

**PLANNING POLICIES AND AFFORDABLE HOUSING IN NIGERIA – AN
ANALYSIS OF ABUJA MASTER-PLAN SCHEME AND THE RE-VALIDATION
OF CERTIFICATE OF OCCUPANCY.**

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Introduction

Nigeria is the most urbanized country and has the largest population in sub-Saharan Africa with a population of about 120 million people from about 250 ethnic groups. Abuja City became the new Federal capital of Nigeria on the 5th of February, 1976 under the military government headed by the late General Murtala Muhammed. It came out of the need to create a new federal capital outside the existing capital (Lagos) which has then become almost unmanageable due to the population pressure as well as the associated menaces that accompany it. Lagos was bemoaned of terrible traffic congestion, poor drainage, chronic congestion, unbearable ethnic influence and dominion over land matters. The Abuja Master Plan was awarded in 1976, completed in 1978 by an International Consortium of Planners, Urban Designers and Architects based in Virginia, USA – International Planning Associates (IPA). The development commenced in earnest. The city lies between latitude 8.25 and 9.20 North of the equator and longitude 6.45 and 7.39 East of the Greenwich meridian. It is strategically located within the centre of Nigeria without a major tribal ownership. The Federal Capital Territory which was carved out of four other states of Nigeria namely; Kaduna, Plateau, Kwara, and Benue states has a landmass of about 8,000 sq. km out of which the city itself occupies about 250 sq. km (Abuja master plan, 1978).

In December, 1991, Abuja officially replaced Lagos as the capital and the seat of the Federal Government of Nigeria after 15 years of design and construction. The Abuja city Master-plan was developed over four years by a team of urban designers. Armed with the lofty vision of democratic aspirations of the government, with petroleum dollars constantly flowing, the International Planning Associates (IPA) was commissioned to produce the Master Plan. As a Philadelphia firm, Wallace, Roberts & Todd; Japanese architect Kenzo Tange, were commissioned for the project. The concept of one of the greatest masters of urban designers - Le Corbusier's proposed three million inhabitants city centre formed the core design inspiration.

Kenzo-Tange an indisputable master of city planning, designed Abuja's city centre. This city centre encompasses the central city's core, the three Arms Zone that housed the executives, Legislatives and Judiciaries, and most of the federal buildings. This is no doubt an international feat. In the early 1990s Abuja city was described as one of the best cities in the world. According to the master plan design, phase 1 of the project was designed for about 150,000 residents. At full development, it is anticipated that about 3 million would be desirable. According to El-Rufai (2004), the development of the master plan scheme was spread over a period of 25 years, under four phases. However, at the end of 1999, steps were taken towards a comprehensive review of the master plan. Some of the areas for serious review include:

- Structural Plan for Abuja Phase IV (North) Urban Area.
- Prototype Subdivision Plan for the Satellite Town of Abuja, North West.
- Review of Central Area urban Design

Population census carried out in 1991 indicated that the city accommodates about 1.2 million people. However, between 1991 and 2004, distortions to the Master Plan have caused some profound negative effect on facilities and infrastructure already provided and on the overall development of the FCT. In some cases expansion and replacement of facilities are obstructed by illegal structures indiscriminately erected. These structures not only distorted the Master Plan, they also overstretched the electricity distribution or rendered them completely inadequate. The incidence of illegal structures was further complicated by disregard for the land use plan (El-Rufai, 2004). These abuses did not end there, other areas earlier designed by the master plan as green spaces were redesigned for residential houses, while in some cases, residential plots were converted to commercial plots and plots reserved for schools were allocated for development of housing estates.

There was an abuse of the parkway concept, which was the major element of open space system prescribed by the Master Plan. This was gradually abused and later gave way to physical development. The introduction and gradual integration of Garki Village into the master plan is a major deviation from the policy of gradual relocation of all villages within the Federal Capital Territory (FCT) so as to facilitate unimpeded development in accordance with the Master Plan. The decision to integrate Garki Village into the development of the Federal Capital Territory (FCT) has become a major constrain to the orderly development of the City. It has affected the entire network of the master plan. This accounted for the associated urban menace like the slum development, illegal structures traffic hold ups, sewage and drainages etc.

Several governments have attempted to resolve all errors committed on the master plan using several approaches. However, the latest seeming revocation of every certificate of occupancy in Abuja is not the best option of solution. It is agreed that some damages has been done to the master plan but an outright revocation of all the awarded titles of all lands in Abuja amounts to declaring a state of emergency on the housing sector of Nigerian Economy in Abuja. It is a sensitive policy with un-quantifiable consequences. The recourse of this action on construction industry is that a '*Red Alert*' is given for work to stop. Some of the deleterious effects of the plan against the decision to compel every one into applying for a new Certificate of Occupancy (C of O) are that it renders the initial one useless. The question is 'would that decisions permanently resolve the complicity associated with the execution of the master plan.

It is no gain saying that past governments were involved directly or indirectly in land allocation in Abuja. If in their wisdom they never regarded the option of re-validation of the certificate of occupancy as an option, then how far would the present administration (1999-2007) go in this crusade? An administration with less than three years span can not ascertain the continuity of this scheme under the next regime. There is a need for continuity of government policies. What the current policy has done is to question the legitimacy of all administrations before it and sow the seed of future instability in the system. It is the opinion of this paper that the blanket revocation of certificates of occupancy does not necessarily offer a permanent solution to the land allocation menace. Rather there is a need for a radical morally re-armament of Nigerian public officers otherwise, this exercise will just open up a new wave of more sophisticated land allocation syndicates.

Currently, there are new waves of development in the housing and construction industry. The banks which hither-to were requesting for land titles as collateral have suddenly discovered that the documents in their vaults are now void. This has both financial and moral implications on the totality of confidence and trust in the entire system. This also have a grave effect on investment inflow into Abuja. Certificates of Occupancy (Title documents) are investment instrument of very high values. This has grave implications as the city is still at developmental stage. The latest effect (as at July, 2004) of this development, is the lull currently experienced in the volume of construction work going on in Abuja. Most developers are now waiting for the next line of action based on the uncertainties that filled the sector. The future implication of toying with the certificate of Occupancy is the gradual depreciation of values attached to fixed assets in the investment market economy. This indeed, is a sad development. How are we sure that the

incoming government would not turn around to reverse the system. In as much as one would not advocate an outright bastardization of master plan, the solution is not the introduction of a complete demolition of the existing land allocation structure. Records at the Federal Capital City shows that, as at 2004, a total of 21,420 Rights of Occupancy were granted to individuals and groups on the Federal Capital Territory, Abuja. Whereas a total of 105,701 applications were received. Out of the rights of Occupancy that were issued only 15,000 were actually issued Title Deed Plans (TDPs). Before the year 2003, as a result of undue desperation from the public for plot of land in service area of the city, some unscrupulous people took advantage of the situation and thus set up a parallel land office or ministry and issue out fake title documents. Even though the Economic and Financial Crime Commission (EFCC) has succeeded in smashing the gang, there is indeed every reason to revisit the entire land allocation process. This should be done with great caution. Between the 1976 decree that established and year 1999, the military run the government of Nigeria for an upward of twenty (20) years. Within which period, a lot of atrocities were carried out. Until recently, green areas were illegally occupied. Buildings were erected on sewage, services and water lines. Slums and squatters settlement were springing up as well as the growth in crime rates. At full growth, Abuja was designed for about three million people. But today with the development of only 30 percent development, the marginal population is 6 million people.

The Effect of the Re-Validation of Certificate of Occupancy Policy on the Banking Sector in Nigeria.

Nigeria housing finance is solely dependent on the national economy. The state of housing operations in Africa as a whole reflects to a large extent the state of the economies. To resolve the housing problem, the national economy must first be revisited. The on-going new national housing policy that is clamouring for the private / public partnership in the housing delivery, anchors solely on the banking sector. Virtually all African states have these peculiar features. In Ghana for instance, HFC building society, which is the most dominant housing finance institution in the country, could only account for a little fraction of the housing demand of the people. The Nigerian housing finance system appears more sophisticated than most African states, but the drawback to housing delivery is hampered by the cost of urban land as well as the absence of large real estate developers with sufficient financial muscles to develop affordable houses on a large scale. However, the housing delivery is hampered largely by the lack of formal credit facilities to cater for the poor. Where these are available, only the upper echelon of the society is able to access such credits. The on-going drive is the desire to effect the possibility of providing a

low-cost housing that would cost about half a million (N500,000) Naira per unit. The Nigeria National Housing Fund (NHF) was set up with the Federal Mortgage Bank as the agent to the management of the housing loan scheme. A maximum of N5,000,000 (five million Naira) is given to a civil servant to be repaid over 30 years with a maximum of 6% interest rate.

Under the new housing policy of Nigeria, three principal actors were fully established; the private real estate developers, state government and the federal government. From these three, experience has shown that most state governments do not have the fund to implement the scheme, while the private developers are all out to maximize profit. In such situation, they only focus attention on Abuja, Lagos, Kaduna/Kano and Port Harcourt. These are the four major cities in Nigeria. The private developers take the advantage of securing a large portion of land free of charge in the city centre, and put up a number of structures to be sold at cut throat prices.

The Federal Mortgage Bank of Nigeria (FMBN), was established in 1977 with the aim of providing long-term credit facilities to mortgage institutions in the country. It was also set up to provide long term loans to individual and real estate property developers for house building. In addition to the above duties, it was meant to finance researches on mortgage finance as well as provide a saving facility. The commercial Banks, merchant bankers, could not offer long term lending due to the short notice withdrawal request of its customers. Other institutions in the formal sector include Insurance Companies and Pension/Provident Funds. The Master Plan provides for underground cable network for power supply in the FCC. What exists currently in parts of Garki1 and Wuse1 are overhead lines and transformers that cut across road networks, plots and other land use. The Informal sector includes, Corporate Bodies, Developers/Contractor Financed etc. Most informal sector transactions are not taxed nor are they registered in the national income accounts. The performance of these public-sector agencies has been criticized, particularly on the following grounds:

- High unit cost of output;
- Slow rate of output;
- Low quality of production;
- Inadequate attention to the site location of the housing estates;
- Heavy influence of bureaucratic procedures in programme administration.

Table 1: Types of lending body preferred in Northern Nigeria.

State	Cooperatives	Local government	State government	Friends
Kano/Kaduna	28.1	24.2	29.8	17.9
Benue/Plateau	16.9	20.2	22.6	40.3
Borno	8.3	6.3	38.2	47.2
Sokoto	2.8	5.0	28.4	63.8
Niger	26.4	21.9	26.4	25.2
Bauchi	24.4	25.2	25.2	25.2
Gongola	13.3	3.3	17.8	65.6
Kwara	29.0	14.3	32.7	4.0
Total	17.8	13.8	28.0	40.4

Source: UN-HABITAT, 2002 based on Federal ministry of housing Abuja, 1981

Policy Implementation and Housing Delivery

The Nigerian National Housing Policy which was launched in 1991 in response to the Agenda 21 of global shelter strategy was aimed at achieving sustainable human settlement development. The country's housing development policies are designed in favour of those in the middle and upper income bracket. Proposed housing developments for the poor are either hijacked, not sufficient. About 90% of housing production is primarily in the hands of individual private market. With an estimated population of 123 million as quoted in the World Bank figures, Nigeria needs to produce 720,000 housing units per annum based on an estimate of 9 dwelling units a year per 1,000 of population. Rent in major cities is about 60% of an average workers disposable income.

Land acquisition has hitherto been a major stumbling block to prospective homeowners, particularly the low-income group. This was seen then as a viable alternative to direct construction and production of houses by government in view of the attendant problems and failures in the wake of the implementation of the Federal Low Cost Housing Scheme. The concept of sites-and-services as a means of human settlements development dates from colonial times whereby government had adopted the method of acquiring large tracts of land, laying out, and providing the necessary infrastructure before allocating the serviced plots to individuals or corporate bodies development. Many parts of Nigeria's existing cities were developed in this manner.

The Nigerian Housing Needs

Abuja is one of the fastest growing cities in the world. In 1992, it was rated as one of the most beautiful cities in the world. However this story has changed today. The growing rate of urbanization in Nigeria is drawing a global attention. For instance, in 1950s there were about 56 cities in the country out of which 10.6% of the people live in these cities. In 1961, the rate rose tremendously to about 19.1 % and 24.5% in 1985. Today, with a population of about 120 million, the country has about 30% living in the cities. This accounts for the sprawling nature of these cities. Abuja, was designed for about 3 million at full growth, but as at 2004, it has an approximate population of about 6 million.

The National Rolling Plan (NRP) specifies that the country requires about 500,000 and 600,000 units based on the room occupancy ratio of between 3 and 4. This unprecedented rise in population and the size of our cities over the past few years have resulted in the acute shortages of basic essentials of living. In order to arrest the acute housing needs of the country, an estimate of about 121,000 housing units were required between 1994 and 1998. To achieve easy flow of capital, the number of the Licensed Primary Mortgage Finance Institution (LPMFI) increased from 251 to 274 between 1993, to 276 between 1994 and 1994. Out of this estimate, in 1998, it declined to 115 in 1998. Never the less, the federal government increased its investment on housing from N776.7 and 4818.3 million between 1995 and 1998. From the analysis above, it is established that Nigeria is in dire housing needs.

The poverty level of most Nigerians made it difficult for them to own houses. About 30 per cent of the population with the lowest incomes does not have sufficient funds to exercise an effective demand in the formal housing market. The 20 per cent lowest on the income scale earn below \$50 per month. Housing shortage is more manifested in Lagos than any other city in Nigeria. The legal acquisition of land is far beyond the means of most people, not only the low-income groups. Opportunities of employment are very limited, and the population is growing at an alarming rate. Prospective tenants have to queue for more than a year on waiting lists before they can be considered for a rental unit. And rents are extremely high, the average worker has to spend as much as 40 per cent of his/her income on rent. To aspire to own a house is a dream realized only by the top 5 per cent of the income groups. Often a down-payment has to be paid two years in advance for a flat.

Table 2: Estimated Housing needs Nigeria (1991-2001)

	Urban areas	Rural areas	Total
Housing stock 1991 ('000 units)	3,373	11,848	15,221
Estimated no of households 2001	7,289	15,295	22,584
Required output 1991-2001 ('000)	3,916	3,447	7,363
Required annual output, 1991-2001	391.6	344.7	736.3

Source: UN-HABITAT, 2002.

Studies confirm that an estimate of 1,126,000 units housing need is required to maintain a state of equilibrium in the housing sector in Nigeria. The annual housing needed between 1991 and 2001 is 392,000 units in urban areas, and 345,000 units in rural areas. The current housing deficit was calculated at 25 per cent in urban areas. The current housing deficit is about 5,623,000 units, of which two thirds is in rural areas. If these are to be replaced or upgraded during the 1991-2001 period, it implies an additional annual need of 70,000 units in urban areas and 380,000 units in rural areas Achunine, (1992).

Table 3: Estimated housing stock, by dwelling types in Nigeria (1991).

	Urban	Urban	Rural	Rural	Total	Total
	%	Units	%	Units	%	Units
Maisonette	2	67	0	12	1	79
Duplex	3	101	0	-	1	101
Detached Bungalow	10	337	20	2,289	17	2,627
Semi-detached	2	67	1	60	1	127
Flat	15	506	0	-	3	506
Room	65	2,194	77	9,200	74	11,393
Others	3	101	2	287	3	388
TOTAL	100	3,373	100	11,848	100	15,221

Source: UN-HABITAT, 2002 .

Nigeria housing needs is influenced by the urban population growth rate of 5 per cent. In the 1990s, the annual urban requirement for housing units is approximately 400,000 units. In addition, there is an enormous need for upgrading and replacement of existing housing stock. Currently an annual estimate of 1.4 million housing units is required in Nigeria as a whole. Improvements of infrastructure and shelter are thus impeded. The occupiers of the land do not see it as worthwhile to build concrete, solid and, thus, expensive structures on the rented land. And the owners of the land are not interested in investing in the land but are waiting for the value of the land to increase. They hold the land for speculative reasons. In short, there is an enormous

need in this and other urban areas of Nigeria for land which can be distributed and to which low-income groups can obtain a title.

Between 1976–1985, out of an approximate of 850,000 new housing units required in the Lagos metropolitan area alone, only 82,000 units were actually built. An estimated 100,000 new people arrive in Lagos each year. This may be compared with building plans for 1991 of 4800 housing units. Over the last decades the solution attempted regarding the housing problem in Lagos has mainly been in the form of rent controls, often through military edicts. This has failed to achieve the desired purpose. Rent controls collapse in the face of an extreme housing shortage and supply and demand are then left to decide the prices.

Justification of the Demolition of Illegal Structures in Abuja – Nigeria.

This section discusses the justification of the demolition exercise carried out on the illegal structures. This paper will like to state that most of the structures described as illegal does not indicate that the structures were poorly constructed, or have poor structural failures. They are of very sound and aesthetic architectural values. The illegality is simply from the location. Many of them were built on the sewage and water lines; others were on green areas or areas of wrong land uses. The crux of the matter is that most of these structures have proper certificates of occupancy as well as approval to build from the authorized office. I sincerely believe that the error is of dual folds. First, the government officials who issued out such approval for construction have invariably committed the government. Be that as it may, this does not justify the offence to the planning law, nor does it clear the developers from the accusation. However, one would have expected that the developers be made to pay for the cost of the damage of re channelling the water and sewage lines with extra cost as deterrence rather than an outright demolition. Nigeria requires an aggregate of about 720,000 housing units per year, with this outrageous need, the country cannot afford to lose any house at all. This is not to encourage a total disobedience to planning laws, rather the sanctity of planning laws shall better be preserve at the pre-construction level rather than at the post constructional level. Two reasons can be advanced for this, first, is the per/capital income of Nigerian and the cost of putting up a building. An average building in Abuja cost between 5 -10 Million Naira (US\$330,000 – 660,000) and this by any standard is substantially too enormous for outright demolition. The second factor is the built up confidence in engaging in real estate development. The recent outright demolition of buildings in Abuja has sent a very negative signal to the minds if prospective developers in the country. It should be recollected that for more than a decade (1976-1990), the Nigerian government was the only single

major developer in Abuja new city developing scheme. Most individuals and firms were absolutely reluctant to step into Abuja planning and development schemes simply because of uncertainties. The federal government then embarked on campaign strategies of encouraging and convincing individuals to join in the development of the capital city. At a point in time, the government had to force a number of embassies to relocate to Abuja. It took many government parastatals several years to comply with this directive. The on-going revalidation of Certificates of Occupancy syndrome is fast causing more ripples and eroding the little confidence of the developers in the Abuja city development scheme. This paper is suggesting that the future effect of an outright indirect revocation of Abuja land documents has a multiplier dimensions on the potential developers in Nigeria. This has grave consequences on the property market and investment.

The Affordability Factor

Diametrical implementation of planning policies is capable of eroding the confidence of individuals and group property developers in the underdeveloped world. Until there is an established and continuous strategy that upholds the total adherence of the planning policies, the ongoing exercise in Nigeria will not be sustainable. For several decades the Federal Government has engaged in the practice of building and allocating official quarters to its staff both in Lagos and in other states. It was estimated that the Government has a total of 9249 staff housing units, 5135 of these in the Lagos area. After the promulgation of the National Housing Policy in 1991, the Federal Government adopted a policy of disengagement from the provision of additional quarters for its staff. As the past, the staff occupying these quarters paid only a token amount for rent whereby the difference between the rent and the real market or economic rent is regarded as part of their fringe benefits. It should be noted here that more than 70 per cent of the more than 9200 staff quarters were produced before the adoption of the National Housing Policy in 1991.

The recently announced ‘monetisation’ of fringe benefits of all fringe benefits of the federal government staff, has made the government to steer clear of renting of houses for their staff. All the existing staff buildings in Lagos – the former capital were sold. With this sale, the housing market has gone back to the hands of shylock bourgeoisies once again. Every step taken by the government to steer away from the social demands of housing shall further deteriorate the housing supply scheme. In as much as this paper is in support of private developers involvement in Housing delivery, the roles of the government can not be over emphasised.

The issue of affordability of housing in Nigeria can only be achieved through government’s direct

involvement in the site and services scheme. The cost of acquisition of serviced land is higher in most cases than the actual cost of the construction. This is the experience in Abuja and major cities in Nigeria, like Lagos, Port Harcourt, Kano, Jos to mention but a few. The on-going revalidation of land documents would rather take the land farther from the average Nigerians. It would be more interesting if the planning policies could compel the government to concentrate in sites and services scheme with stiffer legislation against double standard. With the ongoing exercise, it will be difficult to see even individual attempting to embark on building projects in Abuja. On the part of the corporate developers, there are the tendencies to maximize their profit on the houses built for the fear of losing the rights over such properties with a change of government and policy. This paper concludes that with the dire needs for housing in Nigeria, policy implementation should not be met with maximum measures rather policy implementation should ensure there are no violation to the laws especially before construction work commences.

Table: 4 Housing Projects executed by HFP Engineering (Nig) Ltd, one of the Multinational foreign construction companies in Nigeria.

No of units	Types of building	Clients
4	Units of accommodation for ratings	Ministry of Defence (Navy)
108	One-bedroom units	Ministry of Defence (Navy)
36	Two-bedroom units	Ministry of Defence (Navy)
80	Three bedroom units	Ministry of Defence (Navy)
24	Four-bedroom units	Ministry of Defence (Navy)
14	Four-bedroom units	Ministry of Defence (Navy)
2	Five-bedroom	Ministry of Defence (Navy)
16	Domestic quarters	Ministry of Defence (Navy)
1	Bachelor officers quarters	Ministry of Defence (Navy)
620	Dolphin estate Phase I	Ministry of Defence (Navy)
136	Dolphin estate Phase II	Ministry of Defence (Navy)
138	Three-bedroom flats	Ministry of Defence (Navy)
216	Units of duplexes	Lagos state Government
6	Dany estate of detached five-bedroom	HFP
32	Four-bedroom duplexes	HFP
1434	High income units, Victoria Garden estate	HFP

Source: UN-HABITAT, 2002.

The above table explains the volume of work monopolised by the multinational private

developers in Nigeria. On the other hand, until stiff measures are applied to erring violators, there might not be an easy stoppage of the menace. A situation whereby slums and squatter settlement developed all around Abuja city would cost much damage than anticipated. Any environmental congestion would lead to numerous other similar health hazards. The gap between income and shelter cost is very wide. If the cost of constructing new houses is not within the reach of low-income earners, then revitalizing the existing stock can be an alternative mechanism to improve housing. In South Africa and Ghana, incremental housing is implemented mostly through micro-finance for housing. In Tanzania and Nigeria, this is almost non-existent.

By the middle of the 1980s, it had become clear that the role of the public sector in the shelter sector required a radical shift from that of direct production, by which little had been achieved, to the facilitation of the activities of other actors. By June 1983, the sum of N600 million had been spent to complete only 32,000 one-bedroom and three-bedroom units out of a planned output of 40,000 units in phase I of the Federal programme. In the second phase, which came to an abrupt end in December 1983, only about 20 per cent was achieved.

Conclusion

In conclusion thereof, planning policies that revoked all Certificates of Occupancy in Abuja would spell more doom to the intractable housing inadequacies in Nigeria than ever. It will also cause a great panic amongst the banking industry as the certificate of occupancy which guarantee the loans offered to developers becomes void security. Finally, to meet the housing needs of Nigerians, both the private and public developers must be encouraged rather than formulating obnoxious policies. There is a very serious need to review this policy in order to avert the imminent lull currently experience in the building industry in Nigeria. The original concept of 3 million people in Abuja is already exceeded hence the fundamental issue is the development of prominent satellite neighbourhood within the periphery of the centre. This would distribute the flow of the people all around the entire federal capital territory. The revocation of the existing certificate of occupancy would only heat up the system and create more instability in the property market as well as undue fear in the heart of private developers.

This paper also acknowledged the fact that so much distortions had been made on the master plan by the previous governments in the federal capital. There is every evidence that the master plan has been subjected to untold bastardization, nevertheless, we are still of the opinion there are several other ways of resolving the menace and bring order without necessarily heating up the

system. We need enough private developer's confidence in the land titles before they can be fully involved in the physical development of the city. Satellite town approach should be developed while strategic government establishments should relocate to those satellite areas. This would reduce the pressure at the centre,

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