

Confronting the Lagos Informal Land Use: Issues and Challenges

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1 ABSTRACT

Lagos represents one of the cities with the fastest growing urban agglomerations in the world. Rapid urbanisation coupled with inadequate public resource has given rise to peculiar land development system that is, informal land use. It has been observed that formal land management system has continuously failed in providing land for housing and other uses, registering titles and land transfers, regulating access to and use of land as well as providing basic infrastructure services. The shortage of the formal system has, however, been largely compensated by the increasing importance of an informal system in land development. This paper addresses the main issues and challenges of informal land use in Lagos State and how it can be integrated into urban development so as to achieve a sustainable, healthy and livable urban settlement. Major issues and challenges confronting informal land use as identified by the paper include uncontrolled and conflicting land use, Unplanned growth, illegal squatting, overcrowding, inadequate or lack of basic services and infrastructure, continuous rise in incidence of informal land use, insecurity of tenure, poverty and worsening environmental conditions, marginality, exclusion and vulnerability among others. Therefore, it is imperative to confront the incidence of informal land use through the use of adequate and sustainable means of land use management system, informal land regularization that guarantees security of tenure, urban growth and housing strategy to address shortage of affordable and adequate serviced housing, massive provision of basic services and infrastructure and improved urban land administration.

2 INTRODUCTION

In sub-Saharan Africa, land defines the social, economic and political relations in the society. Especially in the urban areas, it provides the basis upon which planners predicate their strategies of development (Wanjala, 2002). However, It has been observed that in many third world cities, urban land can either be obtained formally or informally, and that the informal sector provides much more land to land seekers (including the majority of the poor) than the formal sector. Nevertheless, the mechanisms of the informal land sector are usually ignored and are hardly understood and documented. (Mabogunje, 1990).

The informal sector encompasses a wide range of areas of informality — environmental, spatial, economic, and social, covering business activities, employment, markets, settlements, and neighborhoods. Most urban households in the developing world live in informal settlements due to their often exclusion from formal systems of land management. Up to 85 percent of new housing is produced informally, a trend that is especially pronounced in sub-Saharan Africa and particularly in Nigeria (Nkurunziza, 2007).

Land policy is an important tool in spatial planning and planning administration. The structure and pattern of any settlement is a reflection of laws that regulate land administration. The past and existing patterns of development within Nigeria settlements are a function of land laws and administration (Oyesiku 1998). Prior to 1978, land administration in Nigeria had been predominantly guided by customary laws. This system recognized the interest of individuals, families and communities on land. Therefore, all the people have equal right of access to land, while the chief or head of the family is the trustee who holds the land for the use of the people. Acquisition of land for use under the customary law is normally through a grant by the chief of the community or head of the family. Alienation or transfer or terms of grant are restricted to strangers (Yakubu, 1985). Today, land tenure in Nigeria is governed by the Land Use Act of 1978 under which all land in all the states of federation is vested in the Governor. Access to land is by way of a 'right of occupancy' granted by the government. This development had led to a lot of controversies in the acquisition, disposal, use and administration of land especially in the urban areas due to increase in the demand for use of land which is brought about as a result of high rate of urbanization.

With the present trend of rural urban migration in Nigeria as epitomised by the situation in Lagos being the commercial and industrial hub of the country – with a land area of about 3,345 square kilometers, which is just about 0.4% of the total land area of country. It is physically the smallest but the most populated and urbanized state in the country with population of over 10 million inhabitants which is about 10 percent of the entire population of the country. Therefore, it is not unexpected to observe unusual pressure, leading to

unprecedented demand for land. Through the pressure being mounted by the demand for land, it is a common phenomenon to see most undeveloped land being taken over informally by the rural immigrants who are mostly poor in order to satisfy their urban land needs. Consequently, such invasion or informal development usually leads to uncontrolled and unorganized developments, while such neighborhoods/communities lack basic infrastructural facilities which are needed for healthy living. The rapid rate of development, equally results to overall planlessness of these areas. It is against this background that the paper seeks to address the main issues and challenges of informal land use in Lagos and how to prevent informal urban development in order to achieve a sustainable human settlement worthy of living, working and recreating.

3 LITERATURE REVIEW AND CONCEPTUAL ISSUES

3.1 Informal Land use: definition and characteristics

There has been a considerable growth in the amount of literature on informal land use. Also, the research on the economic, social, and political forces that generate and sustain the incidence of informal development is abundant. This includes work by Payne (1989), Satterthwaite et al (1989), Arche (1992), Rakodi et al (1993), Kombe (1995), Durand–Lasserve (1996), Habitat (1996), and Kombe and Kreibich (2000). Many synonyms have been used in literature to refer to informal land use. These include spontaneous, irregular, unplanned, marginal, squatter and informal settlements (UNHSP, 2003c). Therefore, throughout this paper, informal land use is equated to informal development, informal settlement or squatter settlement.

The phrase informal settlements has been accepted as well as refuted by scholars in numerous disciplines. According to Leeds and Leeds (1978), the occupation of land that does not belong to the person settling on it is what distinguishes informal settlements from other settlements. The inappropriate invasion of land characterizes these settlements as an illegal form of land use because occupation is neither based on the legal ownership of such land, nor in payment of rent to its legal owners. In a study identifying the significant variables that determine the character of squatter settlements, Leeds argues that the only uniform identifying characteristics are their illegal and unordered origins or organized invasion and, because of their origin, their continued juridically ambiguous status as settlements (Leeds, 1969). Sietchiping (2000) refers to informal land use as any human establishment, human settlement or land use in the urban area which is not suitable and/or in opposition to the expected standard and regulations. Informal land use includes the poor and precarious housing within the city or in the city fringes or other areas where land are vacant, accessible and affordable.

According to Srinivas (2003) informal land use is characterized by unauthorized use of vacant public or private land, illegal subdivision and/or rental of land, unauthorized construction of structures and buildings, reliance on low cost and locally available scrap construction materials, absence of restrictive standards and regulations, reliance on family labour and artisanal techniques for construction, non-availability of mortgage or any other subsidized finance. Study by Sietchiping in 2000 revealed that informal land use is characterised by overcrowding, deterioration, insecurity, absence or insufficient basic facilities. These conditions endanger the health, safety or moral of the inhabitants and the livability of the community at large.

The development of informal land use - the evolution of what are now described as informal settlements - was blamed in the seventies on the tendency of the private land market to marginalize the poor (Gilbert and Ward, 1985; Turner, 1980). Informal land use according to World Bank (1999) constitutes an expression of poor urbanization and poverty of city dwellers as well as failed policies, bad governance, corruption, inappropriate regulations, dysfunctional land markets. Furthermore, according to Yapi-Diahou (1994) informal (settlement) land use originated from difficult problems of housing, immigration rate, politics, physical planning, landlessness, land tenure system and employment especially in the urban areas. In particular, they originate from the existing gap between the number formal/regular land supply and the need.

Land in the formal market remains too expensive for urban poor. Government allocations are slow and bureaucratic, and the land allocated for shelter considered insufficient. Recent empirical observations in nine African countries according to Mattingly and Durand-Lasserve (2004) provide evidence that Informal land systems are effective enough in terms of the quantity delivered to be an alternative to formal urban land delivery systems. They are less bureaucratic and more flexible than formal systems. They are more effective in reaching poor people. However, their viability, livability and sustainability raise a series of questions as

the system produces poorly planned areas with insufficient basic services as been experienced in Nigeria cities today.

Nigeria is one of the most rapidly urbanizing countries in Africa and the challenges that come with this especially in the supply of adequate land for basic services, housing and other uses are major challenges that government faces (FMH&UD, 2003). This had long been recognised by government therefore; attempt to meet these challenges led to promulgation of land use act of 1978 which seeks to nationalize the land tenure system in the country and entrusts the administration in the hand of the government. Nevertheless, in Nigeria today as epitomised by the situation in Lagos the informal sector is the dominant provider of urban land and housing, as only about 20% to 40% of the physical development in Nigeria cities is carried out with formal government approval. The weaknesses of government planning controls, and the haphazard developments associated with the informal sector have created disorderly and unhealthy urban environments (Nwaka, 2005). Generally, dwellings in informal settlements are built by the spontaneous, undirected and untrained efforts of the squatters who cannot afford to secure legal or formal land or a safe site on which a house can be built. Usually informal developments are located on vulnerable and areas such as deep or dangerous slopes. They are known as catastrophe prone areas Sietchiping (2000).

Informal land developments provide shelter for over 85% of the population of urban dwellers in most developing countries (UNCHS, 1996 and 2000; Durand-Lasserve, 1997). Yet, they either do not appear at all in government records or are regarded with so much negativism as to warrant constant harassment or exclusion from provision of necessary infrastructure and amenities (Durand-Lasserve and Tribillon, 2001; Agbola, 2005). As a result, actors involved in the informal and illegal land markets are denied access to formal opportunities for optimization of capital formation and accumulation.

Today, according to World Bank (2006) over two-thirds of the population of Lagos lives in the informal settlements or slums that are scattered around the city. The Lagos Master Plan 1980–2000 identified and classified 42 slums or informal settlements in the city. There are now over one hundred of such communities in Lagos. Many poor and low income families excluded from access to land and housing in the formal sector find refuge in the informal settlements where land and housing can be purchased and built according to means and capacity. Although, they generally lack security of tenure by virtue of not having the certificate of occupancy however, many informal settlement residents hold bona fide legal rights and interests in the land on which they live, having validly acquired land from legitimate land holding families or communities.

Driven by the quest to eliminate or drastically curb the incidence of informal settlements, the government has used forced eviction as a preferred tool of urban engineering with counter-productive outcomes. Generally, these evictions are planned and carried out without regard for the due process of law. In addition to the broad range of social, economic, psychological, cultural and physical havoc inflicted on the victims, forced eviction has helped to fuel the growth of new informal settlements or the expansion of existing ones with more complex dimensions. These communities are routinely denied funds needed for the provision or maintenance of basic facilities such as community health centres and portable water among others which are needed for a healthy living (Morka 2007).

It has been observed that there is lack of consensus regarding the status of informal settlements, especially the nature of their legality or illegality. The often cloudy statutory nature of the settlements is further complicated by a muddled policy environment and a often lukewarm stance by most Third World governments (Kombe 1995). The fact that the majority of settlers in informal settlements belong to the economically and socially marginalized groups seems to have worsened the reputation and increased the alienation of the informal land development by the policy makers. Government responses to informal land development in most developing countries have ranged from passing tough, stringent regulations to excluding them from infrastructure extension plans to barring their integration into urban or municipal services to outright demolition (Zaghaloni 1994). These are common phenomena in Lagos urban informal settlements.

Qualifying definitions, characteristics, quality and examples of informal settlements vary widely, with the inherent danger of generalization, but an attempt has been made to identify key features which are common to such areas and distinguish them. Generally, according to Kombe and Kreibich (2001) informal settlements portray some similar characteristics irrespective of their status or where they exist the following are their common characteristics:

- They are built by the inhabitants themselves and their proportion continues in spite of frequent eviction threats from public authorities. The houses are built with the intent of owner-occupation, renting or both.
- They are built, for the larger part, by low-income urban dwellers that the existing formal housing systems or markets are hardly realistic options.
- The houses are built primarily with informal financing methods, i.e. family savings, capital from inheritance, sales of inherited land or savings from informal credit associations.
- The builders employ local building materials, skills, designs and indigenous technology.
- Often builders do not adhere to formal/legal building codes and planning standards.
- The informally built houses exhibit high variations in types and quality of construction, ranging from traditional construction materials (e.g. mud and pole or thatch) to modern quality components (concrete blocks, corrugated iron, aluminum, zinc, or tin roofs).
- They are built and serviced incrementally, ensuring flexibility on the part of builders and owners.
- They can exhibit unique urban designs with significant variations in lay-outs and spatial arrangements.
- Their densities are normally increasing rapidly up to saturation or over densification stage.
- The land use patterns are highly mixed, including small industries and urban agriculture.
- Especially in the initial stage of growth social cohesion is strong

3.2 Evolution and Causes of informal Land use

The relationship among people, land, and shelter is complex and differs between nations depending on their history, culture and legal system (Eliade, 1957; Doebele, 1983; Rykwert, 1988; Payne, 1997). Even though some societies still operate under customary tenure systems, while most have regulated the ways in which land may be held as a result of both social and economic reasons (Payne, 1997). These systems, however, have led people who cannot conform to them to create extra-legal systems, thus abandoning the formal approaches to settlements (UNCHS/Habitat, 1982; De Soto, 1989). Informality of land use according to Macedo (2000) is not only as a result of massive rural-to-urban migration or the perception that urban areas offer a better quality of life, let alone the pull of the bright lights of the city. Informal land use is also a product of national and regional inequalities due to the changing economic nature of nations and the lack of appropriate policies to mitigate the effects of change.

The economic push and pull associated with these processes is related to employment and is affected by geographic, infrastructure and service factors. Significant economic push from rural areas can be attributed to the exclusion of small farmers from the agricultural economy by large landholders. With massive numbers of displaced small farmers relocating to urban core areas for access to wage employment, uncontrolled and unplanned urbanization was inevitable. The housing supply in urbanized areas was inadequate, and with the low wages these workers were earning, formal housing was not affordable; their only option was informal arrangement (Macedo, 2000).

The incidence of informal land use has also been credited to the inability of governments to provide affordable housing to low-income families, particularly in the largest urban centers of developing countries (Abrams, 1964; Turner, 1977). Therefore, a large proportion of urban people are forced to live in sub-standard, unhealthy conditions. Uncertain land tenure contributes to the insecurity and other difficulties of squatters. This situation as noted by Chung and Hill (2002) persist due to the failure of the urban housing and land markets, in particular: the high cost of housing construction; the high cost of formal land transaction; the lack of affordable credit to low and middle income families; the small amount of land available for urban housing, in part because of the slow pace of regularizing tenure; insufficient government, and other, funds to implement services; other restrictions on service provision; lack of alternative urban housing that is affordable for low-income households; and poor co-ordination of urban infrastructure planning issues within Government. Payne (1997) argues that what seems to be an inability of governments to control or regulate land through direct action may be a reflection of the strong demand for land as much as a lack of government commitment or capacity to act. For instance, Lagos state government having realized that the informal sector

accounts for between 75% to 80% of urban employment and plays important role in income generation, as contained in the Upgrading Policy Note of the Lagos Urban Renewal Authority, the State relaxed rigid regulatory rules, which lead to further intensification of informal land use. Rising costs and delays in executing formal land transactions have also been blamed for the proliferation of informal settlements in various cities including Lagos. Under some formal systems, the cost of transferring the rights of land exceeds the market value of the land itself (Dale, 1997). For lack of a better option, these settlers, often migrants in search of employment and better living conditions, occupy vacant land, public or private, and build shelter for themselves. The study conducted by Agbola and Agunbiade, 2006 in some selected informal settlement in Lagos metropolis revealed that the process of obtaining legal title is expensive and laborious which is actually out of the reach of poor majority. Therefore, they prefer to approach the informal sector in order to meet their land and housing needs.

Urbanization coupled with rigid and inadequate land administration and planning policies to meet ever increasing demands for housing by the poor majority has also been associated with the growing of the informal land use (Ali and Sulaiman, 2006). Lagos, like many developing cities has been experiencing the demographic phenomenon of urbanization which is one of the driving forces for the incidence of informal land use on the fringe of urban centres. Recent studies and surveys show that about 70 per cent of the urban population in Lagos lives in informal settlements.

3.3 Urban Land management

Land management is a broad term that refers to a set of processes that deal with the: acquisition of land, continued rights to the land, regulation of the use and development of land, and trading of land. Land is managed either formally or informally. According to Planact (2007) the formal systems are characterized by: legal, regulated channels managed by governmental authorities; a great deal of bureaucracy, delays, often high costs, and problems in dealing with issues that fall outside existing policies and regulations; system biased towards owners of land and property, but use of land and property can be regulated by government. On the other hand, informal systems are characterized by: extra-legal channels that are mainly used by people with an immediate need for land, and who do not have the financial capacity to buy or rent through formal channels; a more flexible and responsive way to address people's needs, informal networks are often utilized for access to land and to address governance within communities; instability and lack of regulation, rights are less secure or not acknowledged at all by the formal system. In Lagos, both formal systems and informal systems happen simultaneously and within the same areas.

Generally land in and around urban areas are either owned by the government or by the private sector or owned communally by tribes or clans. Often large land owners, be they governmental, communal or private, have a vested interest in maintaining the position. These vested interests gain more by keeping the land management fragmented, without proper controls and by keeping the dealings in the land market non-transparent. While they profit from the position the prime losers are the urban residents, particularly urban poor who are mostly accommodated in the informal settlements. Problems in urban management have arisen mainly because of the inability of government to cope with the intensity and range of urban problems arising from rapid growth of population due as much to natural growth as to migration (Dattatri, 1994). Government has been quiet observer to the deteriorating infrastructure and resulting poor environmental conditions within their area but also chaotic and environmentally unsound land development in the periphery.

In the recent past there has been a clear recognition of the importance of urban land management in helping to alleviate urban poverty and urban livability in the developing countries. It is argued that, managing the economic aspects of urban poverty has to aim at reforming regulations and policies that limit the access of the poor to urban land (Olima 1997). Despite the fact that land has been recognised as the main link between development programmes and projects and people little importance is shown for sound urban land management. The result of this according to Dattatri, (1994) is seen in a continuous increase of land prices leading to land speculation, scarcity of developed urban land particularly for housing, and proliferation of slums and informal settlements with little or no infrastructure services. For urban land to meet the needs of a growing population it has resulted in conversion of marginal or environmentally hazardous lands such as beside railway tracks, along rivers and canals, swamps to accommodation by this ever increasing population.

3.4 Extent of informal settlements in Lagos

In Lagos, the rapid growth of informal settlements was part of unprecedented urbanization process fueled majorly by rural-urban migration. The growth in city population occasioned increase in the demand for urban land for different purposes. The increase in demand was accompanied by increases in land prices, rental prices, inadequate formal land supply and poverty. The influx of population from outside the city coupled with reduction in the affordable housing provision especially from formal sector created an acute housing shortage and price increased beyond the reach of the poor majority. With this, the poor are left with no option than to occupy any available land especially outside the formal system which are mostly located in vulnerable areas of the city. Vacant uncommitted and committed government lands were also victims of this process. In a way informal land occupation is a spatial manifestation of poverty. Currently, Lagos urban agglomeration is characterized by a very significant presence of the urban poor who are mostly accommodated in informal settlements, with a growing poverty profile.

Informal settlements have multiplied over the years and the living condition of the poor is getting worse. Environmental decline, inadequate basic services and infrastructure in informal settlements across the state hit the poor hardest. Informal settlements which range in size from clusters of shacks to entire districts are scattered across the state in different local government. The number of informal settlements and the population in Lagos Metropolis are increasing at a faster pace on daily basis. As far back as 1984, 42 settlements had been identified as blighted (UNCHS/Lagos State Government). The number has risen to about 100 as at 2004 (UN-Habitat/Lagos State Government). The study carried out by Nubi and Omirin in 2006 revealed that over 70% of the built up area of the Lagos metropolis is blighted. Although, presently there is no accurate data on the exact number of such settlements and their population but there are indications that there are over 200 of such settlement in the state.

It has been observed that informal settlements in Lagos are located on both private and government lands without access to basic services. The poor in the city of Lagos are spread in squatters and informal settlements located in vulnerable areas such as swamp, canal setback, rail line setback, marginal land among others, deprived of basic infrastructural services. These make them more vulnerable to environmental degradation, threats of eviction, ejection and demolition.

4 CHALLENGES OF INFORMAL LAND USE AND ATTAINMENT OF HEALTHY CITY IN LAGOS

Informal land use system have evolved in response to a need for alternative means of access to land and shelter for the urban poor. Such systems provide alternative land delivery and tenure through simplified procedures that are accessible, user friendly and affordable. Up to 80% of all urban land delivery in developing countries is through informal means (UN/FIG, 1996b). However, the growth of this land use is associated with various socio-economic, land and environmental related problems. These consequences according to Ali and Sulaiman (2006) include pollution, deforestation, flooding, and waste of agricultural lands among others.

Informal land development presents a number of challenges to urban land management process as well as urban dwellers. Where the informal land tenure systems are not recognised by the authorities, they do not provide sufficient tenure security to residents of informal settlements (UNHSP, 2003a; UNHSP, 2004a; UNHSP, 2004b). Since they are not part of the official urban management system, little or no land information is collected in the settlements and they are left out of the urban development planning process (Sliuzas, 2004; UNHSP, 2002). Yet these settlements are home to increasingly large proportions of urban populations in developing countries.

The informal occupation of land by poor migrants and otherwise displaced families creates one of the biggest challenges to urbanization. Even when the land becomes subject to regularization, it is almost impossible to make the area comply with established land use and zoning standards, especially when the settlements are already consolidated. Informal developments are the alternative for those too poor to participate in the formal market of planned and serviced housing. The manner in which these settlements materialize is similar across the majority of cities in developing countries with no exemption of Lagos.

Furthermore, lack of access is also a common problems associated with informal land use. Because there is neither a layout plans nor the regulatory machinery, residents tend to build to almost 100 per cent of their

plot size. It has become impossible to provide access roads to these areas as there is no space to accommodate such. Likewise, no area is left open for social services like schools, hospitals, children's play grounds, etc. Consequently, people and services movement in these areas are very restricted and residents have to walk long distance to obtain services like health, education, transport and the like (Ali and Muhammad, 2006). The rapid growth of informal land use in the urban areas of Lagos poses significant challenges to both dwellers and government. Challenges of informal land development in Lagos is multi dimensional ranging from social, economic, cultural, environmental and physical dimensions.

Informal land use is a widespread phenomenon in Lagos with the dwellers occupying land outside the legal land tenure system whether through the occupation of land in the periphery as illegal subdivisions by private agents, the direct invasion of public lands by settlers, or the invasion of infill vacant public lands in central areas with limited or no access to public utilities. Lagos urban informal settlements are characterized by a very significant presence of the urban poor, with a growing poverty profile. Informal settlements have multiplied over the years and the living conditions of the poor are getting worse. Environmental decline, inadequate basic services and infrastructures in these settlements across the state hit the poor hardest. Informal development which range in size from clusters of shacks to entire districts are scattered across Lagos state in different local government. The number of informal settlements and informal settlement population in Lagos Metropolis are increasing at a faster pace on daily basis. From 42 slum settlements in 1984 (UNCHS/Lagos State Government), the number has risen to about 100 (UN-Habitat/Lagos State Government, 2004). The continuous expansion of these settlements without adequate caution poses health, environmental, planning and development control problems to policy makers and the inhabitants.

The urban challenges of developing countries as identified by Population Reference Bureau in 2004 include environmental hazards, natural disasters, public and reproductive health, and poverty. These are all evident in the various pockets of informal settlements located across the state.

The environment components such as land, water and air which provide support system for healthy living, prosperous city and liveable city are been polluted daily in Lagos as a result of pressure on them due to human developmental activities and desire to meet daily livelihood especially by the poor. According to Gandy (2006) the city's sewerage network is virtually non-existent and at least two-thirds of childhood disease is attributable to inadequate access to safe drinking water. In heavy rains, over half of the city's dwellings suffer from routine flooding and a third of households must contend with knee-deep water within their homes. With this situation, the poor are mostly affected because they often live in marginal or environmentally hazardous and ecologically vulnerable areas of the city.

The influx of population coupled with infiltration of informal land use and unplanned growth has serious implication for flooding which has been identified as a serious problem in Lagos metropolis. The poor drainage systems, the relatively high water table and the flat topography of Lagos had hindered the flow of surface water run-off and prevent rapid discharge into the sea. Flooding of Lagos metropolis is usually caused by a combination of human and natural factors. The human factors are as a result of poor wastewater disposal and other sanitation practices (e.g. blocked drains by refuse, silt, sludge, etc) which are common practices in informal settlements. The natural factors include rainfall, flat topography and poor infiltration. Informal settlements often occupy marginal land, including river banks, swamp and flood-plains. Some are regularly flooded even in moderately heavy rain. This has caused a lot of damages which have led to lost of lives, properties, and destruction of infrastructural facilities.

Furthermore, informal development suffers from uncontrolled land use, squatters, overcrowding, poor drainage, unplanned access, and lack of adequate sanitation facilities and water supply. Inadequate or conspicuous absent of these basic facilities make daily life uncomfortable to the inhabitants of these settlements. Lagos, the commercial nerve center of the Nigeria, also faces the difficult problem of informal land development within its cities. The continuous rise in incidence of informal land use, reduction in infrastructural provision, insecurity of tenure, poverty and continuously worsening environmental conditions in these areas make it very difficult for the dwellers to improve their homes and immediate environments on their own.

The informal occupation of land generates problems of marginality, exclusion and vulnerability for the settlers. Although the inhabitants especially those located in the central areas benefit from living in a central area accessible to employment, infrastructure, and urban services (especially health and education) however,

living conditions are extremely poor (Magalhaes and Eduardo 2008). Low quality houses and the dire environmental conditions of the land they occupy expose these settlers to higher than average health risks. These areas are devoid of open spaces and recreation, as well as inadequate circulation and access to the residential units, making services such as emergency provisions and garbage collection extremely difficult. These situations are evident in most informal settlements in Lagos metropolis notable among these are – Ajegunle, Makoko, Ilaje, Iwaya, Ijora among others. Livability, safety, sustainability and health of these settlements and their dwellers become a mirage if nothing concrete is done to address the current situation.

According to Hancock and Duhl (1988) a healthy city is one which is continually creating and improving those physical and social environments and expanding those community recourses which enable people to mutually support each other in performing all the functions of life and in developing to their maximum potential. Therefore, healthy is defined by a process and not by outcome. A healthy city is not one that has achieved a particular healthy status. Rather, it is one that is conscious of health and striving to improve it (Tsouros 1990).

However, for a city to be healthy according to Tsouros (1990) it must possess the following qualities:

- A clean, safe physical environment of high quality which include housing quality
- An eco system that is stable now and sustained in the long term
- A strong, mutually supportive and non-exploitative community
- A high degree of participation and control by the public over the decisions affecting their lives, health and well-being
- The meeting of basic needs (food, water, income, work, safety) for all the city dwellers
- Access to wide variety of experiences, resources, contacts, interaction and communication
- A diverse, vital and innovative city economy
- The encouragement of connectedness with the past, with the cultural and biological heritage of city dwellers and with other groups and individuals
- An optimum level of appropriate public health and sick care services accessible to all
- High health status and low levels of diseases

An appraisal of the above qualities suggests that it is an ambitious goal to achieve especially in informal settlements which are characterised by low quality housing, inequalities, vulnerability, lack of access to public infrastructural facilities, exclusion, and inability to meet basic needs of life among others. However, in the other hand, it is an achievable goal bearing in mind that healthy city is a learning, evolving and continuous process which no one city could lay claim to have totally achieved. This means that there must be continuous efforts to see that the inherent characteristics of the informal settlements are turned around.

Unhealthy living, urban and environmental problems of cities in developing countries have been attributed to uncontrolled and excessive population growth, lack of land available for urban development especially by the low-income group as well as inadequate infrastructural facilities which are caused by lack of resources, corruption, poor maintenance culture or deliberate neglect by the government (Giroult,).

5 CONFRONTING THE CHALLENGES OF INFORMAL LAND USE AND ACHIEVING HEALTHY CITY IN LAGOS

There is a need for city wide informal settlements regularization in Lagos. The pocket of informal settlement scatter across the state should be considered for regularization. Many approaches for regularization have been tried in different parts of the worlds with high degree of success. Such approaches include titling, legalization and/or formalization of tenure and physical upgrading of informal settlements. These approaches usually aim to forge links between the formal and informal land management systems. However, regularization processes often require legal, administrative and/or technical adjustments to the formal land administration system. It is important to note that globally, national land policy approaches to informal settlements are generally shifting from policies that threaten tenure security (e.g. eviction, neglect, involuntary resettlement) to positive policies that support regularization of these settlements.

It is suggested that policy framework and strategy for an improved urban land administration be instituted. There is urgent need to formulate and implement both an appropriate and efficient land administration system as well as modernization of land information system. Formulating or implementing an urban land tenure policy should not be isolated from other related policies of urban land management and city development. Tenure should be seen as part of a package of policy measures intended to improve the efficient and equitable use of urban lands and, at the same time, improve the living conditions of the urban poor. The tenure options should naturally encourage the people to invest their own labor and savings in the improvement of their environmental conditions. Furthermore, it is also important to offer a range of tenure options, including ownership and rental options, so as to meet the diverse and changing needs of communities and households on a long term basis.

It has been established from literature that shortage of affordable housing and inadequate land supply through formal system especially for the urban poor is a major cause of continuous incidence of informal land use which has become almost intractable in Lagos. Therefore, government needs to develop a comprehensive Urban Growth and Housing Strategy with timeframe and specific measurable targets to addressing the shortage of affordable and adequately serviced housing.

Lack of adequate or at times completely absence of basic infrastructural facilities is a major feature of informal settlements and constitutes a serious health challenge for the dwellers. This shortage could be as a result of deliberate attempt by government not to recognize these categories of settlements since they are outside the legal provision. Also, limited resources at the disposal of government and concentration of these limited resources on the recognised settlements at the expense of the so called illegal settlements could be another reason for such neglect. Thus, consideration needs to be given to alternative ways to provide basic services to poor households in the informal settlements, particularly ways that encourage environmentally sustainable and self-sufficiency. Private sector (NGO, corporate bodies) option can be explored to provide assistance to the settlements in order to bridge the gap between what the government can provide and what the residents need for decent and healthy living. However, it is important to say that the private bodies should be encouraged through duty and VAT exemptions or rebate for providing such services.

6 CONCLUSION

Land defines the social, economic and political relations in the society. While access to land use in most developing countries could either be through formal or informal system but the informal system has been seen as the major provider of land especially for the majority of urban poor. The paper has discussed extensively the issues and challenges of incidence of informal land development and how it can be confronted in Lagos. The paper revealed that the incidence of informal land use is rooted in uncontrolled and unplanned urbanization, inability of government or the formal sector to provide affordable housing to the low-income group, inappropriate land administration and planning policies to meet housing and land demand of the poor majority and poverty among others. The findings revealed further that Challenges confronting informal land development in Lagos is multi dimensional ranging from social, economic, cultural, environmental and physical dimensions. Therefore, the paper suggests the need to confront this situation through adequate and sustainable urban land use management system. Finally, the prevention of new informal settlement is critical to the sustainability of the solutions proffered. This requires an adequate institutional and legal framework for land development regulation that facilitates the production of affordable housing and land for all uses, thus reducing the informal occupation of land and adding an important institutional development dimension to sustainable and healthy urban development.

7 REFERENCES

- Abrams, C. (1964): *Man's struggle for shelter in an urbanizing world*. Cambridge, MA: M.I.T. Press.
- Agbola, T. (2005): *Urbanization and Urban Development in the West African Sub-Region*. Proceedings of West Africa – CAP – NITP World Planners Congress Agenda Setting Workshop Organised by Commonwealth Association of Planners West Africa Region In collaboration with Nigerian Institute of Town Planners November 14 – 15, 2005.
- Ali, M.H and Sulaiman, M.S. (2006): *The Causes and Consequences of the Informal Settlements in Zanzibar, Tanzania*
- Archer, R. (1992): *Guided Land Development (GLD) in Indonesia*. In: TRIALOG, pp. 22- 25.
- Chung, M and Hill, D. (2002): *Urban informal settlements in Vanuatu: Challenge for equitable development*. Report prepared for Pacific Islands Forum Secretariat and UN Economic and Social Commission for Asia and the Pacific, Pacific Operation Centre.
- Dattatri, G. R. (1994). *Urban Land Management in India: Some Critical Issues*. UMP Asia Occasional Paper No. 10 October 1994

- Doebele, W. A. (1983): Concepts of Urban Land Tenure. In *Urban Land Policy: Issues and Opportunities*, edited by H. B. Dunkerley. Washington, D.C.: Oxford University Press for The World Bank.
- De Soto, H. (1989). *The Other Path: The Invisible Revolution in the Third World*. Translated by June Abbott. New York: Harper & Row.
- Durand-Lasserve, A. (1997): 'Regularizing land markets', *Habitat Debate* 3(2): 11–12
- Durand-Lasserve, A. (1996): Regularisation and Integration of Irregular Settlements. *Lessons From Experience*. Washington DC, (World Bank Urban Management Programm Policy Paper 6)
- Eliade, M. (1957). *The Sacred and the Profane: The Nature of Religion*. Translated by Willard R. Trask. English translation copyright 1959 ed. San Diego: Harcourt Brace & Company. Payne,
- Gandy, M (2006): Planning, Anti-planning and the Infrastructure Crisis Facing Metropolitan Lagos. *Urban Studies*. 43(2) 371–396
- Hancock, T and Duhl, L. (1998). *Promoting Health in The Urban Context*. FADAL, Copenhagen
- Kombe, J.W and Kreibich, V. (2001): Informal Land Management in Tanzania and the Misconception about its Illegality. Paper presented at the ESF/N-Aerus Annual Workshop "Coping with Informality and Illegality in Human Settlements in Developing Countries" in Leuven and Brussels, May 23 – 26, 2001
- Kombe W. J and V. Kreibich (2000) Reconciling Informal and Formal Land Management: An Agenda for Improving Tenure Security and Urban Governance in Poor Countries, *Habitat International*, 24(2): 231-40.
- Leeds, A and Leeds, E. (1978). *A Sociologia do Brasil Urbano*. Rio de Janeiro: Zahar.
- Mabogunje, A (1990): "Perspective on Urban Land and Urban Management Policies in the Sub Saharan Africa". World Bank Technical Paper No. 196, The World Bank, Washington D C.
- Macedo, J. (2000): *Land Use Policies and Urbanization Of Informal Settlements: Planning Initiatives for Environmental Protection Areas in Curitiba, Brazil*. Unpublished PhD Thesis, University of Florida, 2000
- Magalhaes, F and Eduardo, R (2008). *Facing the Challenges of Informal Settlements in Urban Centers: The Re-urbanization of Manaus, Brazil*. Inter-American Development Bank Washington, D.C.
- Morka, F.C (2007): A place to live: a case study of the Ijora-Badia community in Lagos, Nigeria. Case study prepared for Enhancing Urban Safety and Security: Global Report on Human Settlements 2007. Retrieved from <http://www.unhabitat.org/grhs/2007> on 10/06/2009
- Nkurunziza, E. (2007): Informal mechanisms for accessing and securing urban land rights: the case of Kampala, Uganda', *Environment and Urbanization* 19
- Nwaka, G.I. (2005): *The Urban Informal Sector In Nigeria: Towards Economic Development, Environmental Health, and Social Harmony*. *Global Urban Development Magazine*. volume 1 Issue 1
- Olima, W. H. A. (1997). *The conflicts, shortcomings, and implications of the urban land management system in Kenya*. Elsevier Science Ltd.
- Oyesiku, K. (1998): *Modern Urban and Regional Planning Law and Administration in Nigeria*. Ibadan. Kraft Books Limited
- Payne, G. (1989): *Informal Housing Land Subdivision in Third World Cities. A review of Literature*. Oxford Polytechnic (Center for Development and Environment Planning (CENDEP)
- Payne, G. (1997). *Urban Land Tenure and Property Rights in Developing Countries: A Review*. London: Intermediate Technology Publications/ Overseas Development Administration (ODA).
- Planact, (2007). *Urban land: space for the poor in the City of Johannesburg? Summary of findings of a 2007 joint Planact/CUBES study on Land Management and Democratic*
- Rakodi, C et al (1993) *Managing Fast Growing Cities. A new Approaches to Urban Planning and Management in the Developing World*. Longman, New York
- Rykwert, J. (1988). *The Idea of a Town: The Anthropology of Urban Form in Rome, Italy and the Ancient World*. Cambridge, MA: The MIT Press.
- Satterthwaite, D. and Hardoy, J.E. (1989): *Squatter Citizen, Life in the Urban Third World*. London (Earthscan Publications)
- Tsouros, A. D. (ed.) (1990). *WHO Healthy Cities Project: A project Becomes A Movement. Review of Progress 1987 to 1990*, FADL, Copenhagen.
- Turner, John F. C. (1977). *Housing by People: Towards Autonomy in Building Environments*. First American Edition ed. New York: Pantheon Books.
- UNCHS (1996): *The Habitat Agenda: Goals and Principles, commitments and Global Plan for Actions*, UNCHS (Habitat II), UNCHS, Nairobi
- UNCHS/Habitat. (1982): *Survey of Slum and Squatter Settlements. Vol. 1, Development Studies Series*. Dublin, Ireland: Tycooly International Publishing Limited for the United Nations Centre for Human Settlements (Habitat).
- UNCHS /Habitat (1996): *An Urbanising World. Global Report on Human Settlements*. Oxford University Press.
- United Nations Human Settlements Programme (UN-HABITAT). (2003): *The challenge of slums: global report on human settlements*. UN-HABITAT, New York, New York, USA.
- World Bank (2006). *The World Bank, Project Appraisal Document for the Lagos Metropolitan Development and Governance Project*, 7 June 2006. p. 2.
- Yakubu, M. G. (1985): *Land Law in Nigeria*. Macmillan Publishers. London
- Zaghoul, M.S.S.(1994). *The Structure and Dynamics of Informal Urban Growth. The Cairo Urban Region 1976-1986*. Unpublished PhD Thesis, Havard University, 1994