

## **DEVELOPMENT CONTROL IN ADAMAWA STATE: PROBLEMS AND PROSPECTS**

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### **ABSTRACT**

This paper examines the problems and prospects of development control in Adamawa State. It looks at the concept, purpose and provisions in the planning law. The problems experienced by Adamawa State in her effort to enforce development control are identified. These includes lack of manpower and technical services, inadequate equipment and vehicles for monitoring development and compliance, daunting lack of land acquisition and certification of occupancy, non-adherence of developers to guidelines, the influence of culture and traditions, the problem of enforcement, politics and planning phenomenon etc.

Guidelines were given on how to minimize these problems. It is hoped that when these guidelines are adopted, development control will play a vital role in the overall orderly development of the state.

**KEYWORDS:** Development, Enforcement, Government, Politics, Planning Law

### **INTRODUCTION**

One of the major urban development problems in Nigeria is ineffective development control enforcement this is due to rapid urbanization taking place in all Nigerian cities which led to urban problems of housing, transportation, drainage, sanitation and general inadequacies of social services. Abin (2014).Nna et-el (2007). Ajayi (2011). Most of the people coming to the urban centers are low income earners or job seekers who settle in any kind of building hoping that one day things will get better.

These have led to the decay of cities and development of slums and shanty settlements at the periphery of cities. This has made local planning authorities not to be able to carry out their functions of controlling development effectively that have resulted to building being constructed without approval layouts.

Illegal structures are spring up arbitrarily, open spaces are disappearing fast and many parts of the Nigerian cities lack access. There is also inadequate supply of sanitary and infrastructure facilities for the large population. This problem has made government to promulgate a law that will ensure that control of development in our towns and cities. But there are problems in the enforcement of development control based on the provision of the law which this paper will identify with particular reference to Adamawa State.

From the foregoing, the paper aims at examining the problems and prospects of development control as it affects Adamawa State. The specific objectives are as follows: a. to examine the concept and purpose of development control, b. to identify the problems and prospects of development control in the State, c. to make suggestions and recommendations towards ameliorating the problems.

## MATERIALS AND METHODS

In carrying out this research, various methods mostly documentary in nature were adopted in order to come up with reliable information on the problems of development control in Adamawa State that can be used by all concerned with development control activities.

Also, first hand field information and assessment of development control situations in Adamawa State was carried out during SIWES field supervision by the researcher using his opportunity as the siwes co-coordinator for the school of environmental sciences. This exercise is quiet revealing as far as development control is concerned. Hence, both primary and secondary data sources were used in carrying out this research.

Primarily, the staff of Adamawa State Urban Planning and Development Authority (ASUPDA) and a host of other agencies, parastatals and ministries too numerous to mention were more than supportive in the provision of documentary evidence. Observation was also carried out at various settlement locations in Jimeta-Yola, Adamawa State. The secondary data were obtained from journals, text-books, write-ups of similar situation in other state of the Nigerian federation.

## THE CONCEPT OF DEVELOPMENT CONTROL

Many scholars have contributed to several ways of defining development control including, Nna- et-al (2014). Aluko (2000). Oyesiku (1998). Booths (1996). Ekop (1982). Ratchliffe, (1979) defines development control as the formal voice planning authority regarding such matters as permitted density, height limitation, user's restriction, access and preservation or conservation orders of one kind or another.

Development control as a physical planning instruments, generally involves regulating, restraining, keeping in order or checking material changes on land. Ola, (1984) in the same vain, stated that development control regulates the orderly planning and growth of a country, town or city by stipulating adequate standards for all aspects of planning.

Development control operates on two levels: the micro and macro levels. At the micro level, it ensures the provision of household amenities while at the macro level, it ensures that, residential, commercial, industrial educational and agricultural areas are properly and carefully zoned to prevent conflict and promotes compatibility amongst various uses and the integration of new sub-division plan, planning scheme and zoning regulation to the existing city.

## PURPOSE OF DEVELOPMENT CONTROL

Development control is a practical aspect of physical planning which affects the life of the general populace. This is because it involves rule setting and the enforcement of such rules in the use of land to achieve set out goals and objectives which includes the attainment of harmonious growth,, suitable environmental quality, and prevention of overloading infrastructure, protection of individual rights and improvement of the living standard of the inhabitants. (FCDA, 1996)

The need for development control arises because of the uncontrolled and disorganized development proceeding very rapidly without regard for building standard, drainage, sanitation, rural access, public utility, services or security of tenure It takes charge and protects all land areas reserved for public facilities especially , parks, roads, railways, electricity etc Many scholars also agreed that without development control enforcement the resulting environment will be chaotic. Aluko (1998), Ola (1986), Ayinde and Asamu (2000), Storey (1980), Vagale (1975). Various measures are involved in development control including; planning schemes, zoning regulations, sub-division regulations and urban renewal.

## RESULTS AND DISCUSSIONS

The Nigerian Urban and Regional Planning Law which was promulgated in 1992 and an attempted review in 2003 made provision for the establishment of development control departments at all levels of governments as stated in section 27 of the law which is the main legal tool used in Adamawa State for planning administration.

### Problem Identification

The problems identified on development control in Adamawa State are stupendous. These are outlined below:

Lack of manpower and Technical Services for carrying out an effective development control activities at all the various boards and authorities saddled with the responsibility of development control in Adamawa State. There is also an inadequacy of professionally qualified personnel; most of the workers are certificate holders with few qualified staff, as a result, faults are bound to occur in one way or the other that could lead to development control problems.

Inadequate equipment and vehicles for monitoring development. Hence, development is less effective at the periphery of towns due to lack of operational logistics for monitoring team.

Lack of public participation and co-operation towards development activities and spending too much time in acquiring land and to obtain certificate of occupancy. Lack of adherence of developers to provisions of approved building plans and permits.

There are administrative bottlenecks in carrying out demolition exercise and the complete absence of a comprehensive development plans to guide development control, Lack of funds to service all arms of the authority for proper and better functioning, Political interference in the machinery of development control and favoritism to rich men and politicians in plan approval and development control

The planner is handicapped in prosecuting political heavy weights or senior government officials for contravening development control provisions. This is due to interference by the politicians and the powers that be. Sometimes the law makers are the defaulters themselves allowing them to develop in utter disregard of the planning standards

## SUGGESTIONS AND RECOMMENDATIONS

Based on the problem identified and the findings above, the following are recommended for the effective execution of development control in Adamawa State. Sufficient manpower and qualified professionals and technicians should be deployed to all the planning authorities. This is because effective implementation of development control depends on the caliber of staff of the authority.

Equipments and vehicles must be provided for effective monitoring and to enforce development control requirements.

There should be provision of facilities before development starts in order to ensure orderly development through site and service plots for allocation to the public.

There should be effective implementation of the development control provisions in the law. The law should empower the planning officers to prosecute all cases of illegal development, even when the government refuses to co-operate with the authority to exercise its police power effectively.

Planning standards and building bye-laws should be made to conform to the socio-cultural and economic status of the people. Standards should be flexible to allow low income groups to develop their lands based on their financial capability.

Provision of Adequate Cadastral Data to Assist Field Land Survey. There should be adequate public enlightenment campaign to educate the populace on the importance of development control laws and regulations regarding property development on their land.

This is because most of their clients are illiterates; therefore they should be enlightened on the implication of development control. The media and ward head should be used in sensitization of the populace. Planners should adhere strictly to guiding development plans except where the need for change is very obvious -these changes must also be justified.

There must be comprehensive plan to guide the orderly growth of the towns and cities and to prevent congestions and to prevent haphazard urban sprawl. Master plans and development schemes should be implemented on time.

Allocation of more funds to the planning authorities through subvention from the government and internally generated revenue, for servicing of vehicles, payment of workers salaries and allowances and to buy equipments and stationeries

Well- informed leaders should be agitated for, in order to minimize political interference in the affairs of the planning authority and the reduction of corrupt practices among officials.

### **Prospects**

The prospects for development control in Adamawa state in the 21<sup>st</sup> century should be to provide an orderly and safe environment for people to live, work and leisure. Therefore, urban design and development control has to be based on traditional values rather than the rigid, single land use zoning and the separation of people and places being adopted from the western countries. The powers of development control should be devolved to the local government councils for effective delivery of services and implementation.

Besides, this is the level in which people can be actively involved in the process of project execution and monitoring. There is need to overhaul the local government to be result oriented, accountable to the people in place of the present inept and corrupt practices.

Plans provide the policy framework for development to be useful and they have to be up to date and have legal backing. The present master plans in Adamawa State were prepared since 1970's and they have not been reviewed. Most medium town directly s have no physical plans at all and regional plans are non-existent. The 1992 urban and regional planning law recommends that development should be guided by plans this cannot happen until plans are on the ground and are vigorously implemented

The people that these plans affect directly must be actively involved in the preparation and execution of the plan to reflect public participation. Planners role should be to co-ordinate, collect data and help clarify policies and proposals rather than impose plans on the people. In local government areas and other areas where traditional institution are strong but with less pressure on development, some form of community development programmers can be evolved with assistance by the planning authority. One system of planning permission for development should also be adopted instead of

the present twin statutory right of occupancy and building approval system. The system of land administration should be changed from the current system introduced by the British at the turn of the century and replaced by a form of cadastral system, where all forms of land ownership are mapped and registered.

## SUMMARY AND CONCLUSIONS

Based on the Nigerian Urban and Regional planning law, of 1992 development control department were established with the intention of ensuring orderly development and the protection of the environment from degradation. In Adamawa State, development control is confronted with barrage of problems. This ranges from lack of funds to political interference.

Suggestions were made on how to address these problems including provision of adequate funding of the authority and the use of cadastral system of land ownership so that government should only be concerned with control of development. Those to be affected by a plan should also be involved in the preparation of the plan to show case the phenomenon of public participation. Adequate enlightenment should also be put in place to acquaint the populace of the existence of development control

Finally, for development control to achieve its stated goal of providing an orderly and habitable environment, the powers of the authorities must be exercised vigorously through strong legal backing.

## REFERENCES

1. Abin, D.J. (2014) Planners and Job Opportunities: Public and Private Sector; In Town Planning Issues in The Federal Capital by the Nigerian Institutes of Town Planners, FCT Chapters.
2. Aluko, O.E. (2000) Development Control in Territory: A compilation of papers Nigeria's New Civil Rule Programme: Journal of The Nigerian Institute of Town Planners. VOL.XIII October 2000.
3. Aluko, O. (1998) Planning and Professional Practice in Nigeria: In Agboola, T. (Ed) Elements of Planning in Nigeria. Ibadan Macmillan Press.
4. Ayorinde, A. and Asamu, S. (2000) Integrated Physical Planning for the maximization of the use of scarce Resources: Sustainable Cities Programme Approach. Paper presented at the 31<sup>st</sup>
5. Annual Conference of the NITP, Minna. October 30<sup>th</sup>, 2000.ederal Republic of Nigeria official Gazette, The Nigerian Urban and Regional Planning Law, 1992, Decree 88.
6. Booth, P. (1996) Controlling Development Certainty and Discretion in Europe, the United States, Hong Kong University College London Press.
7. Ekop, O.B. (1982) Development Control in Calabar Municipality: Problems and Prospects. Journal of the Nigerian Institute of Town Planners.VOL.II, NOS. 1and2. October 1982.
8. Federa Capital Development Authority (FCDA), Development Control Regulation, April 1996.
9. Ola, C. S. (1986) Town and Country Planning Law in Nigeria. Ibadan Oxford University Press.
10. Nnah, et-al. (2007) Development Control and the Public Interest in Obio- Akpor Local Government Areas of Rivers State. Nigeria. Journals of the Nigerian Institute of Town Planners. VOL.XX. NO.1. November 2007.

11. Oyesiku, K. (1998) Modern Urban and Regional Planning Law and Administration in Nigeria. Ibadan Craft Books LTD.
12. Storey, J. (1980). The Challenges of Management Control. London. Kogan Press LTD
13. Vagale, L.R. (1975) Development Control: Its importance in Regulating Urban Growth. Occasional Paper. The Polytechnic Ibadan