The Contribution Of Non-Town Planning Legislations/Policies To The Development And Practise Of Town Planning In Nigeria.

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Abstract

Town planning is a dynamic profession that works to improve the welfare of people and their communities by creating more convenient, equitable, healthful, efficient and attractive places for present and future generations. It is therefore necessary for planning to be in control and take charge of the responsibilities of the emerging challenges as such, this paper examines the contribution of non-town planning legislation/policies in the development and practice of town planning in Nigeria. There are various legislations and policies formulated for the country that are both planning and non-planning in nature, but all these legislations and policies may not likely work if they are not interwoven or making any significant contributing to town planning practice in Nigeria. Among the notable ones are, the National Information Technology Policy, the nation's policy on the Millennium Development Goals and The National Strategic Health Development Plan Framework, all of which have contributed in no small measure to the development and practice of town planning in Nigeria. There are other policies that can still contribute to the development and practice of town planning in Nigeria, but the problems are in the implementation and the superior claim of other professional to the town planning profession coupled the problem of relevant agencies being led by non planners rather than professional planners.

Key words: Town planning, Legislation, Policies, Geographic Information System, Nigerian Information Technology Policy, Millennium Development Goals, National Strategic Health Development Plan Framework.

INTRODUCTION

Nigerian legislation refers to written or statutory laws enacted by competent legislative houses or authorities in Nigeria. Federal legislation is called "Act" (when made by the National Assembly in a democratic government) or "Decree" (when promulgated by a military government). State legislation is called "Law" (when made by the House of Assembly of a State in a democratic setting) or "Edict" (when promulgated by a Military Governor). Enactment made by Local Governments during military rule or in a democratic government are called "Bye-laws" (FRN, 1999).

While the term "policy" refers to a declaration of government's activities, plans and intentions relating to certain situations, it could also be any course of action which intends to change a certain situation, policies can also be seen as a starting point for government to take a course of action that makes a real life change, government uses policy to tackle a wide range of issues.

From the discussion above, non-planning legislations are written or statutory laws enacted in Nigeria and policies are government's activities, plans and intentions relating to certain situations, that do not have direct effect on the development and growth of town planning in Nigeria, or even does not have anything with town planning at all (Fernandes, Edeso and Varley, 1998).

There are numerous legislations and policies in Nigeria but only few have contributed to the growth, development and practice of town planning in Nigeria. Even among those that have contributed, their contributions seems to be invisible, and there are some that are highly visible to be seen and felt among which is the Information Technology Policy, the Federal Government's policy initiative on the Millennium Development Goals which gave birth to national economic empowerment Strategies (NEEDS) and the National Strategic Health Development Plan Framework. This paper will attempt to critically examines some of these non-town planning legislations/policies and establish

their relevance to the development and practice of town planning in Nigeria.

AIM AND OBJECTIVES

The aim of this study is to examine the contributions of non-town planning legislation/policies to the practice and development of the town planning profession in Nigeria.

The aim will be achieved through the following objectives:

i. To review some existing non-town planning legislation/policies in Nigeria
ii. To establish the relationship between the reviewed legislation/policies and the practice of town planning in Nigeria
iii. To highlight the contribution of the reviewed legislation/policies to the development of town planning in Nigeria
iv. To recommend measures that will enhance the contribution of other non-town planning legislation/policies to development and practice of town planning profession in Nigeria.

METHODOLOGICAL APPROACH

The bulk of the data used in this paper was derived from documented sources and content analysis of different legislations, policies as wells research findings in relation to the contribution of non-town planning legislations/policies to the development and practice of town planning in Nigeria. Also a good proportion of the data were those complied through observations by the authors in the course of involvement in consultancy works as practicing town planners in Nigeria.

NIGERIA INFORMATION TECHNOLOGY POLICY

Following the approval of the National Information Technology Policy (National IT Policy) by the Federal Government of Nigeria in March 2001, the National Information Technology Development Agency (the NITDA) was established in 2001 under the Federal Ministry of Science and Technology. It was initially given with the task of implementing the policy through coordinating and promoting the development and use of information technology in Nigeria. Later, in 2007, the NITDA was formally established under an Act of the Nigerian National Assembly. The primary functions of the NITDA under the law comprise these:

(a) creating a framework for the planning, research, development, standardisation, application, coordination, monitoring, evaluation and regulation of information technology practices, activities and systems in Nigeria and all matters related thereto and for that purpose;

(b) providing guidelines to facilitate the establishment and maintenance of appropriate infrastructure for information technology and systems application and development in Nigeria for the public and private sectors, urban/rural development, the economy and the government;

(c) developing guidelines for electronic governance;

(d) developing guidelines for the networking of public and private sector establishments;

(e) developing guidelines for the standardisation and certification of information technology Escrow Source Code and Object Code Domiciliation, Application and Delivery systems in Nigeria;

(f) rendering advisory services in all information technology matters to the public and private sectors;

(g) introducing appropriate regulatory policies and incentives to encourage private sector investment in the information technology industry;

(h) determining critical areas in Information technology requiring research intervention and facilitating research and development in those areas;

(i) accelerating internet penetration in Nigeria and promoting sound internet governance.

An additional function of NITDA is to advise the Federal Government generally on issues related to the management and administration of Nigeria's country code top level domain (.ng) and also to supervise any organisation incorporated under the laws of Nigeria to manage and administer Nigeria's country code top level domain (.ng). (National

Information Technology Development Agency Act of 2007)

Nigeria's Information Technology policy under the National Information Technology Development Agency (NITDA) in its general objectives addressed concerns for town planning in Nigeria as follows:

(i) To enhance planning mechanisms and forecasting for the development of local infrastructure.
(ii) To enhance effectiveness of environmental monitoring and control systems.
(iii)To re-engineer and improve urban and rural development schemes.
(iv)To ensure that Information Technology resources are readily available to promote efficient national development.

The policy statement for town planning states that "The government shall facilitate the development of the Geographic Information System (GIS) and its utilization with other Information Technology facilities for urban and rural area development". The policy has the following objectives:

i. To develop digital master plans for our cities.
ii. To improve rural areas development and management.
iii. To reduce the trend of rural-urban migration.
iv. To achieve environmentally clean cities and rural areas.
v. To generate Information Technology related jobs for urban and rural youths.
vi. To introduce the benefits of e-governance to urban and rural communities.
vii. To make tools available to predict environmental problems in advance for necessary action.
viii. To promote the development of rural Information Technology facilities.
ix. To promote the proper documentation of ownership of land and property in urban and rural areas and the transformation of dead property assets to capital.

The objectives of the policy enumerated above are to be achieved using the following strategies:

(i) Creating environmental networks.
(ii) Organizing enlightenment campaigns about Information Technology amongst city and rural area planners.
(iii)Developing the GIS technologies for use in urban and rural areas for planning and design.
(iv)Re-training the present core designers and planners for relevance in the information era.
(v) Establish rural internet resource centres with VSAT capability where such communities can Have access to Information Technology and the internet and information on the following:
(a) Government programs,
(b) Local news and weather details,
(c) Land and related administrative records,
(d) Government license and related documentation application on-line,
(e) Local commodity prices and on-line transactions.
(vi)Developing community tele-centres for boosting the socio-economic activities in the rural areas.
(vii) Establishing Information Technology facilities in the rural areas through the use of mobile internet units, community Tele-centers, etc using satellite, wireless, HF-radio and cellular technologies. (National Information Technology Development Agency Act of 2007)

Taking a deep look at this policy, it has serious concern for town planning in the country, with the various objectives and strategies that are listed in its policy statement.

In reality, it is glaring that this policy has contributed significantly to the development of town planning in Nigeria as a whole, particularly with era of Geographic Information System (GIS). For instance, a lot of the plans, town maps, layouts, road network maps are being digitilized, some examples are Abuja Geographic Information

System (AGIS), Greater Karu Master Plan, Greater Jos Master Plan amongst others.

All planners are constantly educated on the latest application of Information Technology in town planning through the Mandatory Continuous Professional Development Programme (MCPDP) organized by Nigerian Institute of Town Planners (NITP) and Town Planners Registration Council of Nigeria (TOPREC) in conjunction with relevant bodies to equip planners in the field so as to be able to keep abreast of the emerging dynamic challenges.

This policy has made it possible for planners to be able to analyze and find a workable solution to difficult environmental challenges for example the coastal areas of Lagos State.

Also, the various Local Government Councils in almost all the states of the federation through this policy will be able to equip rural dwellers with Information Technology access which is a huge plus for the development and practice of town planning in Nigeria.

There are numerous contributions of the policy to town planning, even though more still needs to be done for the total implementation of the policy to be successful.

NIGERIA'S NATIONAL POLICIES AND PLANS ON MILLENNIUM DEVELOPMENT GOALS (MDGs)

The MDGs came into being in September 2000, which constitute an ambitious agenda to significantly improve the human condition by 2015, it is made up of a framework of eight (8) goals, eighteen (18) targets and forty-eight (48) indicators. For each goal, a set of targets and indicators are defined and are used to track the progress in achieving the goal. Worthy of note are:

- Goal 1: Eradicate extreme poverty and hunger
- Goal 2: Achieve universal basic education
- Goal 3: Promote gender equality and empower women
- Goal 4: Reduce child mortality
- Goal 7: Ensure environmental sustainability

Considering Goal 7, which has three (3) targets and eight (8) indicators, among which are:

Target 9 – Integrate the principles of sustainable development into country policies and programmes and reverse the loss of environmental resources.

Target 10 – Halve, 2015, the population of people without access to safe drinking water and sanitation.

Target 11 – By 2020, to have achieved a significant improvement in the lives of at least 100 million slum dwellers.

Relevance of the Goals to Nigeria

Nigeria like other developing country owes it's teeming population the responsibility of undertaking policy reforms and strengthen governance so as to achieve the MDGs by 2020.

Because as it is now, Nigeria is yet to measure up to the challenges brought by the MDGs.

Relevance of the Goals to Town Planning Development and Practice

The birth of MDGs has brought about the issue of training and re-training of town planners and equipping town planning schools in Nigeria to brace up to and respond to modern challenges, thereby making the present crop of Nigerian town planners more innovative and having their focus re-defined and sharpened.

It has also brought new approaches in town planning in Nigeria, one of such approach is the Public-Private Partnership (PPP), and which has enhanced the active participation of the private sector in the planning process and also the involvement of members of the public in the planning process, leading to public participation on planning.

Planning in part of the world is all encompassing and of which Nigeria is no exception. It has been discovered that for town planning to really achieve its overall aim it must embrace the Millennium Development Goals and inculcate it into the planning schemes, even though it is really new in its entirety.

Planners at all levels in the country through adequate sensitization by all relevant bodies are at the fore front of advocating for sustainable development in planning considering the dynamic nature of the Nigerian environment.

Planners are being equipped because of the challenges being brought about by the rapid urbanization rate of Nigerian cities together with the various challenges to be tackled, and town planning professionals are trying to meet up these challenges in which poverty is highly visible and the main target of the MDGs, for instance the mega city nature of Lagos State with attendant problems has been effectively tackled with the strategies of the MDGs effectively, even though it is a continuous process that has to be sustained through the knowledge of sustainable development.

THE NATIONAL STRATEGIC HEALTH DEVELOPMENT PLAN

In recognition of the saying 'Health is Wealth, the National Strategic Health Development Plan was put in place since the health sector is critical to social and economic development with ample evidence linking productivity to quality of health care. In Nigeria, the vision of becoming one of the leading 20 economies of the world by the year 2020 is closely tied to the development of its human capital through the health sector. However, the health indicators in Nigeria have remained below country targets and internationally-set benchmarks including the MDGs, which have recorded very slow progress over the years. Currently, the health sector is characterized by lack of effective stewardship role of government, fragmented health service delivery, inadequate and inefficient financing, weak health infrastructure, mal-distribution of health work force and poor coordination amongst key players.

To address these, the federal government implemented the Health Sector Reform Program (HSRP) from 2004-2007, which addressed seven strategic thrusts revolving around government's stewardship role; management of the national health system; the burden of disease; mobilization and utilization of health resources; health service delivery; consumer awareness and community involvement; partnership, collaboration and coordination. The HSRP recorded a number of policy and legislative initiatives, notable among which are the National Health Policy review, the National Health Bill and strengthening the National Health Insurance Scheme. In addition, efforts were directed at strengthening disease programmes and improving the quality of care in tertiary health facilities. Despite these initiatives, much of the underlying weaknesses and constraints of the health sector persist.

Consequently, the Federal Ministry of Health has articulated this framework, as an overarching guide for the development of the National Strategic Health Development Plan (NSHDP) with its appropriate costing. The NSHDP would result from the harmonization of Federal, States' and local governments' health plans, thereafter serving as the basis for national ownership, resource mobilisation/allocation and mutual accountability by all stakeholders – government, development partners, civil society, private sector, communities, etc. The framework is based on the principles of the Four Ones: one health policy, one national plan, one budget, and one monitoring and evaluation framework for all levels of government. It also provides the template to concretize the health sector development component of the 7-point Agenda, Vision 2020 and a platform for achieving the MDGs.

The NSHDP has the following principles:

1. To strengthen capacity for active involvement of communities at all levels of health services delivery.

2. To provide support for equitable distribution of services and resources to those in greatest need based on evidence and to uphold the rights of consumers of health care, particularly vulnerable populations;

3. To provide voluntary and timely information to feed into the nationally agreed M&E framework to track, monitor and evaluate the national health system;

4. To work jointly towards complementarity between health and related sectors (water and sanitation, basic education, infrastructure, etc),

expanding utilization and delivery options and coordinating technical assistance;

5. To work in a result-focused and transparent manner, while employing participatory approaches that involve representation of all stakeholders, not only within the context of prevention, but beyond; and

6. To ensure that health development partners are well coordinated to ensure the effectiveness of aid.

7. To support the Federal Ministry of Health in discharging its mandate as the coordinating authority for health in Nigeria.

Relevance of the National Strategic Health Development Plan to Town Planning Development and Practice

The health sector is critical to social, economic and physical development with ample evidence linking productivity to quality of health care, town planning is known as a process that is flexible and subject to change, it has three main essential and complementary aspects, namely: social, economic and physical, all of which need to be considered and co-ordinated from the very beginning of the planning process. Barton and Tsourou (2000) echoed this emphasis in their observation that "human beings are the centre of concern for sustainable development and they are entitled to a healthy and productive life in harmony with nature". It is in recognition of the importance of healthcare facilities to sustainable development that various levels of government in Nigeria (Federal, State and Local) always budget huge amount of money for the health sector.

Urban plans are key determinants of the shape of human settlements, the health and well-being of the inhabitants, and urban socio-economic conditions generally. It follows that planning decisions can systematically take account of the influence of the urban environment on human health. Town planning practice can therefore be regarded as a central determinant of environmental health. Because cities are human creations as well as human habitats, human health is a central (if often un-stated) value in town planning and governance. Town planning priorities will therefore include both the enhancement of the quality of urban quality but also the provision of facilities and resources, which can protect and enhance human health.

CONCLUSION AND RECOMMENDATION

This paper has attempted an examination of the relevance of non-town planning legislation/policies in the development and practice of town planning in Nigeria. It reviewed some non-town planning policies and highlighted their contributions to the practice of the town planning profession in Nigeria.

It has been argued that Nigeria never lacked good policies, legislations and institutional frameworks but good implementation has always been the major issue. The failure of existing non-town planning legislations/polices and institutions to make significant impacts in the development and practice of town planning in Nigeria may be have been due to poor legal frameworks, poor funding and lack of adequate manpower. Therefore, the reorganization of the National Planning Commission has become most expedient, this to ensure horizontal and vertical coordination between and among non-town planning institutions and town planning institutions, so as to enhance the development and practice of the town planning profession in Nigeria. Similarly, all legal ambiguity, lack of qualified personnel, inadequate funding should be addressed.

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