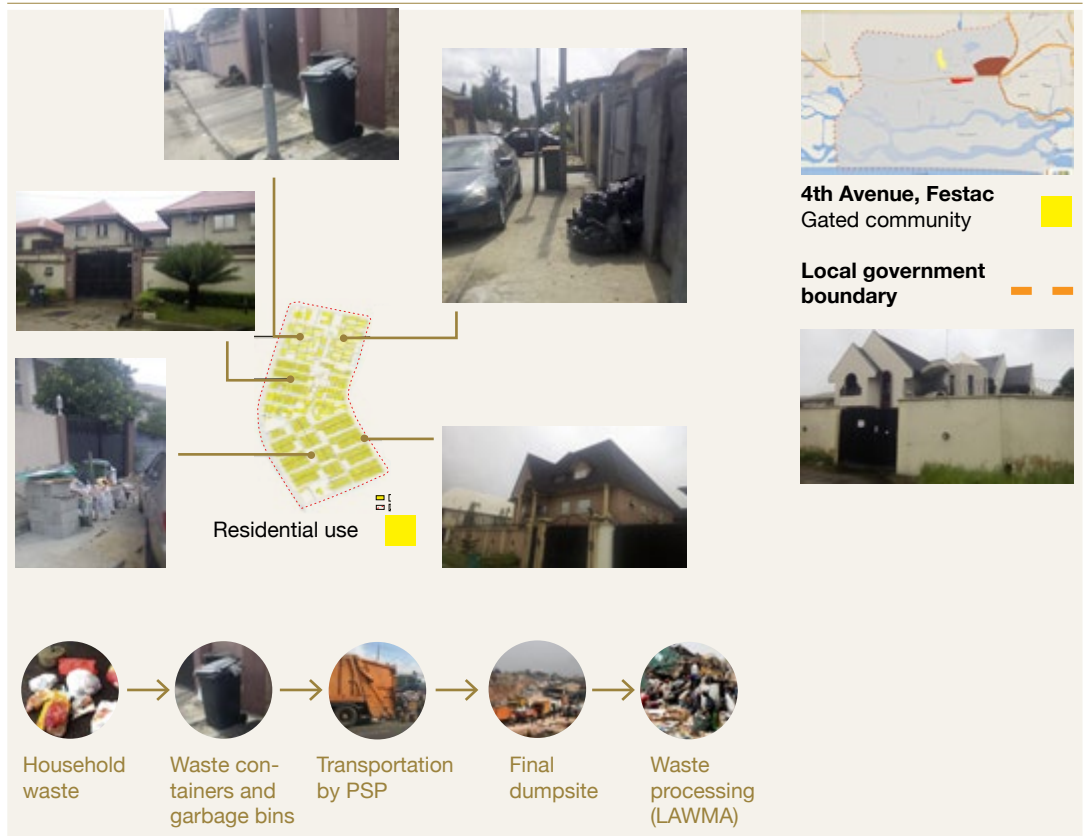
### Scope of the Amuwo Odofin case study area



(Source: Waste Management Research Group, Heinrich Böll Stiftung, 2015)

Figure 3.25

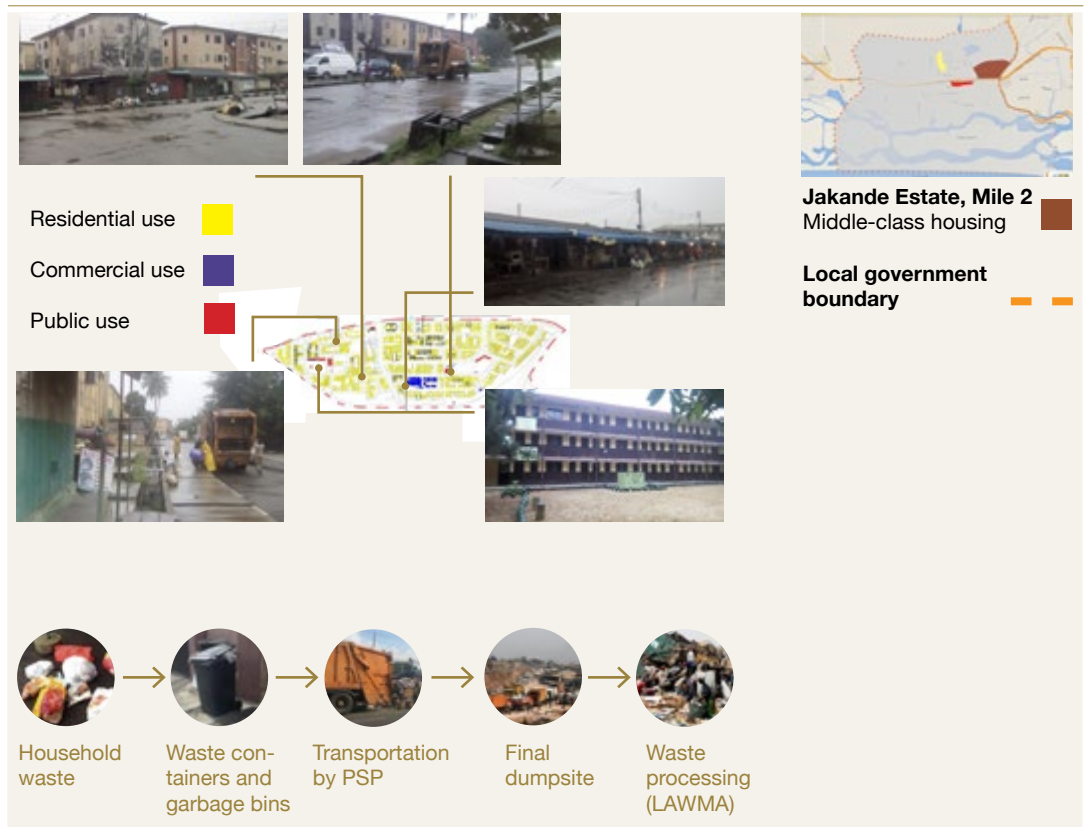
**4th Avenue: Mapping of urban texture, fabric, land-use, and waste collection**



(Source: Waste Management Research Group, Heinrich Böll Stiftung, 2015)

Figure 3.26

**Jakande: Mapping of urban texture, fabric, land-use, and waste collection**



(Source: Waste Management Research Group, Heinrich Böll Stiftung, 2015)

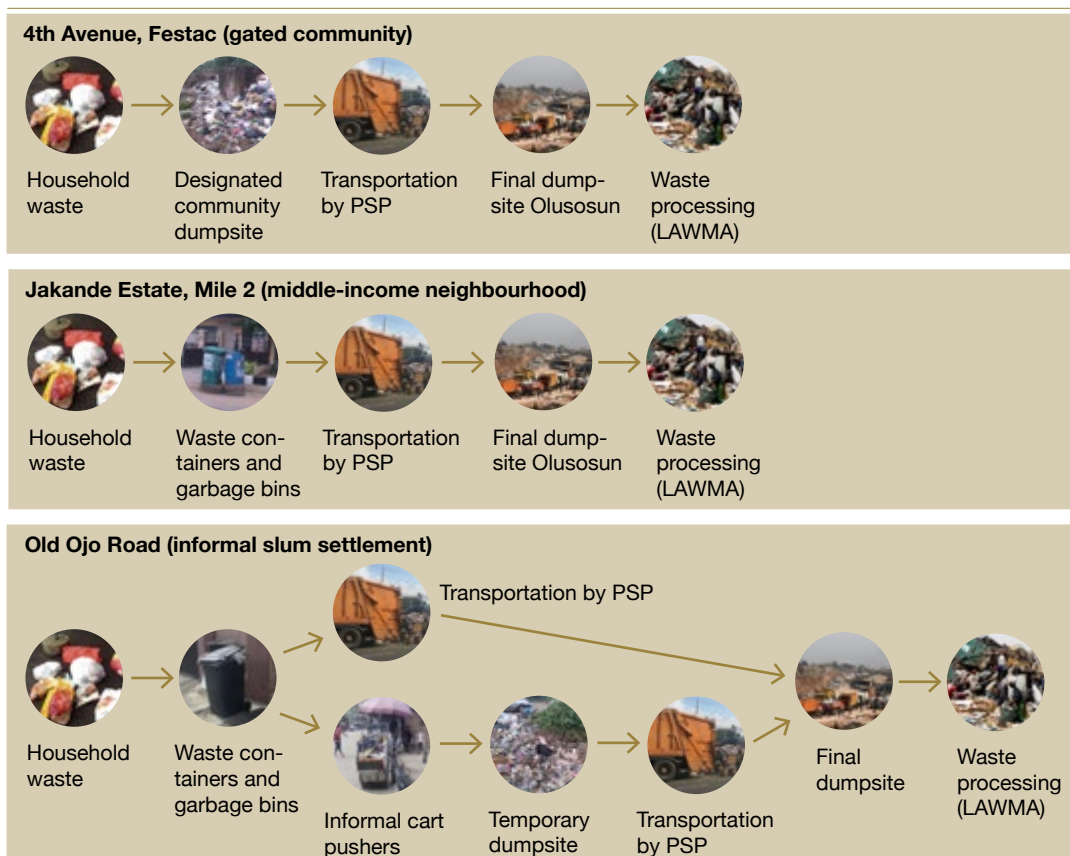
Figure 3.27

**Old Ojo: Mapping of urban texture, fabric, land-use, and waste collection**



Figure 3.28

**Amuwo Odofin: Comparison of solid waste management delivery**



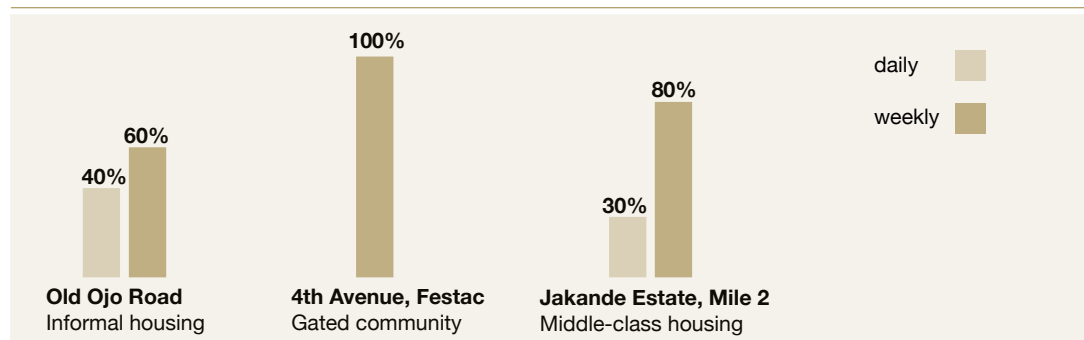
### Waste collection frequency in Amuwo Odofin

Figure 3.29 shows the time interval of how often the respondents witnessed the services of LAWMA or the PSPs in collecting solid waste materials in their respective neighbourhood:

- Collated response from respondents at the different identified sector reveals that PSP officials collect household solid waste materials **once every week**.
- At some particular locations in **Old-Ojojo Road** and in **Jakande Estate, Mile 2** heaps of waste are dumped and collected **on a daily bases**.

Figure 3.29

### Amuwo Odofin: Frequency of waste collection in the three case examples



(Source: Waste Management Research Group, Heinrich Böll Stiftung, 2015)

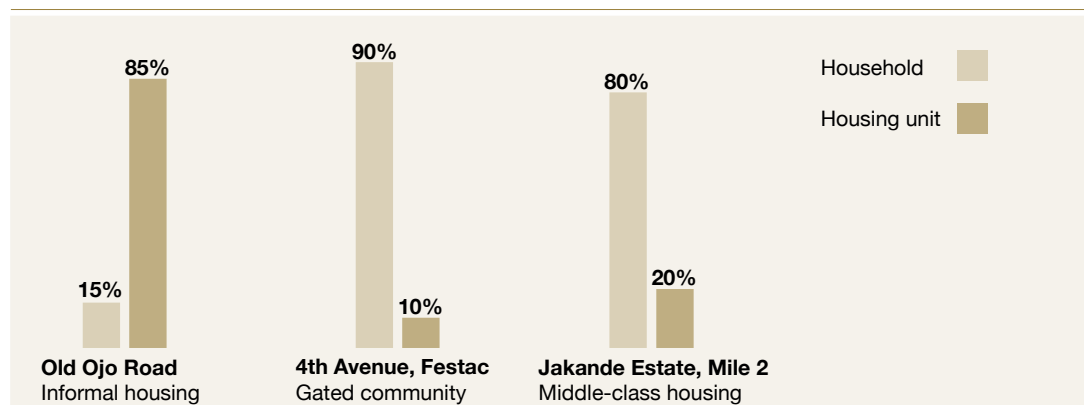
### Waste service charges in Amowu Odofin

Figure 3.30 below reveals the methods of waste service billing of respondents for waste disposal in the respective sampled site. It was noted that respondents are charged based on the characteristics of the building:

- In **Old-Ojojo Road**, an informal settlement, waste service charges are billed per housing.
- In **4th Avenue, Festac**, a gated community, and
- In **Jakande Estate, Mile 2**, a middle-class housing area, waste services are charged per household.

Figure 3.30

### Amuwo Odofin: Waste service charges in the three case examples



(Source: Waste Management Research Group, Heinrich Böll Stiftung, 2015)

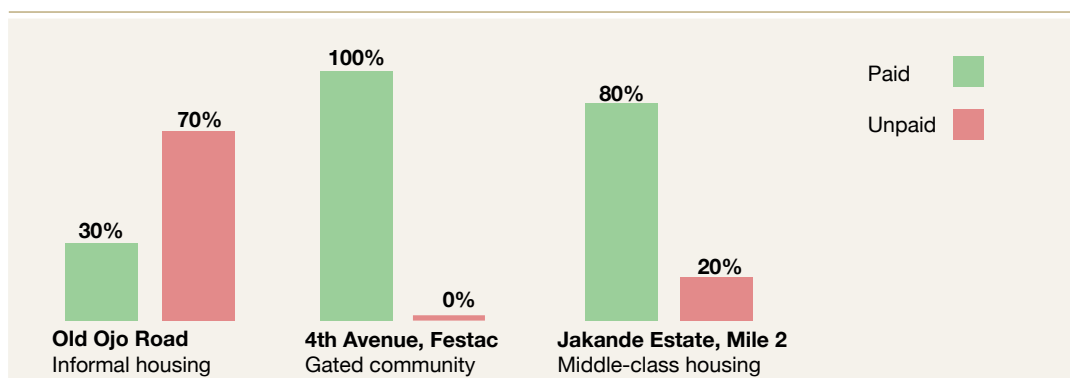
### Payment of waste service charges

The analysis in figure 3.31 exposes the response to waste management service bill:

- In **4th Avenue, Festac** the charged bills are fully paid.
- In **Jakande Estate, Mile 2**, 80% of charged service fees are paid.
- In **Old Ojo Road**, 70% of the charged service fees remain unpaid. A vicious circle starts: the waste service delivery by LAWMA and their PSP, respectively, becomes irregular and gives rise to informal cart pusher services for waste disposal, which again are officially banned by LAWMA and have to operate at night.

Figure 3.31

### Amuwo Odofin: Payment of waste service charges in the three case examples



(Source: Waste Management Research Group, Heinrich Böll Stiftung, 2015)

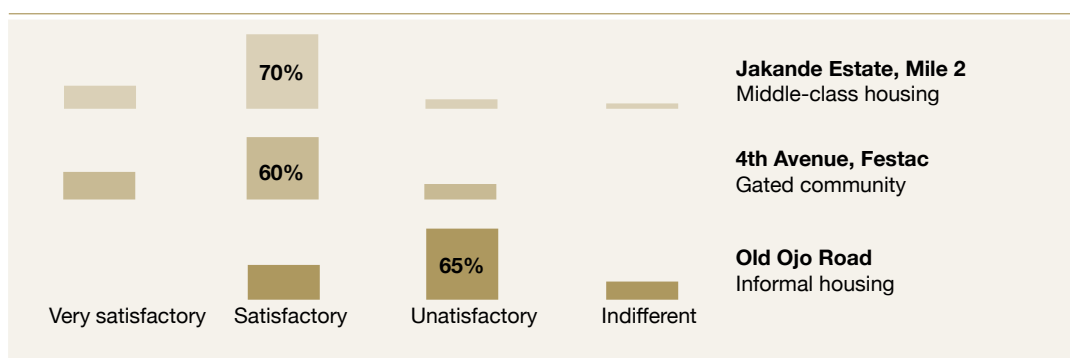
### Acknowledgement of PSP or LAWMA operator’s activity for waste collection

Figure 3.32 below shows the residents’ perception as regard to LAWMA/PSP operators’ services in the study area:

- In **4th Avenue, Festac**, and
- In **Jakande Estate, Mile 2**, the research revealed a satisfactory level of 70% and 60%, respectively.
- The reverse is the case in **Old Ojo Road**, where 65% of the respondents are unsatisfied. This has again to do with the above mentioned vicious circle of poverty, unpaid bills and hence irregular waste services by LAWMA and the PSPs.

Figure 3.32

### Amuwo Odofin: Waste delivery – level of satisfaction



(Source: Waste Management Research Group, Heinrich Böll Stiftung, 2015)



## Identification of general problems in Amowu Odofin case study area

- There is no central temporary waste dumping point before collection
- The low frequency of waste collection is not meeting the demand of waste generation rate

Pictures 3.32-3.37

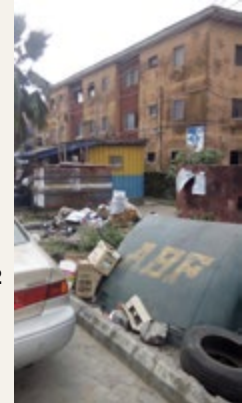
### Amuwo Odofin: Waste dumped in front of a residential building



**Old Ojo Road**  
Informal housing



**Jakande Estate, Mile 2**  
Middle-class housing



**4th Avenue, Festac**  
Gated community

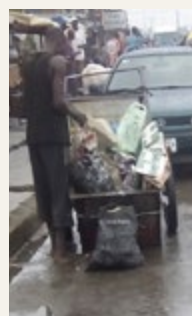


(Source: Waste Management Research Group, Heinrich Böll Stiftung, 2015)

- Poverty, inadequate formal service delivery in the informal sector areas and the rise of officially illegal cart pushers

Pictures 3.38 and 3.39

### Cart pushers are rendering waste collection services to residents



**Old Ojo Road**  
Informal housing

(Source: Waste Management Research Group, Heinrich Böll Stiftung, 2015)



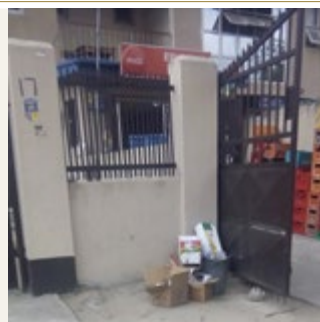
- Inadequate waste storage materials potentially leading to groundwater pollution and affecting the health of human beings and animals.

### Pictures 3.40-3.42

#### Waste stored in sacks, cartons, polythene bags, and buckets



**Old Ojo Road**  
Informal housing



**4th Avenue, Festac**  
Gated community



**Jakande Estate, Mile 2**  
Middle-class housing

(Source: Waste Management Research Group, Heinrich Böll Stiftung, 2015)

#### Conclusion on the Amuwo Odofin case study

Based on the presented results, it can be concluded that the waste management practices in **Amuwo Odofin Local Government** in the **gated community at 4th Avenue, Festac** and the **Jakande Estate, Mile 2 middle-class housing areas** are in a moderately satisfactory stage, though better strategies and measures are needed to be employed to boost the effectiveness of waste management system. The frequency of the waste collection is not high enough and adequate temporary waste storages that are environmentally safe are lacking. Waste stored in porous sacks and buckets affect the health of human beings and animals and may pollute the groundwater.

Similar to the results in Kosofe, the situation in the **Old Ojo Road informal slum area** is not satisfying at all. Waste collection services are not rendered to the poor because they are not able to pay the bills. This may lead to arbitrary dumpsites, again dangerous for the health of human beings and for the environment. The officially banned cart pushers can partly fill the gap. While this leads to job opportunities for the poor, it leads to new problems as the cart pushers need to work hidden or at night and often dump the collected waste at arbitrary sites. Better and more flexible governance, management and operation strategies need to be put in place that respond better to the needs of the poor and the informal. Cart pushers should be integrated into the waste management service system; their work is extremely valuable and if properly paid and instructed, they would be able to dump the waste at official LAWMA-managed sites.

Different waste management options (reduction, reuse, recycling and composting) must be combined so as to reduce the environmental and social impact of waste, to improve the aesthetic of the waste system and living conditions of residents in the study area, and to create job opportunities for small-scale waste entrepreneurs instead of banning them.



## CONCLUSION

Garbage is one of the most pervasive elements of our contemporary society.<sup>1</sup> On the one hand, waste is an everyday “issue” that affects each of us several times daily – no matter whether rich or poor, or living in “formal” or “informal” neighbourhoods. We all produce large and increasing amounts of waste daily. The world currently generates about 4 billion tonnes of waste per year, sustaining a 433 billion dollar industry.<sup>2</sup> On the other hand, practically, garbage and its politics also remain largely “black-boxed” out of everyone’s sight, silently flowing in and out of our households, neighbourhoods, cities and countries.<sup>3</sup>

### From the global to the local

Waste management is challenging as it cuts through several government levels, institutions, neighbourhoods, and finally the household level. The Lagos State Waste Management Authority (LAWMA) has implemented a series of laws, policies, and projects as the first section of this chapter outlined extensively. However, the second section on governance and stakeholders shows that Lagos State government has not yet shared their policies and strategies among the stakeholders. Through LAWMA, it acts solely and exclusively top-down and centrally. Informal cart pushers were banned in 2007 and all private sector participants (PSP) need to go through LAWMA, creating administrative burdens for those who want to engage in waste recycling and waste-to-wealth businesses instead of implementing low-threshold engagement opportunities, especially for the informal sector. Unfortunately, nothing has so far been done by the government to recognise the activities and roles of the private recycling initiatives who are now a major stakeholder in solid waste management.<sup>4</sup> The stakeholders of the waste sector have established a very high network of operation and distribution of their valuables both within and outside the country.<sup>5</sup>

### Importance of local governments

Lagos State faces huge challenges of population increase, environmental degradation and youth unemployment. These challenges can be addressed by revisiting its relationship with local government and reviewing its encroachment into local government functions over the years, especially in the area of waste management. Presently local governments do not directly have powers to regulate or legislate waste management. Local governments can make bye-laws that provide for waste disposal and management; however they are currently not judiciable. Local government may apply to the state authority to ensure effective waste management in its areas of jurisdiction and can also apply to LAWMA for a license to manage its waste through a body or company established by it for this purpose. For these

1 Acuto, 2014, *ibid*.

2 ISWA, *Globalization and Waste Management* (2012; Vienna: International Solid Waste Association).

3 Anna R. Davies, *Geographies of garbage governance* (2008; Aldershot: Ashgate).

4 Olugbenga, 2006 and 2015, *ibid*.

5 Olugbenga, 2006 and 2015, *ibid*.

reasons local governments need to have an open dialogue with LAWMA over the special needs and waste management issues in their various communities, and work to improve the relationship. It is only on this basis that effective locally based waste management initiatives can be established. A review on the scope and adequacy of the activities of environmental health officers could throw light on how waste management practices could be improved.

### **Waste as source**

LAWMA and local government should adopt a much more open and flexible policy of working with the private sector on innovative waste to wealth initiatives. The huge problem of storage of waste for collection, and also the need for land for local centres and collection points, needs an inter-ministerial approach, with the Ministry of Physical and Urban Development playing a key role. Unfortunately, separation of waste at source, which is fundamental to new thinking in waste management, has barely been touched upon by the state agency concerned with waste. These networks of collaboration and multi-scalar approaches need to include awareness campaigns on how waste can be avoided, separated, collected and recycled.

### **Dysfunctional waste management system**

The third section did present the results of the performed field research in parts of Kosofe and Amuwo Odofin, looking at different neighbourhoods in terms of use, wealth, and settlement structure. Evidence from those local communities in Lagos clearly shows that there are huge gaps in adequately managing waste which LAWMA does not have the resources or experience to cope with. LAWMA's technical capabilities to regulate need to be examined closely and the areas of shortcoming should be addressed. A root and branch examination of why some of the waste to wealth, recycling and waste recovery initiatives have failed to be commercially viable should be carried out. The extent of the informal waste collection and recycling sector has not been accurately quantified, this means that true amount of waste generated in Lagos is unknown and the size of the informal waste management economy and potential for economic opportunities remains unknown and untapped.

### **Ambiguity in the politics of the Lagos State government**

Last but not least, it is important to mention that there is of course a latent ambiguity in the politics of Lagos State government. LAWMA, together with their private sector participants (PSP) was set up to deliver waste management services against a fee. The majority urban poor are not able to pay the fees which results in irregular services by LAWMA and the PSPs due to unpaid bills (and narrow streets where the trucks cannot enter). Before the poor drown in waste, illegal cart pushers render the badly needed service. Since they are banned, they will dump the waste somewhere, illegally, which will increase the campaign against the "dirty and ugly" informal sectors and settlements – ultimately, another argument for slum eviction and a never-ending vicious cycle.

The fact that upper-class housing estates and gated communities fully pay their bills and a majority of approximately three-quarters in the case study areas is satisfied with the services of LAWMA is just the confirmation of the above described vicious cycle of poverty and banned informality.

To achieve a “beautiful and aesthetic Lagos State” as it is stated in the mission of the Lagos State Development Plan 2012-2015 (LSDP)<sup>6</sup>, *everybody* needs to be engaged in a way they can afford to contribute. One of the main goals of LSDP is poverty alleviation<sup>7</sup> and job creation for the poor.<sup>8</sup> In fact, the informal waste industry offers huge job and earning opportunities, contributing to poverty reduction and achieve for themselves or their children access to health care and education.

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6 Lagos State government, *Lagos State Development Plan 2012-2015* (2013; Lagos State Ministry of Economic Planning & Budget), 202.

7 Lagos State government, 2013, *ibid.* 23.

8 Lagos State government, 2013, *ibid.* 127.



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# STRATEGIC PLANNING AND URBAN MEGA PROJECTS

4



(Lekki Free Zone, February 2015 © Fabienne Hoelzel)

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# STRATEGIC PLANNING AND URBAN MEGA PROJECTS

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## INTRODUCTION

Presently, the Lagos State government is embarking on several capital-intensive large-scale projects. Some of them are focusing on mobility infrastructure – e.g. the light rail scheme from Okoko to Marina, the redevelopment of Lagos-Badagry expressway into 10 lanes incorporating BRT lanes and the light rails, reconstruction of Mile 12-Ikorodu road incorporating BRT lanes, and the recently commissioned Ejigbo-Ajao Estate link bridge. Large parts of the existing city are being re-planned – as it becomes visible through the example of the Lekki Free Zone – or being restructured through the creation of large new town developments like Eko Atlantic City. The three-dimensional vision of these two new city districts reflect global mainstream urban designs of Dubai, Singapore and Shenzhen. The fact that mega-projects visually and socially depart from their surroundings is in most cases a logical and intentional outcome of their competitive objectives.<sup>1</sup>

“Mega-project” seems to be a concept of growing importance in today’s globally connected business environment. Usually commissioned by governments and delivered by private contractors, these projects are often of international scope as they involve the participation of investors and contractors from multiple countries. They require intense planning and the coordination of capital, technology and political influence.<sup>2</sup> The long-term nature, the participation of numerous partners and contractors with divergent interests, the fluid nature of technologies deployed, and the dynamism in the external environments are some of the factors that contribute to the enormous complexity of mega-projects.<sup>3</sup> It is imperative to understand the relationship that exists between urban mega projects, strategic planning, global challenges and city leadership in Lagos State.

In most studies, some key issues relating to mega-projects and their environment have been identified as indices that contribute to the failure of such projects. These factors include local inflation in housing prices and land values, pressure on community infrastructure and services, higher unemployment rates after a period of high expectations, increased level of pollution, declining resource production, psychological effects of relocating existing residents and impact on quality of life on community cohesion.

Mega-projects have a huge demand on land resources and increase the pressure on congested and densely populated areas. As a consequence, people are displaced and relocated

1 Mike Harris, “Megaprojects: A Global Review and the Australian Context” (paper submitted for the Festival of Urbanism, University of Sydney, October 15 - November 6, 2014, 15, retrieved on January 21, 2015, [http://sydney.edu.au/festival-urbanism/news/2014/downloads/megaprojects\\_review\\_harris.pdf](http://sydney.edu.au/festival-urbanism/news/2014/downloads/megaprojects_review_harris.pdf)).

2 Paul K. Gellert and Barbara D. Lynch, “Megaprojects as Displacements” in *Megaproject Planning and Management: Essential Readings*, Part IV, Chapter 22, eds. Bent Flyvberg (2014; Cheltenham/ Northampton: Edward Elgar).

3 Ilke Kardes, Ayse Ozturk, S. Tamer Cavusgil and Erin Cavusgil, “Managing Global Megaprojects: Complexity and Risk Management,” *International Business Review* 12 (2013): 905–917, accessed January 15, 2016, doi: 10.1016/j.ibusrev. 2013.01.003.

from their homes, deprived of their means of livelihood, resulting again in unemployment, under-employment, increase in poverty and development of slums and squatter settlements. The environmental impact of mega-projects may include disruption of natural habitat (deforestation, wetland reclamation, increased flooding etc.).

It is therefore of high importance to periodically review their impacts on the environment and local communities to ascertain if the benefits really justify the costs and if they are worth being continued.

The intention of this chapter is to investigate how the role of strategic planning – the vision of the future development of the city and the region – in Lagos State is reflected in the actual planning and implementation of the Lekki Free Zone. This includes the identification of motives and reasons behind the selection of the site and structure of the Lekki Free Zone, the pinpointing of key laws, policies and regulations guiding its implementation so far, the examination of the relationship that exist between the various actors in charge of the project, the identification of the social, and economic and environmental effects the project has been exerting on users during conception and the (ongoing) implementation.

*Note: Throughout the chapter, the Lekki Free Zone will be abbreviated with LFZ.*

## CITY LEADERSHIP AND STRATEGIC PLANNING IN LAGOS

A master plan, usually described as the quintessence of modern planning, represents an ideal end-state for a particular city or a part of a city, e.g. a neighbourhood but with serious gaps between the initial vision and actual results.<sup>1</sup> In an effort to move away from comprehensive plans, significant reform since the 1980s and 1990s adopted a more flexible approach that is called “strategic planning” and described as “more pragmatic, incremental and typically focused on ‘getting things done’ ”.<sup>2</sup> In turn, “city leadership” translates into long-term strategic visions to confront global challenges such as those of inequality, insecurity, economic constraints and environmental degradation. Today, urban leaders are expected to produce results by the use of techniques such as “commissioning”, “enabling”, “empowering”, and “partnership working”.<sup>3</sup> Strategic planning is a systematic process of envisioning a desired future, and translating this vision into broadly defined goals or objectives and a sequence of steps and projects to achieve them. In contrast to long-term planning (which begins with the current status and lays down a path to meet estimated future needs), strategic planning begins with the desired-end and works backward to the current status.<sup>4</sup> However, in reality too many ‘strategic urban plans’ have effectively imposed an entrepreneurial view of the city, promoting mostly economic prosperity through oversized architectural designs and mega-developments.<sup>5</sup> In emerging or developing countries, these initiatives typically lead at times to massive displacement in order to make room for highways, skyscrapers or luxury shopping malls, at the expense of the habitat and livelihoods of the poor.<sup>6</sup>

### Lagos State Development Plan

The Lagos State Development Plan (LSDP)<sup>7</sup> provides overall direction for the growth and development of the state up to 2025. It provides a framework through which all sectors of the economy – public, private and civil society – can direct their energies and contribute to the improvement of the quality of life of people in the state. It provides the means through which their performance can be evaluated against the set goals and objectives. The plan is also a vehicle through which the state government can publicize to the general public the direction in which the state intends to advance development in the next fifteen years. Finally such a plan is also an important framework for international assistance. The LSDP is not drawn from new research and investigation. Rather, it is a document that seeks to capture

- 1 UN Habitat, *State of the World's Cities 2012/2013. Prosperity of cities* (2013; Nairobi/ New York: Routledge), 129.
- 2 *ibid.*
- 3 Adam Marshall and Dermot Finch with Chris Urwin, “City leadership. Giving city regions the power to grow (published by Centre for Cities, accessed on January 21, 2015, <http://www.centreforcities.org/wp-content/uploads/2014/09/06-02-21-city-leadership.pdf>.)
- 4 “Strategic planning,” BusinessDictionary.com, accessed on January 15, 2016, <http://www.businessdictionary.com>.
- 5 UN Habitat, 2013, *ibid.*
- 6 *ibid.*
- 7 Lagos State government, *Lagos State Development Plan 2012-2025. Main Document* (2013).

past strategic development plans and statements to bring them into a harmonious, rational and coherent whole. To this extent the LSDP builds upon previous long-term strategic planning exercises such as the Strategic Management Framework (2009) and the Vision 20:2020 (2009).<sup>8</sup> It also takes account of the previous shorter-term strategic documents such as the 10-Point Agenda 2003-2007 (TPA)<sup>9</sup>, and the Lagos State Economic Empowerment and Development Strategy 2005-2007 (LASEEDS).<sup>10</sup> It also relies on the more recent Development Agenda for Western Nigeria (DAWN).

#### Box 4.1

##### **Vision of the Lagos State Development Plan 2012-2015**

By 2025, Lagos will be Africa's model mega city and global, economic and financial hub that is safe, secure, functional and productive.<sup>11</sup>

#### Box 4.2

##### **Mission of the Lagos State Development Plan 2012-2015**

The vision will be achieved by poverty eradication and sustainable economic growth through infrastructural renewal and development.<sup>12</sup>

#### Box 4.3

##### **Strategies of the Lagos State Development Plan 2012-2015**

1. People and poverty alleviation;
2. Functionality and productivity;
3. Managing the growth and spread of Lagos metropolitan area;
4. Democracy and governance;
5. Safety and security;
6. Transformation;
7. National growth and global influence.<sup>13</sup>

#### **Leadership and accountability**

The LFZ is one of the projects envisioned by the state government so as to foster the need for wealth and job creation through enhancing Lagos's role as an "economic and financial hub." Measured against the pledges and development goals by and of the government mentioned above, the analyses presented on the following pages, will try to deliver some answers, whether and how the LFZ and its planning process might contribute to a better city for everybody.

8 Lagos State government: *Report on review of high level policy documents*, 2010, Section Seven.

9 Lagos State government, 2010, *ibid*, Section Three, Section Seven.

10 Lagos State government, 2010, *ibid*, Section Four, Section Seven.

11 Lagos State government, *Lagos State Development Plan 2012-2025. Main Document* (2013), 1, 23.

12 *ibid*, 23.

13 *ibid*, 23-27.



Table 4.4

## Overview of the five development pillars

Vision and mission		
Developmental pillars	Aims	Strategic direction
Pillar 1: Economic development	To create a dynamic, expanding economy, functional and visually attractive city	Harnessing public and private investment to create a strong, mixed economy that can provide jobs for all and create the base for expanding social services and environmental sustainability
Pillar 2: Infrastructure development	To create an effective and efficient infrastructure capable of meeting of meeting future needs	Providing efficient power, effective mass transit systems and other key infrastructures essential to achieve a sound and growing economy and achieve social progress
Pillar 3: Social development and security	To create educated, skilled, healthy and secure people	Ensuring a dynamic, progressive social and economic environment that will result in a well-educated, healthy people able to fulfill their potential and meet the skill needs of new industries
Pillar 4: Sustainable environment	To create a green, clean and liveable city that can sustain its complex natural and man-made environment	Creating sound systems, regulations and public participation to maintain a healthy and sustainable environmental that can overcome the environmental deficit and meet future challenges posed by climate change
Pillar 5: Health development	To protect, promote and restore the health of the citizens and to facilitate the unfettered access to health care services without financial or other barriers	Institutionalize an evidence-based health system that promotes the delivery of quality, effective, affordable, accessible, acceptable, cost-efficient and equitable health services to the people of Lagos State.

(Source: Lagos State Development Plan 2012-2015, 130)

In their own terms, Lagos State government has regard to **three considerations** in planning the future growth and spread of the city.

1. Recognition should be given to the special contribution made by all parts of Lagos to the city's development and efforts made to stimulate and support those special aspects of development that best suit those different areas. The historic division of Lagos into the five main geographical areas **Ikeja, Badagry, Ikorodu, Lagos Islands, and Epe**, known colloquially as **IBILE** continue to have a resonance today. Figure 4.6 illustrates the existing and potential strengths of each broad division of the city. Growth points, enterprise zones and other mechanisms to stimulate development will be deployed in an equitable manner in all five parts of **IBILE**.
2. This relates to the physical expansion of the city within the confines of the state. Lagos State government aims at developing the existing growth corridors; to the east along the Lekki peninsula and to the west in Badagry. In the long run, the main factor in expanding the LFZ is economic development. How to fix the land scale of the free zone is depended on how the industrial land fixes its moderately developed city scale, so as to achieve the integration of production and city function.
3. This has to do with the need to maintain and develop a strong relationship with the neighbouring Ogun state to ensure a proper planned expansion of the Lagos metro-

politan area across borders to the west and north of Lagos State. This expansion has been underway for some time and requires a comprehensive physical and administrative plan covering the whole area that the city of Lagos is likely to grow into over the planning period. In May 2009, plans by the federal Ministry of Transport were set to collaborate with Ogun state government, towards the actualisation of the gateway to the international airport, the Olokola deep seaport and the mono-rail projects. As of May 7, 2009, the Nigerian Best Forum listed on its website (<http://www.nigerianbestforum.com/generaltopics>, accessed January 15, 2016) that the Olokola deep seaport had become imperative, noting that the Apapa and Tincan Island ports in Lagos had become congested and could no longer cope with the pressure of an ever expanding shipping business. As Toni Chinonso noted in a Vanguard article on May 25, 2015 (<http://www.vanguardngr.com/2015/05/25/infrastructure-bank-partners-metsl-to-construct-lagos-metro-rail-transit/#st>, accessed January 15, 2016) the right of way for the Iddo-Agbado proposed rail line corridor (“Red Line”) was handed over in the second quarter of 2015. It is supposed to operate within the Lagos metropolis to develop the industrial and economic zones between Lagos and Ogun and to reduce travel time of commuters on the Agbado-Marina axis.

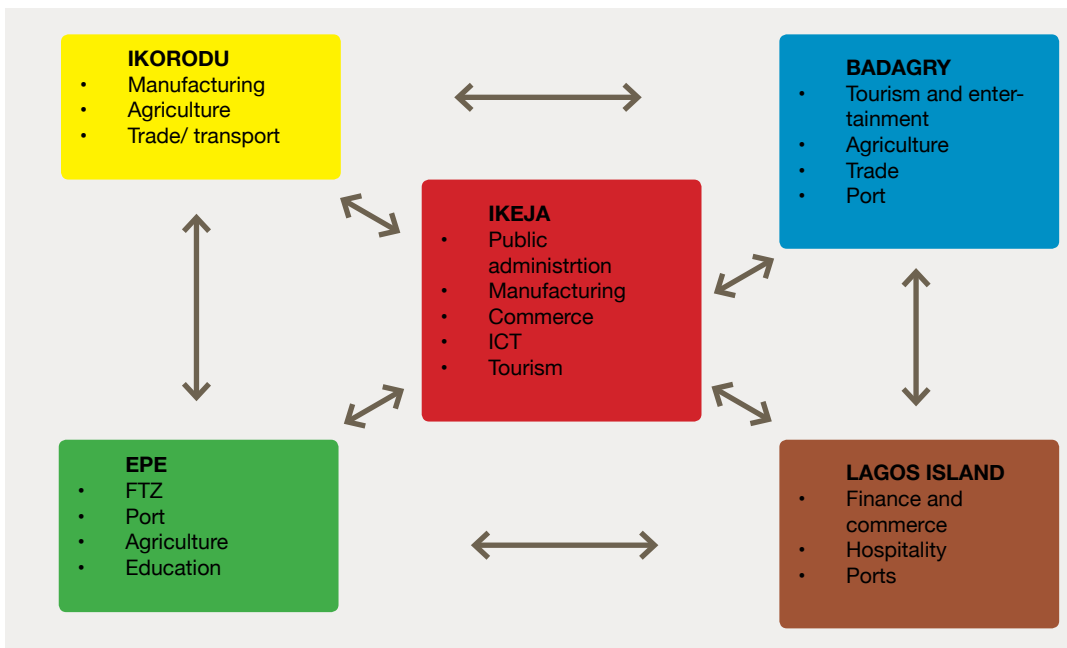
Figure 4.5  
**Collaboration of Lagos and Ogun state**

Ogun	Lagos
Olokola deep sea port	Trade and commerce
Mono-rail projects	ICT
Gateway International	Education
Airport	Ports of Apapa and Ikorodu
	Rail line

(Source: <http://www.nigerianbestforum.com/generaltopics/fg-ogun-to-collaborate-on-transport-projects/>, accessed on May 25, 2015)

Figure 4.6

**IBILE: Existing and potential strengths**



(Source: Mega Project Research Group, Heinrich Böll Stiftung, 2015, based on Lagos State Development Plan 2012-2015, 24.)



## THE CONCEPT OF FREE TRADE ZONES

A free trade zone (FTZ), also called foreign-trade zone, formerly free port, is an area within which goods may be landed, handled, manufactured or reconfigured, and re-exported without the intervention of the customs authorities. Only when the goods are moved to consumers within the country in which the zone is located do they become subject to the prevailing customs duties. Free trade zones are organised around major seaports, international airports, and national frontiers – areas with many geographic advantages for trade.<sup>1</sup>

The purpose of a free trade zone is to remove hindrances to trade caused by issues such as high tariffs, and complex customs regulations. In the case of the LFZ, it was ostensibly established to attract foreign investment to the territory (in the form of manufacturing or processing and finishing of goods), reduce red-tape, create employment and as “an economic legation for FDI to operate free from the Nigeria tax laws, levies, duties and foreign exchange regulations”.<sup>2</sup>

There is a high likelihood that those who choose to operate in the zone will actually get what they want out of it: avoid high tariffs, complex customs regulations, red-tape, Nigerian tax laws, levies, duties and foreign exchange regulations in general, since even rice smugglers using the FTZ have managed to achieve the same<sup>3</sup> and in the case of Tinapa port for example, the Nigeria customs service took the extraordinary measure of putting out a press release to state that “customs intelligence has revealed the intention of these operators in Tinapa to use the FTZ as a conduit for importation of contraband goods and fraudulent evasion of customs duty payment. (...) It should be noted that the laws setting up FTZ neither exempt collection of duty on goods brought into customs territory nor free FTZ licensee from the liability of smuggling contrabands using the FTZ as a platform”.<sup>4</sup> Other possible misapplications of the free trade zone concepts are well documented: Money laundering vulnerabilities<sup>5</sup>, capture<sup>6</sup>, abuses of waivers and duty exemptions<sup>7</sup> and so on. What is unclear is whether Nigeria will get the jobs and/or the foreign investment for which the likes of the LFZ was established.

An export processing zone (EPZ) is a specific type of FTZ, set up generally in developing

1 “Free Trade Zone,” Encyclopaedia Britannica, accessed January 15, 2015, <http://www.britannica.com/topic/free-trade-zone>.

2 Afolabi Elebiju, “Free Trade Zones & Nigeria Tax Regime”, presented at the CITN MPTP, Ibadan on June 25, 2008, accessed on January 15, 2015, [http://www.templars-law.com/wp-content/uploads/2015/05/citn\\_presentation.pdf](http://www.templars-law.com/wp-content/uploads/2015/05/citn_presentation.pdf).

3 “Free Trade Zones”, Nigerian Best Forum, accessed January 15, 2015, <http://www.nigerianbestforum.com/index.php?topic=375789.0;wap>.

4 “Other Publications”, Federal Government of Nigeria, Federal Ministry of Finance, Nigeria Customs Service, last accessed January 15, 2015, [https://www.customs.gov.ng/Publications/other\\_publications.php?page=10](https://www.customs.gov.ng/Publications/other_publications.php?page=10)

5 “Vulnerabilities of Free Trade Zones,” FATE, accessed on November 23, 2015, <http://www.fatf-gafi.org/media/fatf/documents/reports/ML%20vulnerabilities%20of%20Free%20Trade%20Zones.pdf>.

6 Oluwakemi Dauda, “Agents urge Buhari to stop Intels from collecting dollars,” *The Nation*, October 20, 2015, accessed January 15, 2015, <http://thenationonline.net/agents-urge-buhari-to-stop-intels-from-collecting-dollars>.

7 “Waivers, duty exemptions dent Nigeria Customs revenue by N603b,” *PM News*, November 4, 2013, accessed January 15, 2015, <http://www.pmnewsnigeria.com/2013/11/04/waivers-duty-exemptions-dent-nigeria-customs-revenue-by-n603b/>

countries by their governments to promote industrial and commercial exports. The basic objectives of EPZs are to enhance foreign exchange earnings, develop export-oriented industries and to generate employment opportunities. Most FTZs located in developing countries have EPZ programmes. In 1997, 93 countries had set up export processing zones employing 22.5 million people. In 1999, there were 3000 FTZs spanning 116 countries and producing mostly clothes, shoes, sneakers, electronics, and toys. In 2003, EPZs in 116 countries employed 43 million people.

The world’s first FTZ was established in Shannon, Ireland (Shannon Free Zone). This was an attempt by the Irish Government to promote employment within a rural area, make use of a small regional airport and generate revenue for the Irish economy. It is still in operation today.

Nigerian government is currently identifying free zones as a veritable tool to fast track industrialization and for sustainable economic development. The reasoning behind this is the hope to attract international investors who may look for jurisdictions where they would save cost and maximise returns on investment. The free zone offers this opportunity as it has been identified as “investors’ haven with attractive incentives and enabling environment”.<sup>8</sup>

**Figure 4.7**  
Types of industries permissible in Nigerian export zones

Heavy industries	Textile and leather	Educational materials and equipments	Electrical and electronic products	Communication equipments and materials	Cosmetics
<ul style="list-style-type: none"> <li>• Infrastructure development</li> <li>• Petroleum products</li> <li>• Metal products</li> <li>• Plastik products</li> <li>• Rubber products</li> <li>• Wood products</li> </ul>	<ul style="list-style-type: none"> <li>• Garments</li> <li>• Leather products</li> </ul>				

(Source: Adapted from “Free Trade Zone”, Nigeria Trade Hub, accessed January 15, 2015 <http://www.nigeriatradehub.gov.ng/UsefulTools/FreeTradeZone.aspx>)

#### Nigeria free trade zone procedures

- The procedure for importing goods into the free zone is as set out in schedule A of NEPZA regulation 2004;
- The procedure for exporting goods from the free zone is as set out in Schedule B of NEPZA regulation 2004;
- The procedure for handling goods, which require repairs and maintenance, is as

<sup>8</sup> Gbenga Kuye, “Investment opportunities and challenges in free trade zones in Nigeria” (paper presented at the Oil & Gas Investment Forum, Onne, Rivers State, October 24-25, 2013).

set out in schedule C of NEPZA Regulation 2004;

- The procedure for transferring goods from one licensee to another is as set out in schedule D of NEPZA regulation 2004;
- The procedure for transferring goods from one free zone to another is as set out in schedule E of NEPZA regulation 2004.

Figure 4.8

### Free zone list within Lagos State

S/N	Name	Location	Sponsor/ Developer	Size (ha)	Date Designated	Specialty	Status
1	Lekki Free Zone	Lagos	China-Africa Lekki Investment Limited (CALI, a Chinese Consortium; Lagos State government; Lekki Worldwide Investments Ltd.	16,500	2004	Manufacturing, logistics, manufacturing oil and gas, petrochemical	Operational
2	Snake Island Int. free zone	Lagos	Nigerdock Plc	59.416	2005	Steel fabrication, oil and gas, sea port	Operational
3	Ladol logistics free zone	Lagos	GRML	N/A	2006	Oil and gas, fabrication, oil and gas vessels, logistics	Operational
4	Airline Services EPF	Lagos	Private	N/A	2003	Food processing and packaging	Operational
5	Lagos free trade zone	Lagos	Eurochem technology Singapore	218	2002	N/A	Operational
5	Lagos free trade zone	Lagos	Eurochem technology Singapore	218	2002	N/A	Operational
6	Oils integrated logistics services free zone	Lagos	Private Oil Field Industry Support Service Ltd	1000	2004	Marine, logistics, support services for offshore oil repairs	Operational License Suspended
7	Badagry Creek integrated park	Lagos	Kaztec Engineering	531	2014	Fabrication	Under construction
8	Nigeria Aviation Handling Company (NAHCO)	Lagos	NAHCO	10	2014	Cargo hub, transshipment and warehousing	Under construction
9	Nigeria International commerce city	Lagos	Eko Atlantic FZ ltd	1000	2014	Financial institutions (local and international) leisure, real estate, shopping malls and corporate business, commerce	Under construction
10	Ogogoro Industrial park	Lagos	Digisteel	52	2014	Oil and gas, fabrication, oil and gas vessels, logistics	Under construction

(Source: Adapted from "Free Zone List," Nigeria Export Processing Port Authority, accessed on January 21, 2015, <http://www.nepza.gov.ng/freezones.asp>)





## THE CASE OF THE LEKKI FREE ZONE (LFZ)

The former president of Nigeria (1999-2007), Olusegun Obasanjo, visited China several times during his tenure. He thought that the model of Chinese economic developing zones may work well for Nigeria to improve its national economic structure and boost the economic development. Obasanjo entrusted Chen Xiaoxing from China Civil Engineering Construction Corporation (CCECC) to find in China proper partners to cooperate in building free (trade) zones in Nigeria. In the year 2003, with the recommendation of Chen Xiaoxing, Lagos State government chose the Nanjing Jiangning Development Zone (JNDZ) as its cooperative partner to build the LFZ. In the year 2004, after a comprehensive research and analysis, CCECC-beyond International Investment Development Co., Ltd was established by JNDZ and joined by three other investment partners: the Nanjing Beyond Investment Group, CCECC and China Railway Construction Corporation Limited (CRCC). The investment company, the Lagos State government and the local investors joined together to invest for the construction of LFZ.

### A master plan for Lekki peninsula (Lekki master plan)

The Lekki sub-region comprises a naturally formed peninsula on the Atlantic Ocean east of Lagos city and on Lagos lagoon. The peninsula is approximately 70 to 80 km long, stretching from Victoria Island in the west to Refuge Island in the east, with an average width of 10 km. The area contains 60,000 hectares. Today, the Ibeju-Lekki local government area is a rural community with eleven rural markets located at various villages and natural resource-based economic activities like fishing, agriculture, timber and saw-milling, mat and raffia weaving, oil-palm processing and emerging eco-tourism. In July of 2008, the Lagos State government envisaged the Lekki peninsula as a “Blue-Green Environment City”. This concept was a preliminary plan for land use, important public facilities and infrastructures in the north and south peninsulas. The Lekki master plan was conceived and presented by the Ministry of Physical Planning and Urban Development with suggestions from local authorities and stakeholders. It includes Lekki new city, several gated residential developments, agricultural farmlands, a new international airport, and a new sea port. Based on the proposed land use plan, Lekki new city will be divided into five linear development zones:

1. Lagoon zone: tourism with mixed uses, commercial and business;
2. North urban zone: largely new residences;
3. Natural park zone: environmental and nature conservation park;
4. South urban zone: existing and new residential with commercial and mixed uses as well as light industries;
5. The Atlantic coastal zone: mainly tourism and recreation.<sup>1</sup>

<sup>1</sup> “Lekki Master Plan”, Lagos State government, accessed on January 21, 2015, <http://www.lagosstate.gov.ng/>

First, the planning for the Lekki peninsula in July 2008 did not include the LFZ. In order to achieve a regional integration, the LFZ plan and the Lekki Peninsula plan were integrated. It was the urban planning and design institute of Shenzhen (China) that finished the master plan revision of the LFZ.

Map 4.9  
**Lekki master plan**



(Source: Lagos State government, Ministry of Physical Planning and Urban Development)

### **Lekki Free Zone**

According to the Lagos State government there will be 10,380 hectares of construction lands and 3.4 million residents.<sup>2</sup>

#### **Box 4.10**

##### **Motives for selection of the site for the LFZ**

The Lekki peninsula was chosen as the suitable site for developing the LFZ, on basis of the following reasons:

- In order to develop the Lekki-Epe axis, which is declared as paramount to achieving the development plan of Lagos State;
- The presence of large expanse of undeveloped land area;
- The geographical shape of Lekki (which looks like a crocodile) makes it unique;
- The presence of the Atlantic Ocean and the Lekki lagoon (the deepest natural lagoon in the state);
- Suitable for the proposed airport and seaport;
- Good access to other parts of Nigeria.

(Source: Information provided during the presentation by LFZDC deputy managing director, Adeyemo Thompson, Feb 2015)

## Geographical boundaries and characteristics of LFZ

LFZ is located approximately 50 km from the city centre of Lagos, 70 km from Murtala Mohammed International airport, and 10 km from the proposed Lekki International Airport. The zone is also located 50 km away from Apapa port, the largest port in West Africa.

## Physical structure and land use of LFZ

The plans envisage to divide LFZ into several south-west and north-south traffic corridors. The plan has specified the layout in the form of cluster development. The proposed land use master plan subdivides the area into four main quadrants each having its own land use and consequently its own theme. Based on the proposed land use plan, LFZ is divided into 4 quadrants and phases.

- **Phase 1 or south-west quadrant (SW):**

General mixed industries, including light and medium engineering with a large part dedicated for logistics and distribution, potentially serving both the international and national markets. In addition a new special residential area is proposed to the north of the industrial zone, with both low and high-density housing, largely intended for leisure and residential resort with tourist facilities;

- **Phase 2 or south-east quadrant (SE):**

Petro chemical related industries and port facilities;

- **Phase 3 or north-west quadrant (NW):**

General mixed industrial area, including medium and light industrial uses as well as heavy uses. Housing for the workers in the free zone area will be provided within this quadrant where residential areas of different densities and house types would be provided to the north and south of the main industrial zones;

- **Phase 4 or north-east quadrant (NE):**

Mixed-use urban area as a new waterside town providing a range of employment, commercial, residential, community and recreational uses. It should complement the role of the other three quadrants and act as the city, administrative, business and residential centre for the whole of the free zone.<sup>3</sup>

### Box 4.11

#### Motives for introducing the Lekki Free Zone

The Lagos State government justifies the introduction of the LFZ for the following reasons:

- To create a model city in Lagos devoid of stress and accompanying social vices;
- The activities proposed for the LFZ should create opportunities for the local people and increase the potentials for Lagos and the Nigerian economy;
- It should promote Nigerian's industrial sector;
- It should attract foreign direct investment into the country.<sup>4</sup>

<sup>3</sup> Regulatory plan of the Lekki Free Zone

<sup>4</sup> Information provided during the presentation by LFZDC deputy managing director, Adeyemo Thompson, in February 2015

**Conceptual plan of Lekki Free Zone (155 square kilometres)**



**Key**

1. Landuse Evaluation
2. Planned Structure
3. Transportation System Plan
4. Phase Development

(from top left, clock-wise)



(Source: Master plan of Lekki Free Zone (Phase 1), 2010, by: Shanghai Tongji Urban Planning and Design Institute, Shanghai Xian Dai Architectural Design(Group) Co LTD, Assisted by LFZDC)

**LFZ development plan**

In May 2006, the Chinese consortium in the name of *CCECC - Beyond International Investment & Development Co., Ltd.*, as the majority shareholder, entered into the joint-venture with *Lagos State government* and the Nigerian partner *Lekki Worldwide Investment Ltd.* to establish the *Lekki Free Zone Development Company (LFZDC)* which is authorised by both the Nigeria federal government and the Lagos State government as the solely and legally competent entity to develop, operate and manage the LFZ project.

According to the project developers, the project aims at developing, operating and managing a modern free zone in accordance with international practice by making full use of the advantages of Lagos as being the important distribution hub in West Africa, thereby further enhancing the economic cooperation between Nigeria and China with their mutual complement and compatibility of resources, optimising the Nigerian industrial structure and improving its national living standard.<sup>5</sup>

**Phase 1**

In October 2006, the Lekki Free Zone Development Company FZC (LFZDC) embarked on the phase I of the development of LFZ in quadrant 1, named as

“China-Nigeria Economic and Trade Cooperation Zone” (CNETCZ) which covers approximately 1,200 hectares.

<sup>5</sup> “About Lekki Free Zone”, LFCDC, accessed on January 21, 2015, <http://lfzdc.org/lekki-free-zone/about-lekki-free-zone>.



Full operation planned by 2018

According to the developers, the following steps should lead to a fully operating LFZ by 2018;

**1. Land clearing and preparation;**

- Land clearing
- Topographic survey
- EIA
- Fencing
- Dredging and sand filling;

**2. Master plan and feasibility;**

**3. Infrastructure development;**

- Internal roads and drainage system
- Street lighting
- Housing complex
- Bank and insurance buildings
- Utilities such as power, water, and telecommunication
- Logistic hub (warehouses, distribution centres, and parking);

**4. Port operation (by Lekki Port LFZ Enterprise);**

The multi-purpose, deep water port is being spearheaded by Tolaram Group's Lekki Port LFZ Enterprise along with the Nigerian Port Authority, Lagos State government and other non-government bodies.<sup>6</sup>

Maps 4.16 and 4.17

**Lekki Free Zone masterplan and land-use and infrastructure plan**



(Source: Dar Al-Handasah)

Table 4.18

**Balance sheet of land for construction in the Lekki Free Zone**

S/N	Codes of land-use		Land-use	Area (ha)	Proportion (%)
1		R	Residential land	565.11	18.90
	hereinto	R1	• First grade residential land	260.73	8.72
		R2	• Second grade residential land	275.19	9.20
		R24	• Elementary and secondary schools	29.19	0.98
2		C	Public facilities	288.33	9.64
	hereinto	C1	• Administration	0.93	0.03
		C2	• Commercial and financial land	226.43	7.57
		C3	• Cultural and entertainment facilities	26.04	0.87
		C4	• Athletic facilities	17.73	0.59
		C5	• Medical health Facilities	8.69	0.29
3		M	Industrial land	788.45	26.37
	hereinto	M2	• Second-grade industrial land	230.38	7.71
		M3	• Second-grade industrial land	212.36	7.10
		Mz	• Headquarter economy and innovative industries	176.72	5.91
		Mc	• Demonstration and trade of bulk cargo	70.4	2.35
		Mx	• Land for mixed usage	98.59	3.30
4		W	Storage	351.59	11.76
	hereinto	W1	• Common Warehouse	40.51	1.35
		W2	• Warehouse of Hazardous material	182.47	6.10
		Wm	• Warehouse and petrochemical Land	128.61	4.30
5		W	Intercity Transportations	9.61	0.32
	hereinto	T4	• Harbors	9.61	0.32
6		S	Roads and squares	256.83	8.59
	hereinto	S1	• Roads	237.32	7.94
		S2	• Squares	3.98	0.13
		S3	• Social parking	15.53	0.52
7		U	Municipal public facilities	34.35	1.15
	hereinto	U1	• Supply facilities	11.5	0.38
		U2	• Transportation facilities	4.24	0.14
		U3	• Post and telecommunication facilities	2.32	0.08
		U4	• Environmental and health facilities)	12.85	0.43
		U9	• Other municipal public facilities	3.44	0.12
8		G	Green land	407.4	13.63
	hereinto	G1	• Public green lands	58.23	1.95
		G2	• Greenbelt for production protection	161.2	5.39
		Gx	• Ecological wetlands	187.97	6.29
<b>Total</b>		<b>Construction land</b>	<b>2697.88</b>	<b>90.23</b>	
9		E	Water	288.23	9.64
<b>Total</b>		<b>Total amount of land</b>	<b>2989.9</b>	<b>100</b>	

(Source: Master Plan of Lekki Free Zone (Phase 1)2010 by: Shanghai Tongji Urban Planning &amp; Design Institute, Shanghai Xian Dai Architectural Design(Group) Co LTD, Assisted by LFZDC)

### **Legislation and planning instruments**

LFZ is established pursuant to the inherent powers conferred on the Nigeria Export Processing Zones Authority (NEPZA; the “Authority”) by the Nigeria Export Processing Zones Act 63 of 1992.

Section 27 of the decree gives power to the NEPZA in the making of regulations for the free trade zones, “The authority may, with the approval of the honourable minister of commerce and industry make regulations for the proper implementation of this decree”, which gave way to the formulation of the LFZ regulations in 2010. This regulation is used as an internal regulatory framework for the free zone; this is another important planning instrument in the development of the free zone as an establishment and a mega-project. However, the NEPZA regulations take precedence over the investment procedures for regulations and operational guidelines for free zones in Nigeria and hence over all operations and activities within in the LFZ. The 2010 Urban and Regional Planning and Development Law applies everywhere in the state. The repealed 2005 Lagos State Official Gazette No. 25 Vol. 38 was as well formally in use.

According to the project developers, the seeming lack of complete and mature planning in Nigeria has led to the adaption of Chinese construction norms and planning standards in planning. The British standardisation, commonly used today in Nigeria has been taken into consideration, according to the developers.

#### **Box 4.19**

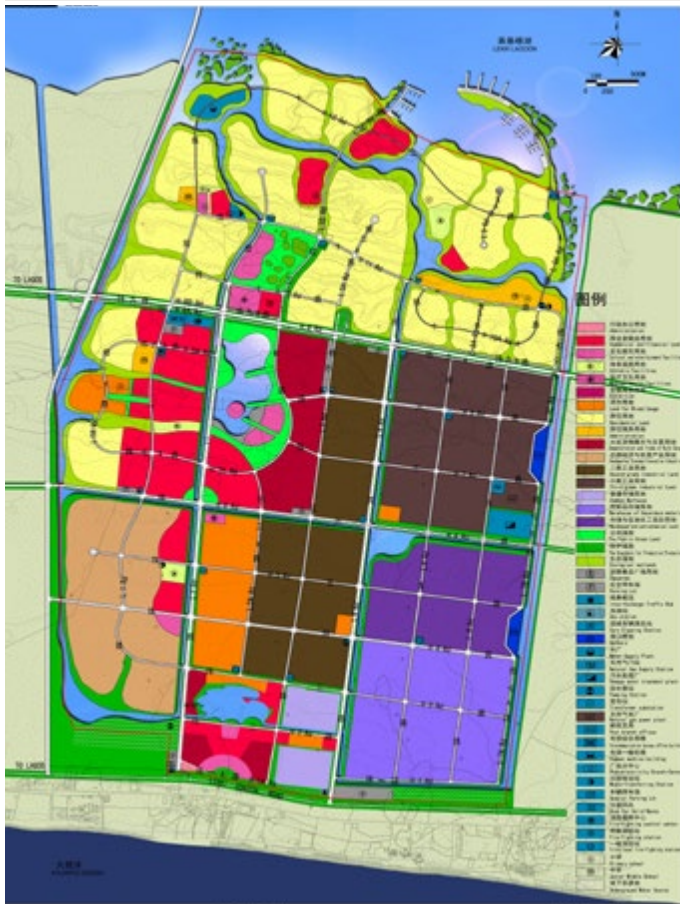
##### **Planning instruments, laws and regulations**

- Urban and Rural Planning Law of the People’s Republic of China (effective as of January 1, 2008);
- Urban Planning Formulation Regulation (effective as of April 1, 2006);
- Lagos Urban and Regional Planning and Development Law 2010;
- Land use and infrastructure master plan for the draft master plan report Lekki Free Zone Lagos, Nigeria (2008);
- The Lekki Free Trade Zone Regulations 2010.

Other related documentations such as:

- The Nigeria Export Processing Zones Authority (NEPZA Decree of 1992);
- Investment procedures, regulations and operational guidelines for free zones in Nigeria 2004.

**Land-use plan of phase 1 | Green space plan of phase 1**



(Source: Shanghai Tangji Planning and Design Institute)



(Source: Shanghai Tangji Planning and Design Institute)

**Legal framework of the LFZ**

**A. Applicable laws include;**

1. NEPZA (No. 63 of 1992, now Cap. N107, LFN 2004);
2. OGEFZA (No. 8 of 1996, now Cap. O5, LFN 2004);
3. CITA, Cap. 21 - Amendment Act (No.11 of 2007);
4. VATA, Cap. V1 - Amendment Act (No. 12 of 2007);
5. FIRS Establishment Act 2007.

**B. Regulations**

1. Investment Procedures, Regulations and Operational Guidelines for Free Zones In Nigeria (2004);
2. OGEFZ Regulations (2003).

**C. Policy statements**

**i) Section 1 of the NEPZA**

(a) Empowers the president to designate areas as “export processing zones” on the recommendation of the Nigerian Export Processing Zones Authority (“the authority”). Calabar Export Processing Zone was the 1st to be so designated in 1992 and



LFZ in 2004.

(b) Zones may be managed by public or private entities or combination of both under supervision of the authority. LFZ is a perfect example.

(c) The authority may amend, vary, or add to the limits of a zone, etc.

**ii) Section 2 of the law vests regulatory oversight in the authority.**

**iii) Section 3**

sets out membership of respective governing boards. Common membership includes representatives of the NPA, Customs, NACCIMA, MAN, etc. Specialised CBN, Ass of Nigerian Exporters vs. representatives of the petroleum ministry.

**iv) Sections 24(2)/23(2)**

empower the ministries of commerce and tourism, industries and technology to modify application of any enactment in the zone where same restricts or interferes with smooth running of the zone, etc. Pursuant to FZs (monitoring and regulation) Order 2002, the authority shall monitor management of FTZs:

- License all FZs in Nigeria; issue certificates of valuation of assets or investments (instruments of ownership);
- Formulate and publish operating standards to be observed in the FTZs;
- Recommend sub-zone status for appropriate enterprises;
- Pursuant to part 4 of the NEPZA regulations, the NEPZA has power to grant a free zone developers license to a public, private or a combination of private-public entity for the establishment, operation and management of free zones in Nigeria. The developer is subject to supervision, monitoring and regulation of the authority.

**Box 4.22**

**Incentives of free (trade) zones**

- Exemption from all federal, state, local government taxes, levies and rates (sections 8);
- Licensing of approved enterprises without complying with local incorporation under section 54 CAMA; same constitutes company registration in the zones (sections 10);
- Legislative provisions pertaining to taxes, levies, duties and foreign exchange obligations not applicable within the zones;
- No import or export licences required;
- Repatriation of foreign capital investment at any time, with capital appreciation thereon;
- Offshore remittance of profits and dividends;
- Up to 100% foreign ownership of businesses in the zones (generally available to all foreign investors under NIPC and FEMMP Acts since 1995);

- Rent free land at construction stage, thereafter rent to be determined by the authority;
- No strikes and lock-outs for 10 years after commencement of operations in a zone.

### Stakeholders and stockholders, and their interaction

The actors include public entity, private entity as well as NGOs and others.

- **Federal government**

The role the federal government plays is on a wider scale, serving as a legislator over the FTZ and as a link between the state and the foreign investors, through the **Nigeria Export Processing Zones Authority (NEPZA)**, and as a link between foreign and local investors interested in doing business in the FTZ, through the **Ministry of Trade and Investment**. Nigerian National Petroleum Corporation and the Nigerian ports authority would oversee the proper running of the refineries and sea ports. The **Ministry of Aviation** supervises the progress and process of the airport development. As mentioned, the NEPZA act of 1992, a law enacted by the federal government regulates all free trade zones in Nigeria, including the LFZ.

- **Lagos State government**

The role of the Lagos State government is played through some state agencies. The provision of land must first be acknowledged by or through the **Governor's office** and the **Ministries of Lands, Housing and Urban Development**. The state government was also in charge of signing a memorandum of understanding (MoU) along with the majority shareholder (Chinese Africa Lekki Investment Limited (CALIL)) and the communities affected by the project. This MoU specifies the compensation scheme agreed upon by all parties for the residents of the area affected by the development. The **Ministry of Commerce and Industry** assesses the benefits of the establishment to the state as well as supervises and monitors the development of the LFZ and its associated projects, including the airport, the seaport, and Lekki Worldwide Investment Limited (LWIL), a private entity, which holds 20 percent interest as a shareholder. The **Ministry of Physical Planning and Urban Development** is given power by the state law to oversee any development within the state. They have been conceiving the master plan for the LFZ and add it to the developmental plans of the state, so as to promote a form of harmony and integration. Since the LFZ is a big development and a federal establishment, the influence and power of this ministry is limited. The **Ministry of Justice** at both levels of government will also be involved as the various legislations are being backed legally. The Lagos State government holds 20 percent interest as a shareholder by virtue of land provision for the development of the LFZ.

- **China-Africa Lekki Investment Limited (CALIL)**

This Chinese consortium is one of the major shareholders. CALIL in collaboration with LWIL and the Lagos State government established the Lekki Free Zone Development Corporation (LFTDC). Since China is considered as one of Nigeria’s closest allies, the participation of CALIL as an important stakeholder of the project was supposed to further strengthen these ties. CALIL is in charge of the development and construction of the north-west quadrant (phase 3) of the LFZ.

Table 4.23

**Lagos State ministries and their role in the LFZ project**

Ministry	Role	Representing boards
<ul style="list-style-type: none"> <li>• Ministry of Commerce and Industry</li> </ul>	<ul style="list-style-type: none"> <li>• Source for investors and investments for the zone, both directly and indirectly</li> </ul>	<ul style="list-style-type: none"> <li>• LWIL (for the ministry and the Lagos State government as a whole)</li> </ul>
<ul style="list-style-type: none"> <li>• Ministry of Physical Planning and Urban Development</li> </ul>	<ul style="list-style-type: none"> <li>• Engages in monitoring and development of the LFZ in compliance with available plans</li> </ul>	<ul style="list-style-type: none"> <li>• None</li> </ul>
<ul style="list-style-type: none"> <li>• Ministry of Lands</li> </ul>	<ul style="list-style-type: none"> <li>• Provided land through the Lagos State government for the development of the LFZ</li> </ul>	<ul style="list-style-type: none"> <li>• None</li> </ul>

(Source: Mega Project Research Group, Heinrich Böll Stiftung, 2015)

- **Lekki Worldwide Investment Limited (LWIL)**

Lekki Worldwide Investments Limited is a public enterprise, setup by the Lagos State government, privately driven and attracting private placements to facilitate the development of the LFZ. It is a so-called special purpose vehicle, a legal entity created for one very limited, particular task.

- **Lekki Free Zone Development Corporation (LFZDC)**

The LFZDC is a combination of LWIL, CALI as well as the inclusion of the community leaders. Regulations and land policy adopted from the NEPZA act empower the LFZDC as the body in charge of granting permits and terms of lease. In order to grant permits, the 2010 Urban and Regional Planning and Development Law needs to be adopted; the LFZDC carries out the application process for investors and is in charge for the development of the south-west quadrant (phase 1) of LFZ.

- **Social and Economic Rights Action Centre (SERAC)**

This is an organisation involved in human rights advocacy. SERAC works with and within local groups and communities to educate and mobilize them to become pro-active in the defence and advancement of their rights. It strives to build and sustain neighbourhood consciousness within endangered communities and establish rapid response systems to threats or violation of their rights. SERAC brokered an agreement between the LFZ communities and the Lagos State government. This process afforded the

affected local communities an opportunity to negotiate the terms of a landmark memorandum of understanding. It was signed on Tuesday, March 27, 2007 between Lagos State government, Ibeju Lekki Local Government Council, Lekki Worldwide Investment Limited (LWIL), and the accredited representatives of villages and communities affected by the LFZ project.

### **Investors**

They are private organisations who allocated capital to the development of various parts of the LFZ with the expectation of a future financial return. They include Dangote Group, Puma Energy, and Renaissance.

- **Dangote group**

This group is in charge of the construction of the refineries at the south-east quadrant (phase 2) of the LFZ.

- **Puma energy free zone-enterprise**

The enterprise is investing in oil and gas terminal repository construction.

- **China railway construction corporation**

The corporation is in charge of the construction of the proposed light rail and also construction of a 12 MW independent power plant in LFZ, which is again a joint partnership with Lagos State government. China Railway Corporation plays a double role, as a contractor and also a shareholder in the CALI consortium making it an investor.

- **Lekki Free Trade Zone Company**

This company is fully owned by Tolaram group (Singapore) and sponsors the construction of the Lekki deep sea port.

- **Lekki Port LFTZ Enterprises (LPLE)**

LPLE is another special purpose vehicle that was awarded the concession agreement for the development and operations of the Lekki deep sea port by the Nigerian ports authority. LPLE is required to develop, build and operate a commercial user, multi-purpose port under the concession and has the ability to sub-concession terminal operations to other companies.

- **Nigeria National Petroleum Corporation**

This corporation is in charge of supervising and laying of some of the pipes that will bring natural gas to the free zone.

Road construction is being done by the various developers of each quadrant in conjunction with the Lagos State government.

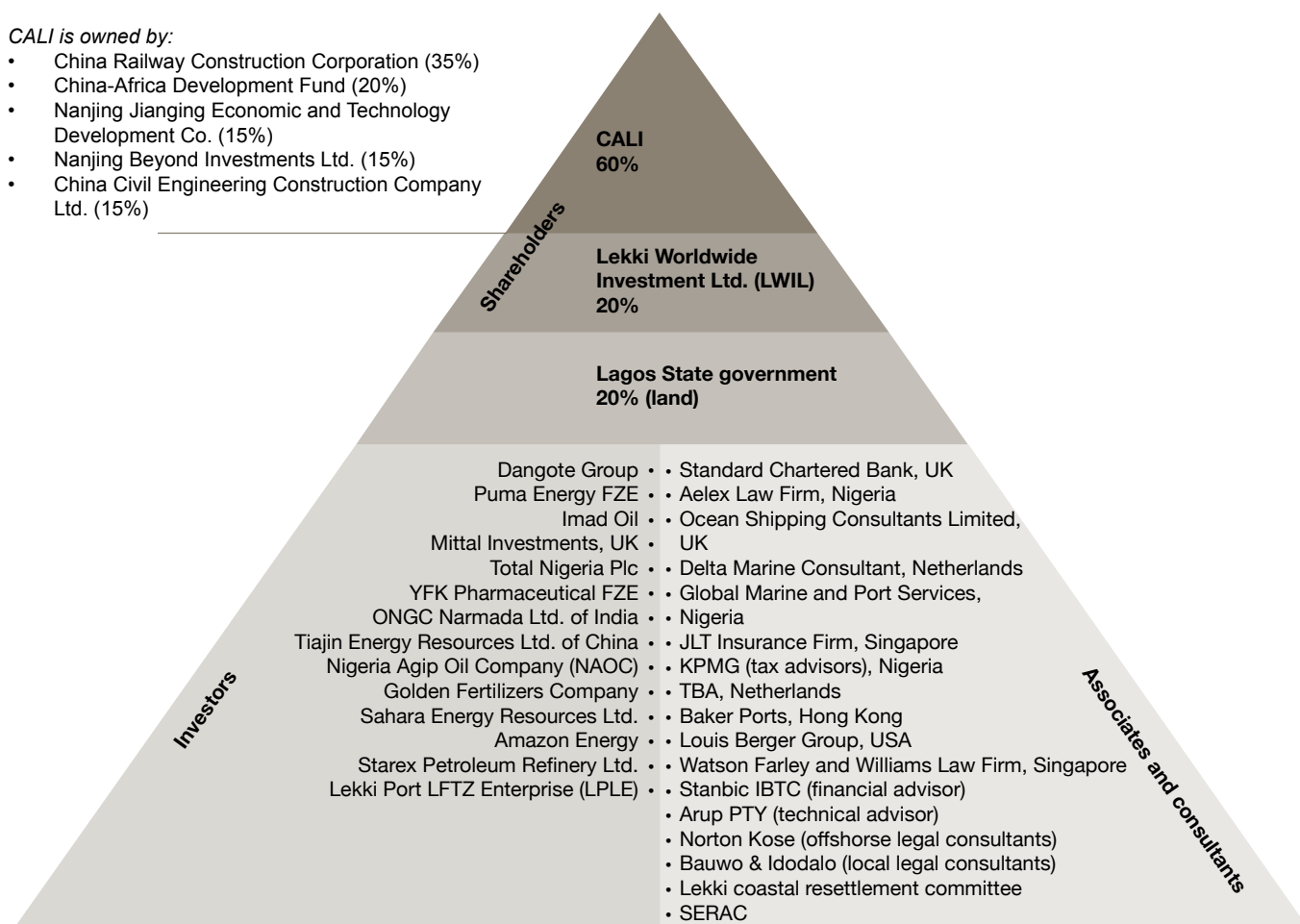
The fourth quadrant which will have tourism offices, hotels, high and low density resi-

Table 4.24

**Shareholders, investors and consultants of the LFZ**

CALI is owned by:

- China Railway Construction Corporation (35%)
- China-Africa Development Fund (20%)
- Nanjing Jianging Economic and Technology Development Co. (15%)
- Nanjing Beyond Investments Ltd. (15%)
- China Civil Engineering Construction Company Ltd. (15%)



(Source: Mega Project Research Group, Heinrich Böll Stiftung, 2015)

dential areas, is yet to have any developer or investor, as such the quadrant is not yet under construction.

**Review of government statements and press articles**

The expected impact of the LFZ has been described in superlatives only. The federal minister of trade and investment, Olusegun Aganga noted during the LFZ Investment Forum and the opening of the Eko Expo 2012 in Lagos that the LFZ had all the features to make it one of the most successful Free Trade Zones in Africa, as Omoh Gabriel wrote in a Vanguard article on August 6, 2012.<sup>7</sup> According to Aganga, the expected investments coming to the zones would create jobs for Nigerians and the contribution of the LFZ would add to the development of the Nigerian economy: “Globally, Free Trade Zones are known to have one of the largest job creation capacities. Record has shown that for every job created in Free Trade Zones, two additional jobs are created through a multiplier process.” The same author noted in another Vanguard newspaper article published on August 12, 2012 that the LFZ has attracted 1.1 billion \$ (170.5 billion NGN)

7 accessed on January 15, 2015, <http://www.vanguardngr.com/2012/08/lekki-free-trade-zone-attracts-n170bn-investment/#sthash.MrdDwzES.dpuf>

investment commitment from 48 investors.<sup>8</sup>

### **Controversies regarding Dangote's role**

According to a Daily Independent Newspaper article on February 10, 2014, the former Governor of Lagos State, Fashola introduced the president of the Dangote Group to the LFZ in the quest to speed up development through the establishing of Dangote Refineries and Petrochemical Company in the LFZ master plan phase 2, the south-east quadrant. Fashola expressed in that article that the people of the community have given their support for the project.<sup>9</sup> Dangote initially settled for Ondo state but the Olokola and Igbakoda communities became unreasonable in their demands. Dangote has an agreement with the government to go into partnership with a consortium of foreign banks to build a refinery that will take off in 2016, as Seun Adebola wrote on June 1, 2015 in his blog, the Trace News Magazine.<sup>10</sup> Expressing confidence that the zone holds enormous economic benefits for Lagos State and the country, Dangote was quoted in the mentioned article by the Daily Independent that “there is no way we can put down over 9 billion \$ of our money here without making sure that the zone is going to work”, adding that his group was going to work at a very high speed. Dangote had earlier said the hosting communities stand to benefit enormously as over 8,000 engineers would be trained while jobs would be created for youths of the communities. According to the article, the commissioner for commerce and industry, Sola Oworu, added that establishing a refinery in the zone has opened up enormous economic opportunities not only for Lagos but for Nigeria. She added that only about 35% of the goods to be produced in the zone would be consumed in Lagos while the rest would be exported.

The former Governor Fashola was quoted on the Lagos State government website as well on February 10, 2014 that the “master plan is being realized, investors are trouping in. Tank farms and major refineries are springing up to service the demands of the country and make room for export. The refineries create a major selling point and release of the opportunities that lie ahead in this zone, create opportunities for the local people and the potentials for Lagos and the Nigerian economy”.<sup>11</sup>

8 accessed January 15, 2015, <http://www.vanguardngr.com/2012/08/lekki-free-trade-zone-at-tracts-n170bn-investment/#sthash.MrdDwzES.dpuf>.

9 accessed on January 15, 2015, <http://dailyindependentnig.com/2014/02/fashola-introduces-dangote-refineries-to-lekki-free-trade-zone/>

10 accessed January 15, 2015, <https://thetracenewsmagazine.wordpress.com/2015/06/>

11 accessed January 15, 2015, <http://www.lagosstate.gov.ng/news2.php?k=3260>

## ENVIRONMENTAL AND SOCIO-ECONOMIC IMPACT ASSESSMENT

The environmental and social impacts are consequences that are caused or likely to be caused by the LFZ project on the environment and the society.

### Environmental impacts

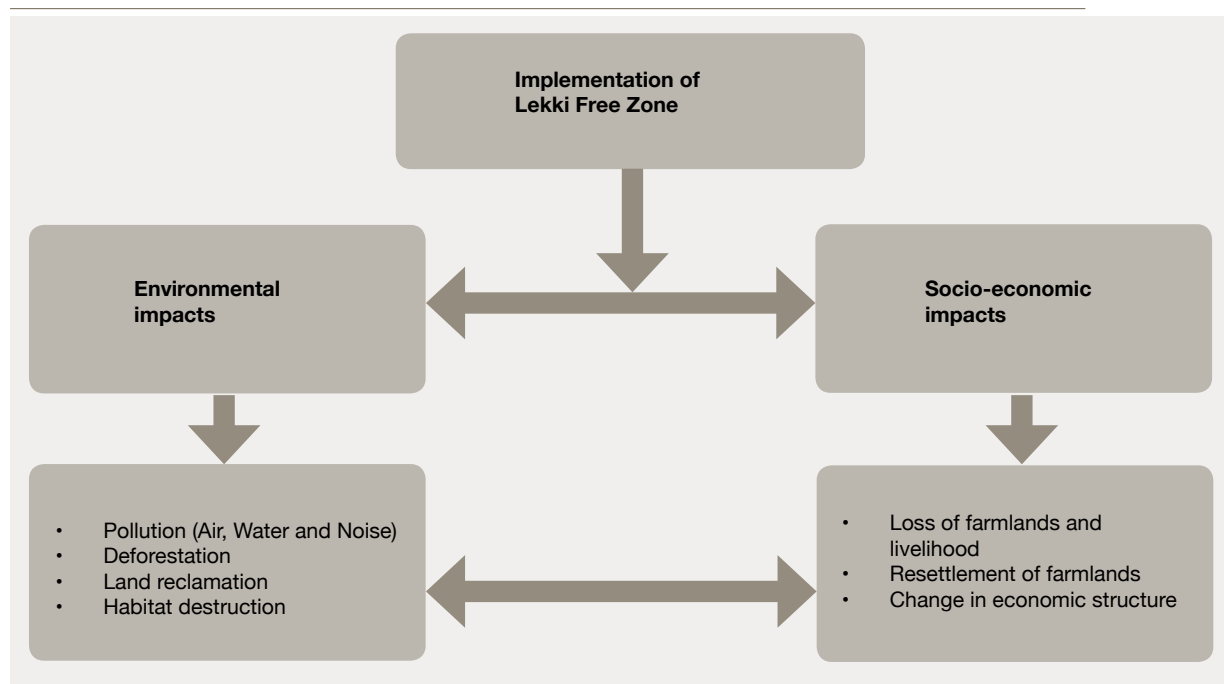
- **Pollution:** This has to do with the introduction of harmful and toxic substances into the environment through air, water and land. The development of the project will generate noise, air and water pollution due to the industrial activities proposed in the zone and the close proximity to Lagos lagoon and Atlantic Ocean.
- **Deforestation and loss of land vegetation:** Deforestation or the clearance of vegetation in general has been identified as another environmental concern in the study area. The land area allocated for the LFZ was initially filled with thick growth of trees and bushes, but in order to start construction, these trees were cut which led to deforestation.
- **Land reclamation:** This is the long term effect of the project. The development led to sand filling of parts of the Lagos lagoon, this act might lead to flooding whereby the land reclaims its nature.

### Socio-economic impacts

- **Loss of farmlands:** The land used for the project was initially used for farming by

Figure 4.25

### Environmental and socio-economic impacts



(Source: Mega Project Research Group, Heinrich Böll Stiftung, 2015)

members of the various communities and Lagos State government override their (the communities) interests by acquiring their farmlands thereby depriving them of their means of livelihood.

- **Resettlement of farmlands:** The EIA Act Decree No. 82 of 1992 and Land Use Act of 1978 suggest that there is need for compensation in a situation whereby land or other properties are being acquired. The communities affected were compensated with alternate farmlands but they are still not satisfied due to several controversies attached to the new site like encroachment on other farms, too far from their residences unlike their former farmlands, the new and extending land into the Atlantic Ocean, and inaccessible farmlands.
- **Change in economic structure:** The loss of farmlands as indicated earlier led to most of the farmers migrating to other regions where farmland was accessible. Some also had to learn a different trade such as trading or fishing. From the unsatisfactory and inadequate compensation, it is evident that the project has the capacity to change the economic status of affected communities in a negative way.

### **Environmental Impact Assessment (EIA)**

Large-scale developmental projects like LFZ happen with an enormous speed and reach a giant scale of impact on human beings, animals, the environment, but also economic and cultural values. This raises the need for policy choices and instruments that would ensure they are socially, economically and environmentally sustainable.

### **EIA in Nigeria**

The efficiency and effectiveness of the EIA as a regulatory tool is often restricted by the quality of governance in Nigeria as a developing country. Project proponents view the EIA process as part of the requirements for a licence to operate rather than as a decision-making mechanism. The application of EIA in practice remains at variance with the requirements and intention of EIA legislation.

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Picture 4.26

### **Community around the Lekki Free Zone**

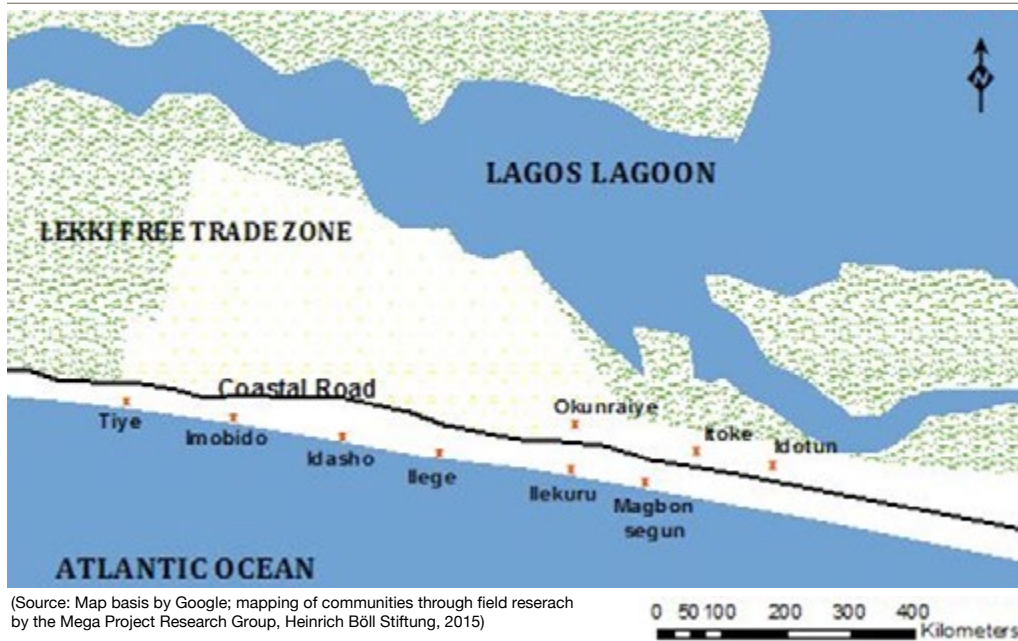
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(Source: Fabienne Hoelzel, February 2015)



### Communities living in the catchment area of the Lekki Free Zone



#### Application of the EIA law in Lagos

In line with global practices, urban development should be guided by a planning and management vision that promotes and considers sustainability. It requires the joint efforts between all stakeholders at the government, individual and organisational levels. The general principle of development is that it should consider impact on all areas of the society whether economical, social and environmental. Thus saying, this places an obligation on individuals, private or public organisation to prepare an EIA for project development before the projects are commenced.<sup>1</sup> In Lagos State, the majority of the urban residents live and work along the coastal areas. More so, most of the developments in the state are concentrated along the same coast lines thereby creating additional pressures to the coastal areas and increasing their vulnerability to storm surges and sea level rise. However, report of studies shows that most of these projects such as the Eko Atlantic City project, the proposed LFZ amongst others are in breach of the provisions of the EIA Regulations. For instance, reports indicate that Lagos State government commenced dredging activities in respect of the Eko Atlantic City project in 2009, while the EIA report was completed in April 2011. This was in clear contravention of the EIA Act, the Urban and Regional Planning (URP) Act, Laws of the Federal Republic of Nigeria (LFN) 1990 and even the Lagos State Urban and Regional Planning Board Law of Lagos State (LLS), 2010 which provide that the EIA must be carried out before embarking on any developmental project. Thus, the government's failure to carry out an EIA prior to the commencement of dredging activities has defeated the purpose for the EIA because there was no collection of credible baseline data against which to benchmark the findings of the EIA.<sup>2</sup> This misnomer is associated with the exclusion clause in the Act which appears to allow proponents to execute certain government projects without being subject to the EIA process. The combined effect of the

1 Section 3 of the EIA Act

2 see section 4 EIA Act

above is that the Eko Atlantic City project has not fulfilled the requirement of the law as a category 1 project under the EIA Act, requiring full and Mandatory EIA.<sup>3</sup>

### **Provisions requiring the EIA for urban development**

The EIA act expressly provides for an EIA before the commencement of any project whether by an individual, organisation, private or public institution<sup>4</sup> while, section 4 of the EIA act, provides for the minimum contents of an EIA.<sup>5</sup> The Urban and Regional Planning (URP) Act, 1992 spells out the three levels at which physical development plans can be made, these are at the federal, state and local government levels. Each level of planning carries the identification, “the commission”, “the board”, and the “authority” respectively.

The URP act makes it mandatory for each local government council to have a planning authority, whose duties, among others, is to prepare and implement:

- A town plan;
- A rural area plan;
- A local plan;
- A subject plan and;
- The control of development within their area of jurisdiction other than over federal and the state governments’ land.<sup>6</sup>

It also stipulates that development control is an integral part of the master plan. In recognition of this, the URP act provides for the establishment of a development control department<sup>7</sup> charged responsibility for matters relating to development control and implementation of physical development plans<sup>8</sup> delineating control to the federal, state, and local government in respect of lands within their respective jurisdiction.<sup>9</sup> Under part 2 of the URP Act, sections, 28, 29 and 30 made it clear that approval should be sought before any development commences. Importantly, section 33 indicates that a developer must submit an environmental impact statement before the commencement of any project. In the same vein, section 31 (1) of the Lagos State urban and regional planning board (LSURPB) law also provides that any application for development under the law must comply with all the requirements, regulations and standards of the operative comprehensive development plans where they apply. This means that where any regulation requires an environmental impact assessment, then the developer must comply with this requirement. This is further emphasized in section 38 of the LSURPB law.

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3 Section 14 of the EIA Act

4 Section 2 of the EIA

5 Section 4 of the EIA Act

6 Part 1 Section 4 of the URP Act

7 Section 27

8 Section 27 subsection 2

9 Section 27 subsections 3, 4 and 5

## SUMMARY OF FINDINGS

The communities originally occupied the farmland, almost 5,000 hectares. The portions of farmland belonged to the following communities:

- Tiye;
- Imobido;
- Idasho;
- Ilege;
- Bekuru;
- Magbon Segun;
- Okunraiye;
- Itoke and;
- Idotun.

The research group was told that farmlands were scattered irrespective of the community and not a continuous area of land. The compensation paid for the crops in 2007 ranged from 20,000 to 100,000 NGN based on the units of crops available on the farm. The research group was unable to find out how the crops were valued.

By their own account, the intentions of the Lagos State government in improving and sustaining the living condition of the communities include the provision of alternative locations for farming, the provision of jobs within the zone, youth and woman empowerment through skills acquisition and the provision of basic physical and social infrastructures, e.g. schools, portable water supply and health facilities. The state government is yet to fulfil these pledges.

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Picture 4.28

### Meeting with one of the affected communities

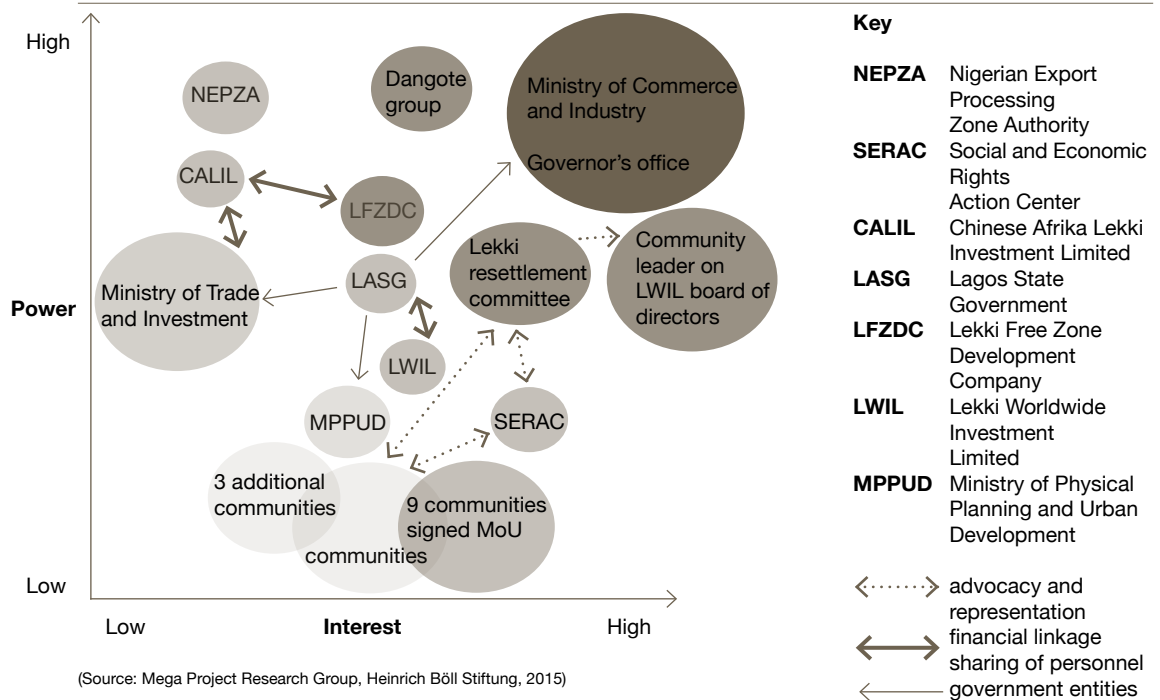
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(Source: Fabienne Hoelzel, February 2015)

Figure 4.29

**Mapping of power and influence of the involved parties**



(Source: Mega Project Research Group, Heinrich Böll Stiftung, 2015)

**Loss of influence**

The influence of the Lagos State government was heavily felt at the conceptualization and the initiation stage of the LFZ. As the project progresses the power or influence seems to have shifted to the Lekki Free Zone Development Company despite of the fact that the state has high interest in the development of the project. It is declared as a tool or vehicle of industrial development which will add to the GDP of the state and the country as well also pave way for more job opportunities.

The findings showed that the role of the government was felt at the early stage of the project during the search for a suitable location. 273.13 hectares in Otto Awori Jobiti was earmarked for the free zone but was later moved to another area in Ibeju Lekki in order to increase the land area to 5,104 ha. In 2005 the Lekki Free Zone implementation committee recommended the acquisition of 7,540 ha in the Lekki area, marked as parcel A. 8,500 ha, known as Parcel B, should be acquired in the Epe axis north of parcel A – hence the present location of the LFZ.

**Incoherent resettlement and compensation procedure**

It was also discovered that at the initial stage of the project, nine communities – Tiye, Idasho, Idotun, Ilege, Imobido, Magbon Segun, Ilekuru, Okunraiye and Itoke – signed a memorandum of understanding (MoU) in 2007 and were compensated by getting the payment of the crops on their farm in the same year. In 2009, a certificate of occupancy for the new land was granted to the affected parties but it was discovered that the parcel of land

was encroaching on another communities' properties. This made three other communities – Olomowewe, Alasia and Okesegun – to join the affected parties. Although the shareholders of the LFZ project have not yet honored all the agreements on the MoU, they have been able to set up a resettlement committee – comprised of Lagos State government, Ibeju-Lekki LG, LWIL, and the affected communities – and appointed a community leader to the board of directors of the LWIL to represent the interests of the affected communities.

### **Inaccessible or not existing EIA report**

Even though the existence of an EIA report for the LFZ was claimed to have been done, it was not made available throughout the research of this report. Also, the community heads have not seen the EIA report. Upon asking the LFZDC to make it accessible, they were told to get a copy from the local government. Getting to the local government they were told that LFZDC has not submitted any EIA report to them.

### **Managing director of LFZ killed**

On 12 October 2015, Alhaji Tajudeen Disu, the managing director of the LWIL was shot dead, as Taro Adokiye wrote in the online magazine Nigeria Daily News on October 12, 2015.<sup>1</sup> The immediate news reports sought the guilty party within the villagers that lost their land, citing government sources.<sup>2</sup>

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1 accessed January 15, 2016, <http://www.nigeriadailynews.com/news/210015-land-tussle-lekki-free-trade-zone-md-tajudeen-disu-is-dead.html>.

2 see for instance an article by Ikenna Asomba in the Vanguard on October 12, 2015, accessed January 15, 2016, <http://www.vanguardngr.com/2015/10/tragedy-in-lagos-as-unknown-gunmen-kill-lekki-free-trade-zone-md>.



## CONCLUSION

“When we import goods, we export jobs:” In order to revert this mechanism, according to the former Governor Fashola the idea of the LFZ is to keep jobs in Nigeria.<sup>1</sup> For this, the Lagos State government provided some 16,500 hectares of land (four times the size of Manhattan, NY) and a Chinese consortium provides the construction.<sup>2</sup>

### Ambiguity of China’s role in Nigeria

Last year, \$9.2 billion of Chinese goods were shipped from China to Nigeria and trade between both countries lately hit \$13 billion. In 2012, Chinese investment in Nigeria was \$15.6 billion (the highest in sub-Saharan Africa), according to the Heritage Foundation, a Washington-based think-tank. These investments, most of them contracts, were in the technology, transport, real estate and energy sectors. 53% were energy related investments and contracts. The LFZ is one of eight Chinese special economic zones (SEZ) approved by the Chinese Ministry of Commerce in 2006. China’s motives seem to be clear: It is to increase Chinese multinational companies’ Nigerian market share; to expand the Nigerian market for Chinese manufactured goods; to increase China’s presence in Nigeria’s oil and gas sector; and to leverage its investment in Nigeria as a gateway for entering the ECOW-AS market. China strives to secure themselves strategic shares in Africa’s natural resources. The reliability of China and the longterm outcome for Nigeria are difficult to predict. Reflecting the fact that the large majority of the investors and sponsors of the LFZ project are Chinese leads to the sober finding that Lagos has outsourced the development of some of the largest projects to China. Even the applied planning instruments were imported from China, despite of that fact that Lagos State possesses their own instruments that could have been developed further, if necessary. As it becomes obvious, Chinese investors are interested in the economic benefit and can hardly be hold accountable for any social or environmental negative impact their projects may cause.

Another impression of such Chinese engagement in Africa<sup>3 4 5 6</sup> is that they tend not to employ locals but prefer to bring their own. According to Léonce Ndikumana, professor of economics at the university of Massachusetts Amherst, if looking at the gains of China-Africa relations in terms of employment creation, very little is coming to Africa.<sup>7</sup> So

1 “BBC Africa Business Report’ Lekki Free Trade Zone.”, accessed February 2, 2016, [https://www.youtube.com/watch?v=MV1V\\_E9yiE4](https://www.youtube.com/watch?v=MV1V_E9yiE4).

2 *ibid.*

3 Naiwu Osahon, “China Is Africa’s Worst Enemy In The World Right Now”, Modern Ghana, accessed February 2, 2016, <http://www.modernghana.com/news/449082/1/china-is-africas-worst-enemy-in-the-world-right-no.html>.

4 Barry Sautman and Yan Hairong, “Myths about employment in Africa should be dismissed,” accessed February 2, 2016, <http://www.globaltimes.cn/content/929299.shtml>.

5 Léonce Ndikumana, “China invests in building Africa’s infrastructure, but fails to employ local labor. The Rise of Chinese Influence in Africa,” accessed February 2, 2016, [http://therealnews.com/t2/index.php?option=com\\_content&task=view&id=31&Itemid=74&jumival=10535](http://therealnews.com/t2/index.php?option=com_content&task=view&id=31&Itemid=74&jumival=10535).

6 Ian Taylor, “Sino-Nigerian Relations: FTZs, Textiles and Oil,” accessed February 2, 2016, [http://www.jamestown.org/programs/chinabrief/single/?tx\\_ttnews%5Btt\\_news%5D=4197&tx\\_ttnews%5BbackPid%5D#.VIN0SK4rLdQ](http://www.jamestown.org/programs/chinabrief/single/?tx_ttnews%5Btt_news%5D=4197&tx_ttnews%5BbackPid%5D#.VIN0SK4rLdQ)

7 Ndikumana, *ibid.*

why do African governments still prefer the Chinese as partners? Ndikumana suggests that for China, business is business – they would make their investment but not care about other conditions such as governance, democracy and so on. Others, perhaps more cynically, suggest that African governments prefer the Chinese because “(...) they do not only bid cheap, they cut the government agents in big.”<sup>8</sup>

### **Lack of skills, jobs and income for the masses**

Currently, Lagos accounts for about 10% of Nigeria’s population which is in excess of 170 million people. Although there is no lack in numbers, there is a definite shortfall with regards to skill levels, and the availability of skilled personnel is important to the expansion of manufacturing. Labour productivity in Lagos manufacturing would benefit from large-scale investment in skills training to enhance managerial roles in industry and build the productivity of machinists, maintenance engineers, welders and other industrial workers.

If job creation and investment promotion are the core motivation for establishing free trade zones like Lekki, it is unclear whether or not and in what time frame these would result having waived taxes, levies, exchange controls, customs duties, rules and other opportunities to raise government revenue. The conceiving and the process to which the LFZ started had all the written intent of how the zone would be most beneficial to the communities and its immediate environs. What appears more certain is that attempts would continue to be made to dispossess host communities of their lands and deals (whose terms are unknown) will further be struck in order to try to increase uptake of the idea. The adjacent communities are the least benefitting from such a mega project. There has been no sign that shows the improvement of the living condition of the affected communities but rather it has deprived them of their means of livelihood.

### **High promises of innovation**

Activities within the zone is currently limited to a few light industries. It’s to be assumed that this has been the reason why, in the short term perspective, the state has felt little impact on its economy or welfare from LFZ. The development of the zone is at a slow pace due to the massive investment needed to accelerate the remaining phases of the project.

One of the pledges made by Lagos State government during the planning process of LFZ was the implementation of an “innovation zone.” Judging from the main activities and investments that are currently being implemented, there is not of much innovation recognizable. Rather, it’s a continuation of traditional business segments such as gas and oil through established business people like Dangote.

Dangote Refineries and Petrochemical Company has been positioned as some sort of anchor company<sup>9</sup> in order to give confidence to both local host communities (to encourage

8 Osahon, *ibid.*

9 First mover whose prestige and name recognition would attract other investors: the anchor is usually given a very sweet deal no one else can expect to get.



them to let go of their lands) and international investors (to encourage them to let go of their dollars) having announced an investment of some US\$ 9 billion.<sup>10</sup> Dangote suggests his construction work would employ some 8,000 engineers though it was not clear how many of these would be Nigerian. The commencement of construction by Dangote appears to have done the trick according to the management of the LFZ. The process of taking possession of lands promised by Lagos State from host communities for Dangote, precipitated a standoff and clashes with the police, which eventually led to the death on site, of the managing director of the FTZ.

### **Centralised and top-down**

Unfortunately, the vision described in the Lagos State Development Plan 2012-2025 (LSDP) is yet to be well articulated. It is inadequately shared among stakeholders, the policy makers, local government administrations, professionals and most importantly, the residents. The vision of future Lagos is still determined among selected individuals at the political level and planning processes happen secretly. As the analysis has shown, the planning procedures suffer from serious democratic shortcomings. Against this backdrop, the development will happen too slowly compared to the needs of the ever-growing metropolis. As long as broad segments of society remain excluded from participation and planning processes are steered centrally by and through Lagos State government, social and economic development will hardly be satisfying. The goals, formulated in the LSDP – people and poverty alleviation, functionality and productivity, democracy and governance, safety and security, transformation, national growth and global influence – will remain empty shells.

### **EIA: Poor accountability**

The governance structures in Nigeria often interfere and influence the effectiveness of EIA process in Nigeria. For instance, the act's exclusion clause allows proponents to execute certain government projects without being subject to the EIA process. Furthermore, overlapping responsibilities amongst environmental agencies, insufficient inter-agency coordination as well as a lack of transparency greatly diminish the credibility of the entire EIA system and thereby hamper the effectiveness of EIA implementation as a result of existing weak governance structures. Generally, these comprise the challenges associated with the implementation of the EIA in Nigeria. This has had a trickle-down effect on the implementation of the EIA process particularly for Lagos State with the state's aspiration to acquire a mega city status come 2020.

Recognising this fact, it is therefore – again – the recommendation of this chapter that public participation should be intensified. There should be a clear delineation of the roles and responsibilities of the different authorities responsible for ensuring compliance with EIA. The provisions of the EIA act which is a federal legislation should be seen as overriding any other legislation. There is also the need to reform the urban and regional planning act,

<sup>10</sup> "Dangote Invests \$9 bn in Lekki Free Trade Zone.," This Day Live, accessed February 2, 2016, <http://www.thisdaylive.com/articles/dangote-invests-9-bn-in-lekki-free-trade-zone/171054/>.

1992 whose provisions on requirement for EIA appear to have been usurped by the provisions of the Lagos State urban and regional planning law. Along this line, people should be more educated and enlightened on the use of laws in regulating, guiding and directing development generally whether urban or rural.

**Onesided perspective on economic benefits**

It is also the submission of this chapter that government at all levels in Nigeria should be proactive in not preferring financial and economic benefits over environmental concerns. Healthy people and an intact environment may just be the best investment for the future. In addition to ports and airlines, local private businesses the Lagos State government need to focus on the priority sectors that develop skills and transfer technology and the benefits of foreign investment, from China and elsewhere. These will help diversify the economy, create jobs, reduce poverty and spur economic development.

## Local researchers:



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# GOVERNING LAGOS IN THE URBAN CENTURY: THE NEED FOR A PARADIGM SHIFT CONCLUSION AND OUTLOOK

**Taibat Lawanson**

Despite the status of Lagos as Nigeria's largest city and commercial hub<sup>1</sup>, more than half of her residents currently survive below the poverty line of \$1.25 per day, and almost 75% of the working population are involved in the informal economy.<sup>2</sup> The Lagos State government's mission to make Lagos "Africa's model megacity and global economic and financial hub"<sup>3</sup> has resulted in various projects aimed at overhauling the city infrastructure and attracting foreign direct investments.<sup>4</sup> However, these projects have achieved varying degrees of success, with unfettered global market forces exerting increased downward pressure on the most vulnerable. Oftentimes, in implementing the grand development plans, planning protocols are employed as have been witnessed in cases of market demolitions, forced evictions and displacement of citizens.<sup>5</sup> This has resulted in recurrent tensions and a wide disconnect between the developmental policy thrust and the pursuit of survival of the population, a situation emblematic of African urbanism.<sup>6</sup>

## **Informality is not illegality**

Advancing an elitist model of development, the Lagos State government, as with many other African urban policy makers promote economic dualism and assume an autonomous relationship between the formal and informal sectors. Hence, rather than recognising and promoting the inherent potentials of the sector, the informal sector is seen as an economic parasite which should be stifled to engender development.<sup>7</sup> About 70% of Lagos residents lack access to adequate housing<sup>8</sup>, and are constrained to the over 100 informal settlements across the city.<sup>9</sup> According to Davis, Lagos is the biggest node in the shantytown corridor

- 1 National Bureau of Statistics (Nigeria), "National Poverty Profile 2010," accessed April 24, 2013, <http://www.nigerianstat.gov.ng>. // UN-Habitat, *State of the World's Cities 2010/2011. Bridging The Urban Divide* (2011; Nairobi: United Nations).
- 2 National Bureau of Statistics, "National Unemployment Report 2011," retrieved April 24, 2013, <http://www.nbs.org>. // UN-Habitat, *World Urbanization Prospects* (2012; Nairobi: United Nations).
- 3 Lagos State government, "The Lagos Policy Review" (2012; Lagos State Ministry of Economic Planning and Budget).
- 4 Taibat Lawanson, "Potentials Of The Urban Poor in Shaping a Sustainable Lagos Megacity," *Untamed Urbanisms. Routledge Advances in Regional Economics, Science and Policy Series*, eds. A Allen, A Lampis, and M Swilling (108-118) (2015)
- 5 Amnesty International, *If You Love Your Life, Move Out! Nigeria: Forced Eviction In Badia East, Lagos State*. (August 2013) (Index: AfR 44/06/2013) // L Oduwaye, "Globalization and Urban Land Use Planning: The Case of Lagos, Nigeria," paper presented at the CORP 2013 // World Bank, *Project Appraisal Document. Third National Urban Water Sector Reform Project* (2014; Washington: World Bank).
- 6 Gordon McGranahan and David Satterthwaite, "Urbanisation concepts and trends," *IIED Working Paper*, accessed July 1, 2014, <http://pubs.iied.org/10709IIED> // Vanessa Watson, "African Urban Fantasies: dreams or nightmares. Environment and Urbanisation" (2014) 26(1), 213-229.
- 7 Klarita Gërkhani, "The Informal Sector in Developed and Less Developed Countries: A Literature Survey Discussion," paper TI-1999-083/2, University of Amsterdam (2003).
- 8 Lagos State government, *Lagos State Development Plan: 2012-2025* (2013; Lagos State Ministry of Economic Planning & Budget).
- 9 Matthew Gandy, "Water, Sanitation, and the Modern City: Colonial and post-colonial experiences in Lagos and Mumbai," *Human Development Report Office Occasional Paper* (2006). // Nubi and Omirin, "Urban Violence, Land Rights and the Environment" (paper presented at the International Conference on Environmental Economics and Conflict Resolution 2005, University of Lagos). // Lagos State government 2013, *ibid*.

of 70 million people that stretches from Abidjan to Ibadan.<sup>10</sup> The proliferation of informal settlements are largely reflective of a colonial legacy which bequeathed segregated cities with the aid of urban planning instruments. The Nigerian Town and Country Planning Ordinance No 4 of 1946 similar to the 1936 British Town and Country Planning Law, instituted planned government reservation areas for the elite and colonial authorities, growing alongside unplanned informal settlements. This situation continues till present day.<sup>11</sup> Informality is also prevalent in the waste management sector where the activities of waste pickers and itinerant push-cart operators are dominant. However, with a penchant for centralised development and a governance approach based on a business case model that emphasizes technocratic expertise, private sector participation and large public infrastructure investments<sup>12</sup>, the state owned Lagos Waste Management Authority operates through licensed private sector agents, while prohibiting the activities of the hitherto dominant itinerant cart pushers.<sup>13</sup> By rendering the operations of informal waste management actors' illegal, rather than integrating them fully into ongoing reforms, the state government has once again reinforced the typical African government posture of continually strengthening policies that restrict the access of the poor to informal enterprises.<sup>14</sup> The body language of the public authorities identifies the urban poor as undesirable in the modern Lagos metropolis being created, thus the poor often interact directly with the state's economic development policies through the tool kit of regulation and legislative domination, in the guise of imposing order and exerting development control. For instance, the implementation of the Lagos Traffic policy has seen to the proscription of commercial motorcycle and tricycle operators on major routes, thereby jeopardising the livelihoods of many informal workers and their households. Furthermore, the state traffic police are empowered to enforce draconian laws against informal workers (street traders) and other road users.<sup>15</sup> These include the imposition of high fines for the slightest infractions, forfeiture of vehicles to the state and in some cases, offenders are made to face psychological evaluation and jail terms.<sup>16</sup>

### Unwieldy bureaucracy as an albatross

The operational capacity of agencies and parastatals charged with the implementation of the megacity vision is a major issue in Lagos today. Rather than charting an integrated development paradigm that allows for all service sectors to feed into one central governing philosophy, there are many agencies and parastatals, carrying out similar functions, without recourse to one another. As such, these agencies generate and rely on variant data sets to make projections and develop policies, resulting in overlap of functions, conflicting implementation strategies and lack of definition and organisation in the delivery of services.

10 Mike Davis, "Slum like it not: in the world's slums, the worst of poverty and environmental degradation collide," retrieved December 14, 2007, <http://www.oriononline.com>.

11 Akin Mabogunje, "Perspective on Urban Land and Urban Management Policies in Sub-Saharan Africa," (1992; Washington D.C.: The World Bank) // Taibat Lawanson and Leke Oduwaye, "Rethinking Urbanization in Nigeria: the role of Planning Education and Practice" (presentation at All Schools Congress of Association of African Planning Schools, University of Cape Town, November 2014).

12 Diane de Gramont, "Governing Lagos: Unlocking the politics of reform. Carnegie Endowment for International Peace" (working paper, January 2015).

13 *ibid.*

14 Andrew Charman, Leif Petersen and Laurence Piper, "Informality disallowed? State restrictions on informal traders and micro-enterprises" (paper presented at the Towards Carnegie 3 Conference, Cape Town, 2012).

15 Lagos State Traffic Management Agency // kick against indiscipline

16 Taibat Lawanson, "Illegal Urban Entrepreneurship? The case of street vendors in Lagos, Nigeria," *Journal of Architecture and Environment* 13(1) (2014): 45-60.

A case in point is that of the moderately unsatisfactory review of the World Bank supported Lagos Metropolitan Development and Governance Project (LMDGP). The project failed primarily due to poor operational procedures by state government agents. There was ineffective community engagement, poor data collection, lack of community participation, and a large gap between the World Bank, LMDGP and Lagos State government projections, expectations and implementation strategies.<sup>17</sup> An overview of the transport sector also reveals the challenges being faced in the implementation of the Lagos State transport policy. The integration of the traffic master plan into mainstream urban planning and administration which is a major objective of the Lagos Integrated Traffic policy is non-existent. Minimal interactions exist between the LAMATA and the twenty-two other government agencies with direct or affiliate influence on the traffic and transportation pattern of Lagos.

### **The mirage of municipal development**

The 1999 constitution makes the provision of basic services the responsibility of both local and state governments, with no clear legal delineation between the relative roles of these two sub-national tiers of government. With state governments exerting fiscal control, most local governments function as mere administrative extensions of the state, a situation which cuts across the entire country.<sup>18</sup> This is the case in Lagos State, as most public services are operated via a highly centralised administrative structure. This is in part due to demands of funding agencies such as the World Bank and Chinese investors who favour privatisation and generic large-scale models that ignore situation specific and needs based approach to urban service provision. As such, rather than empowering the municipalities to provide community level interventions, there are many unserved residents who have no choice but to rely on informal service providers for basic services.

### **From the post-colonial to the neoliberal agenda**

In recent years, the Lagos State government has started to embark upon mega development projects such as the Eko Atlantic City and the Lekki Free Zone. Both are deemed to be solutions to Lagos' ecological fragility and are private sector driven being funded by international investors. However, these projects have enjoyed minimal official regulatory oversight, have their operations shrouded in secrecy, and have resulted in various socio-environmental consequences including loss of bio-diversity, eviction and dislocation of communities, in addition to increasing urban inequality and perpetuating the elitist model of urban development.<sup>19</sup> The Lekki Free Zone is another example of the gradual economic domination of African cities by Chinese influences. Despite substantial equity contribution in the project, the influence of the Lagos State government is minimal at best. This posi-

17 Olamide Udo-Udoma, *World Bank Public Participation Policies and Processes in Relation to the lives of beneficiaries in Slum upgrading projects: Case study Makoko, Lagos, Nigeria* (M. Phil in Urban Infrastructure Design and Management at the University of Cape Town, 2014).

18 Stuti Khemani, "Fiscal Federalism and Service Delivery in Nigeria: The Role of States and Local Governments," prepared for the Nigerian PER Steering Committee, 2001. // Stephen Berrisford, "The challenge of urban planning law reform in Africa," in *Africa's Urban Revolution*, eds. Susan Parnell and Edgar Pieterse (2014; London: Zed Books).

19 Adebayo Akesanju Kester, "Emerging New Cities in Africa and Socio-spatial Inequality: A case study of the Eko Atlantic City Project in Lagos, Nigeria" (MSc diss., University of Amsterdam, 2014). // K. M. van Bentum, "The Lagos Coast – Investigation of the long term morphological impact of the Eko Atlantic City Project" (paper presented at the Jubilee Conference at the University of Twente, 2012, accessed January 21, 2015, <http://proceedings.utwente.nl/199/1/Bentum12lagos.pdf>).



tion is similar to what obtains in the seven other Chinese-African collaboration on special economic zones.<sup>20</sup> The master plan of the Free zone designed by Chinese developers, has been embedded into the Lekki regional master plan with minimal participation of Nigerian professional planners. The free trade zone was designed using Chinese planning standards as contained in the Urban and Rural Planning Law of the People's Republic of China. This is in spite of fact that both federal and state urban planning laws, building codes and development control standards are operational in Nigeria. Furthermore there were clear cases of infringement on the side of the government towards the communities that were displaced on account of the free trade zone. Unfair compensation, forceful evictions and refusal to honour the MoU signed prior to the commencement of the project are cases in point.

### **The need for a paradigm shift**

All the chapters have revealed large gaps between urban policy and urban reality in Lagos. The resultant effects are higher rates of socio-spatial inequalities and increased tensions between the government and her citizens. In essence, Lagos must fashion out a vision, mission and strategic approach that puts Lagosians at the centre of her development policy. The development thrust of the government, manifesting in her regulations, policies and partnerships must be such that translates into improved incomes, quality of life, social structures and environment for her residents. The strategic approach to development must recognise the demographic and cultural realities, and integrate the informal economy into broad based development agenda. Furthermore, the competence of institutional authorities should be improved, extant bureaucratic encumbrances mitigated, and the capacity of local government systems must be strengthened to deliver public services at community level on a needs-based integrated approach.

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20 Hoita Cowaloosur, "The Power of Africa- Africa as a Stronger Actor on the International Stage" (paper presented at The Absentee Landlord: African State in Chinese SEZs in Africa, Paris, May 2-4, 2012).

### **Research consultancy:**



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