

Urban Governance a Veritable Tool in the Management of Metropolitan Areas; Case of Jos City-Metropolis in the Developing World

***¹Wapwera S. D., ²Ziyok I. ³Musa B. A. ⁴Peter D. Y., ⁵Azi J., ⁶Nate B. P. and ⁷Juliana E. H.**

^{1,3,4}*Department of Urban & Regional Planning Faculty of Environmental Sciences University of Jos, Plateau State, Nigeria*

²*Independent Consultant, Facilitator Plateau Rural Water Supply and Sanitation Agency (PRUWASSA)*

³*Department of Geography, Aminu Saleh College of Education Azare, Bauchi State, Nigeria*

^{4,5}*Department of Urban & Regional Planning School of Environmental Sciences Plateau State*

Polytechnic Barkin Ladi, Jos Plateau State, Nigeria

⁶*National Centre for Remote Sensing, Jos Plateau State*

⁷*Nasarawa Metropolitan Development Board (NMDB)*

**Corresponding Author's email: wapweras@unijos.edu.ng*

<https://orcid.org/0000-0002-2931-2898>

ABSTRACT

This paper seeks to examine urban governance as a veritable tool in the management of urban areas by examining the characteristics of good urban governance and the role of physical planning in urban governance in Jos Metropolis, this is with a view to make recommendations for the management of cities in Nigeria. The methodological approach adopted is both quantitative and qualitative with deductive-inductive reasoning using the case study embedded mixed method design. The qualitative based evidence from 50 semi-structured face-to-face interviews with registered Town planners working in the 4 case studies (planning authorities have 2 as policy formulating and 2 implementing), and from the documents reviewed relating to urban governance and management on the case study area Jos Metropolis, Nigeria. The thematic and content analyses were used to analyse the face-to-face interviews and archive documents. The results revealed that the 'urban governance' means: the process of decision-making and the procedure by which decisions are implemented through formal and non-formal actors and governments' intention to the use of the national urban development policy and the urban and regional planning law of the 1992 are veritable tools used but did not achieved control in the Urban Metropolis, hence, the haphazard and uncontrolled developments manifested in developments beyond the boundaries of the various settlements within the Jos Metropolis, Nigeria. Based on the results obtained, an outline of the roles of physical planning in ensuring governance is used as a veritable tool in the management of cities and urban areas expected to help policy makers, practitioners and the academia.

Key words: Urban Governance, Management, Cities and Urban areas, Developing World

1. INTRODUCTION

The United Nations (UN) World Population Prospects (2014), global population (absolute numbers and density) indicate a rising population in Less Developed Countries (LDCs), especially in Asia and Africa. Although the pace and pattern of the projected urban growth and urbanisation is expected to vary by region, the vast majority of growth is expected to take place in developing countries hence, by 2050, it is projected that China, India and Nigeria would be the world's most populated countries, accounting for 37% (of the increase of nearly 2.5 billion people in the urban population by 2050) of global urban population.

The growing population in Nigeria alone (the most populous African country) is expected to trigger regional concerns in areas of urbanisation, population flows, urban infrastructure and service delivery, food security, resource and wealth distribution, insecurity/conflicts, and environmental degradation; all of which have the capacity to impact the urban system. To say the least, there will be a significant increase in demand for cities infrastructure and its services delivery as argued by Bevir, (2011).

Cities tend to grow but when the growth extends or is more than usual, it exerts pressure on the boundaries making the city face new major problems in its expansion and spread over time and space. The term 'urban sprawl' is often used today rather negatively, typically to describe low density, inefficient, suburban development around the periphery of cities. Many of the definitions found in the literature tend to emphasize the idea of urban sprawl being a type of urban form or a pattern of urbanization, rather than a process of urban change (Couch, 2007). Urban sprawl is used variously to mean the gluttonous use of land, uninterrupted monotonous development, leapfrog discontinuous development and inefficient use of land as opined by (Peiser, 2001) and (Couch, 2007).

Urban sprawl is evident in both developed and developing countries; it is one of the problems envisaged in planning. Planning is a decision-making method that aims at achieving a desired goal with a given resource and time frame. Urban planning should be viewed in this context particularly with the objectives of addressing the prevailing socio-economical and physical problems of any town (Haimanot, 2009). The word "Urban Sprawl" means more growth than the usual and what makes it different from urban growth is its excessive nature (Habibia, 2011).

The underpinning theory that would be used to explain the basic components of the paper is the urban governance and management theory. Urban Governance and Management explains that every system is support by a government which is structured to ensure certain set goals are achieved and, in this instance, a planned environment and in this instance Jos metropolis, Nigeria hence the theories are; Structuration, Institutional theory, Urban regime, Contingency theory, Regulatory theory and the Systems theory (Giddens, 2000; 2006; Scott, 2005; JMDB, 2006; Davoudi, 2009; Litman, 2011; Rydin, 2011). But for the purpose of this paper emphasis will be placed on the Structuration and Regulatory theory and these would be used to bring about further clarification as governance and management issues are raised (Rahman & Abdullah, 2016).

It is against this background that this paper discusses the concept of governance and how it has become a veritable tool in the management of cities and urban areas by examining the characteristics of good urban governance and by examining the role of Physical Planning in Urban Governance in Jos metropolis, Plateau State Nigeria a sub-saharan, West Africa.

1.1.The concept of governance

The concept of "governance" is not new. It is as old as human civilization. Simply put "governance" means: the process of decision-making and the process by which decisions are implemented (or not implemented). Governance can be used in several contexts such as corporate governance, international governance, national governance and local governance. Since governance is the process of decision making and the process by which decisions are implemented, an analysis of governance focuses on the formal and informal actors involved in decision-making and implementing the decisions made and the formal and informal structures that have been set in place to arrive at and implement the decision as argued by Committee of Experts on Public Administration (2006) (Vymětal, 2007) and Biswas (2014).

Government is one of the actors in governance. Other actors involved in governance vary depending on the level of government that is under discussion. In rural areas, for example, other actors may include influential landlords, associations of peasant farmers, cooperatives, Non-Governmental Organizations (NGOs), research institutes, religious leaders, finance institutions, political parties, the military etc. The situation in urban areas is much more complex. There are interconnections between actors involved in urban governance. At the national level, in addition to the above actors, media, lobbyists, international donors, multinational corporations, etc. may play a role in decision making or in influencing the decision-making process as observed by Deloitte (2004) and UNESCO (2009).

Governance is the process whereby elements in society exercise power and authority, and influence and enact policies and decisions concerning public life for environmental, economic, cultural, social and political development Koenig-Archibugi Zürn (2006). It is mostly connected with any proposals improving government activities, government measures, and also encouraging and improving the performance of the economy, and, indeed, society as a whole, by the provision infrastructure that has a tendency to trigger environmental, economic, cultural, social and political activities leading to development as argued by Enderlein, Wälti & Zürn (2010); Dietz, Ostrom & Stern (2003). and Kaufmann, Kraay & Mastruzzi (2007).

Good governance is basically characterized by 8 major elements vis; participatory, consensus oriented, accountable, transparent, responsive, effective and efficient, equitable and inclusiveness and strictly follows the rule of law. It assures that corruption is minimized, the views of minorities are taken into account and that the voices of the most vulnerable in society are heard in decision-making. It is also responsive to the present and future needs of society (Turok & Scheba, 2019; UN, 2009).

This refers more to the ability and capability to govern, to manage closed societies. Probably "to administrate" is a more fitting explanation. This "political" approach behind governance depicts the activity (that is: administration or steering) which the state executes over society. Down through history many historians have proven the advantages of such arrangements, as well as the centralisation tendencies all-over the nation states. Max Weber, in his theory on the three basic types of domination, leadership and authority, advocates the legal one, which is characterised by an impersonal bureaucracy, which is useful in the management and administration of a complex society (Vymětal, 2007); Biswas (2014) and (Dalingwater, 2017).

Governance was very often substituted by the term power. Power and its enforcement were at the centre of many analyses, which has suddenly become a term joining two issues together. First, it

is an expression for the state/government policies and reflected as either its form, and/or the effectiveness of the measures taken. This approach still refers to the exercise of power and authority of the Federal, state or local government councils (government, its administration, but also, the whole public sector); as well as possibly to the failures resulting from government activities; and to economic and political issues (Vymětal, 2007) and Enderlein, Wälti & Zürn (2010).

It has got mostly two different meanings. First: governance is: the state of being governed (Farlex Free Dictionary on-line). This aspect reflects the political origin and implication of the word. It is the passive manner of its operation; it is a result – it refers to submission to the power and authority of the state and government. It is a result of (1) the exercise of sovereign authority and the right to administer public policy and affairs; (2) to control or take over control of; in this instance physical development and (3) exercise of determining influence to ensure a well-guided development as opined by Fuduka-Parr & Ponzio (2002); Vymětal, (2007); Biswas (2014).

The second meaning of the governance is the act, process, or power of governing (Farlex Free Dictionary on-line). This approach, on the other hand, reflects the 8 active operations, a basic precondition of governing and a key characteristic of it. It is more the action, manner and scope of using the influence, or the system, of governing Vymětal, (2007) considers “Governance” as that which involves the interactions among structures, processes and traditions that determine how power is exercised, how decisions are taken, and how citizens or other stakeholders have their say. Fundamentally, it is about power, relationships and accountability: who has influence, who decides, and how decision makers are held accountable. He further described it as the structural and procedural approaches. It is more like the art of steering societies and organisations and conflict solving (physical planning development control). For further clarification see the varying types of governance which include but not restricted to; Democratic Governance, Economic and Financial Governance, e-Governance Services, Corporate Governance, Environmental Governance and Natural Resources, Governance as process, public governance, Private governance, Global governance, Governance Analytical Framework, Nonprofit governance, corporate governance and Project governance amongst others.

1.2.Urban Governance

Urban governance occurs when societal norms and practices empower and encourage people to take increasingly greater control over their own development in a manner that does not impinge upon the accepted rights of others (UNDP, 2019). Governance involves interaction between formal institutions and those of civil society. It includes formal institutions (PAs) and regimes empowered to enforce compliance, as well as informal arrangements that people and institutions either have agreed to or perceive to be in their interest as opined by Rodriguez-Pose (2020).

Governance is written and unwritten policies, procedures and decision-making units that control resource allocation within and among institutions (PAs). New forms of governance allow individual organisations to contribute their strengths and talents, to discharge their collective responsibilities and to preserve and enhance the distinctiveness of the progress of a country at the national, state or at the local government level, which depends in no small measure on the quality of its governance. Keping, (2018) observed that a democratic government may lay the foundations for good governance, a vigilant and active citizenry is essential to its sustenance. "Governance" is the art of public leadership. There are three distinct dimensions of governance: a) the form of political regime; b) the process by which authority is exercised in the management

of a country's economic and social resources; and c) the capacity of governments to design, formulate, and implement policies and discharge functions for the successful implementation of the policies for growth and development (Turok, & Scheba, 2019).

Osuocha, and Njoku (2012) observed that Urban Governance has been identified as an indispensable factor to achieving sustainable development in most countries of the developing world. With the continued rapid growth in the world's urban population, and the realization that cities are engines of socio-cultural and economic growth, the challenge of recent urban planning and management practices have gradually shifted from controlling urban migration, to enhancing the quality of life and living standards in most cities by improving their management and governance as argued by Aribigbola, (2011). The concept of Governance, however, lays emphasis on the "process" of decision-making which "recognizes that decisions are made based on complex relationships between many actors with different priorities" (UN-HABITAT, 2002). It recognizes that power exists inside and outside the formal authority and institutions of government, and as such includes the government, the private sector and the civil society (UNHABITAT, 2004).

Based on the above discussion, urban Governance is the sum of the many individuals and institutions, public and private, that plan and manage the common affairs of the city. It is a continuing process through which conflicting or diverse interests may be accommodated and cooperative action can be taken. It includes formal institutions as well as informal arrangements and the social capital of citizens." (UN-HABITAT, 2002).

There is a need for the standardisation of the provision of urban services, based on modernist master planning principles which was through the city government operating mainly by appointing government representatives and only in a smaller proportion by delegated powers of local government authorities which was identified at the central level and also social services and facilities delivery is a demonstration of the various solutions to the problem of satisfying collective social needs which include; education, health, housing, transport, water, electricity, energy supply and telecommunication amongst others (Healey, 2006; Rydin, 2011).

The need for effective urban governance is not debatable because the urban centre is complex and needs a complex and diverse organisation and human intervention which is geared towards functionality and effectiveness (Yasin, 2004; Healey, 2006). This produces the urban complexity theory, which will be considered under the theories of development. For the governance response to the city depends upon what one's notion of the 'good city' is, how the unevenness and openness of the city are to be negotiated, and how it should to be managed and regulated as opined by Newman, (2001). This requires an understanding that cities are made up of different forms of order which clash, and that power relations exist and are portrayed in urban environments and spatial relations which react and produce those underlying social relations (Biswas, 2014). The major question to answer here is how effective are the urban governance institutions? To juxtapose and give a convincing explanation to how urban governance could be effective some policies have been formulated to bring about a planned urban area (Scheba, Turok & Visagie, 2021).

1.3.Urban management

Urban management seeks to ensure and carry out development control, monitoring development and ensuring maintenance of development within different jurisdictions using appropriate plans and by ensuring implementation. The planning authorities are responsible for the implementation of plans to control development. This could be in the form of the various aspects of the urban environment addressing different problems for instance transportation, waste management, housing and drainage amongst other Wetzstein, (2017).

These problems could have been highlighted in the existing plan and when proposals are made it is directed to such problems and the planning authority in charge would be responsible for the management of the related problem. The question is; has this been achieved in the study area under scrutiny? What are the weaknesses, what is lacking and what is needed etc. Land-use planning has not fully incorporated environmental values or safe guarded protected areas from the negative impacts of developments seen in the prevailing social and economic problems in the country (Aluko, 2004). It is evident in the uncontrolled and unguided urban development and management in towns and cities where commensurate provision of community facilities and infrastructure services has been neglected over the years (Oyesiku, 2001; Agbola, 2007).

Jos Metropolis operates in the context of Nigeria under the 1992 URP, law that apportion the state the power to prepare the master plan for urban areas in state capitals, hence, the issues raised in Nigeria (urban, cities) are all replicated in Jos Metropolis. The issues in question are linked to the explosion in the spatial coverage due to the urbanization processes that encroach on nearby agricultural land in areas where land use control is grossly ineffective and poor urban management practices abound leading to haphazard development in most urban areas in most developing countries (Olokesusi, 2004; Olufemi, 2004; Jiriko, 2008; Pradeep & Etakula, 2010).

The urban management which makes up the technical section of this paper is involved with the consideration of the consequences of long-standing neglect, wrong and poor performance by stakeholders and planners in planning authorities being responsible for the rise in chaotic and disorganized urban settings, in order to deliver cost effective maintenance in any economy. Hence, the need to employ a guided development control measure via policy guides. See the structure it falls under Nigeria under the 1992 URP law part II.

2. METHODOLOGY

2.1 The Study Area

The choice of Jos metropolis, Nigeria West Africa as the case of a city in the Developing World is informed by the fact that it is the administrative capital and commercial centre of Plateau State, one of the 36 states of the Federal Republic of Nigeria see (Figure 1).

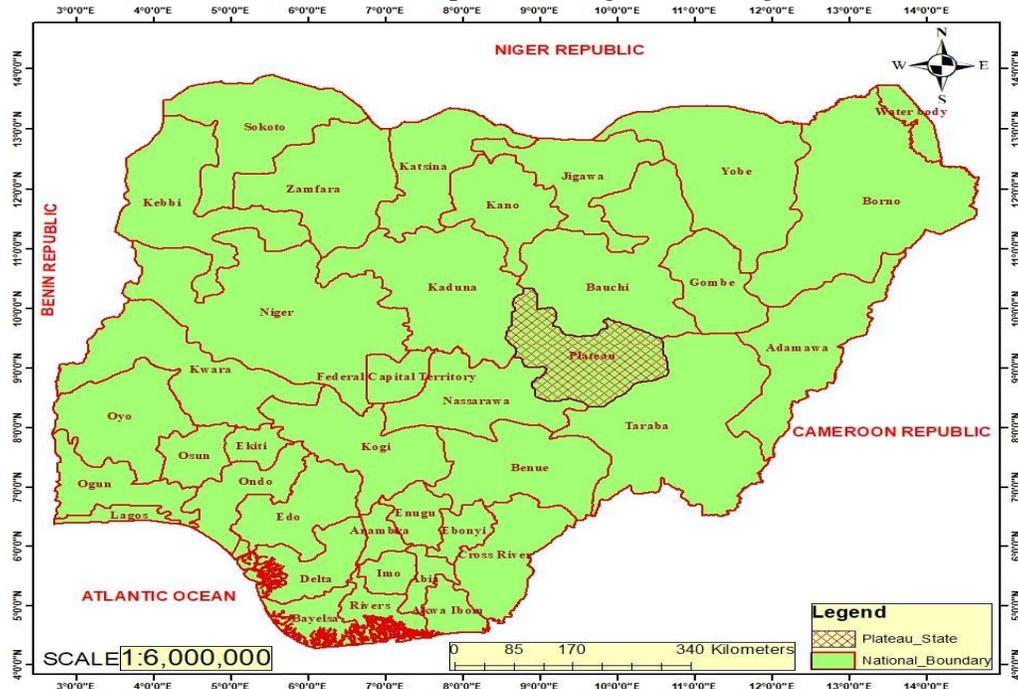


Figure 1: Nigeria showing Plateau State, Nigeria

The study area covers a land area of approximately 1362 km² and it is made up of six local government areas/councils (Jos North, Jos East, Jos South, Bassa, Barkin Ladi and Riyom Local Government Areas) which are jointly referred to as Jos Metropolis. It is located in the North central geo-political region, 3 hrs away from the Federal Capital Territory (Abuja) by road. It lies between latitude 09° 52' N and longitude 008° 54' E. Jos is connected to other Nigerian cities by air, rail and road. The metropolis is experiencing an increasing population; it has a population of 1,315,301 according to 2025 with a growth rate of 4.5%. It is one of the planned towns (Bingel, 1978), it has a grid and some residential areas in Jos have developed into slums over time. The region has become unstable due to violent attacks by a group of religious extremists known as “Boko Haram” meaning western education is a Taboo. Unless the planning authorities through good urban governance have become more determined to address urban development and management the situation is likely to degenerate as argued by Mallo, (2015); Wapwera (2018) and Visagie, (2021).

2.2 Sampling Techniques

Multiple sampling methods were adopted to enhance the multiple methods of data collection bringing validity and reliability to the study. The following sample techniques were; snowball for planners and others in the built environment, Purposive and Convenience sampling methods were employed for the Face-to-face interview with planners, architects, Estate and Quantity Surveyors who are experts in the built environment, documents drawn from (4) planning authorities respectively.

2.3 Approach and Data Collection

The approach adopted for this paper is qualitative with deductive-inductive reasoning using the case study embedded mixed method design. The qualitative based evidence from 50 archived documents and face-to-face interviews with registered Town planners working in the 4 case studies (planning authorities having 2 as policy formulating and 2 implementing bodies), and from the documents reviewed relating to urban governance and management on the case study area Jos Metropolis, Nigeria.

2.4 Data Analysis

The thematic and content analyses were used to analyse the face-to-face interviews and archive documents. The study area is the Jos Metropolis, Nigeria, an old Tin-mining area that was inhabited by different tin mining companies in the 1904s and having a well-designed grid layout over the years. The metropolis now experienced a haphazard development, leading to the sprawling of the urban metropolis and the capital of Plateau State, Nigeria. The evidence is provided and presented under the key components; urban governance and urban management as a positive role of physical planning in urban governance in this paper.

3. RESULTS AND DISCUSSIONS

3.1. Effective Urban Governance a Veritable Tool for Management of Jos Metropolitan Area

The United Nation Development Programme (UNDP) defined governance as processes, regulations or results of interactions between the legislation and executive government, the civil society, the judiciary and the people (UNDP, 2004). In other words, interactions between the government and the people as groups or individuals in decision making on issues that affect them. Governance is the system of values, policies and institutions by which a society is resolved to manage its Socio-economic and political affairs. It involves the government, non-governmental organizations, Community Based Organization (CBOs) and individuals coming together to make and implement decisions through mutual understanding, agreement and action. Governance operates at every level of human enterprise, in the household, village, higher institutions, village, regions and Nations. (UNDP, 2000-strategy notes on Governance for human Department). Urban governance, on its part, has been defined “as the sum of the many ways individuals and institutions, public and private, plan and manage the common affairs of the city (Un-Habitant campaign, 2003). Thus, Good Urban Governance focuses on the establishment and pursuit of certain principles and ideals in the city administration with a view to promoting inclusiveness and democratic norms in decisions making towards enhancing the well-being of all involved.

UNDP (UNDP 2004) and OECD (2001) pioneered the concept of good governance and was assessed by nine criteria, principles or themes. These include: Rule of Law, Transparency, Responsiveness, Consensus Orientation, Equity, Effectiveness and Efficiency, Accountability, Strategic vision and participation. Since its introduction, Good Governance principles have been used in different tiers of government including, central, regional and local governments. Since the 1980s the principles of good governance have been widely promoted and is considered an essential to effective urban planning UN-Habitat (2009). The characteristics of good urban governance are further explained below:

- Sustainability- balancing all needs (social, economic and environmental) for present/future.
- Subsidiarity- taking decisions at the lowest level of government.
- Equity and Inclusiveness- Involvement or participation in decision making and access to basic services.
- Efficiency- In the delivery of basic services and the promotion of local economic developments.
- Civic Engagement of citizens.
- Security: Of individuals and their environment (UN Habitat, 2009)

However, at its interagency meeting in June 2001, the UN reviewed and customized for urban administrative levels four principles for measuring good urban governance. These components are: Equity, efficiency, transparency and accountability. Other principles of subsidiarity, Civic engagement and citizenship, as well as security of individual and their living environments were later added by the task force in improving the lives of several urban dwellers.

Drawing from the above, “Governance” involves the interactions among structures, processes and traditions that determine how power is exercised, how decisions are taken, and how citizens or other stakeholders have their say as argued by Vymětal (2007) and from respondents on this current study.

Essentially, it is about power, relationships and accountability: who has influence (Government), who decides (Planning Authorities), and how decision makers (bureaucrats) are held accountable. It is more like the art of steering societies and organisations and conflict solving (sprawling urban areas experiencing haphazard developments, confirming and agreeing with the theory of urban systems which states that every system is supported by a government which is structured to ensure certain set goals are achieved.

To ensure excellent urban governance an excellent law was considered and the face-to-face interviews were conducted and the secondary and archived documents were reviewed and results analysed, see the results in the next section.

Some of such policies that affect Urban Governance include but are not limited to the national urban development policy and the national housing policy.

3.1.1. Urban Governance; National Urban Development Policy

A part forms the Urban and Regional Planning law 1991, other policies that affect urban governance include; the national urban development policy and the national housing policy among others. The first national urban development policy passed in 1992 and was later revised in 2012.

The revised document set out the goal, objectives and strategies for attaining sustainable urban development. It also acknowledged the role of the different levels of government in promoting urban development as well as the autonomy of the three tiers of governments in performing their responsibilities under the policy. Provisions of the policy empowered the relevant federal ministry to encourage State governments to establish Urban Development Boards for the overall planning and management of urban areas in the state. They are also responsible for urban policy formulation, preparation of requisite plans and building capacity of local governments towards attaining development.

3.1.2. Urban Governance; Urban and Regional Planning Law, 1992

The revised Housing Policy 2012 specifies the role of both states and Local Governments to include; provision of residential site and service layouts, provision and maintenance of urban infrastructure, environmental sanitation; and to do so in partnership with agencies of government, and private sector, providing Housing for all by the year 2020.

Review of the above legislation and policy documents shows that URP law was fashioned not only to reduce friction among practitioners at all levels of planning but to also democratize as much as possible the planning process by promoting inclusivity, subsidiarity and participation in the planning process for MDAs, Agencies, communities and individuals. Although it was enacted during the military era, there are inherent provisions to democratize the planning process by the creation of space for participation through engagement to ensure that those who might be disenfranchised or discriminated against are not further left behind as argued by Srivastava, (2009).

The institutional structures as prescribed by the Law which provides for a Commission, Boards and Planning Authorities at the Federal, State and Local Governments in place of domiciling Planning in the Ministry further enhanced its independence and accessibility to the public. It would enhance good urban governance as it would be free from the typically Top-Down approach of the civil service. The bottom-up approach engendered by the structure provided by the Law would enhance access for stakeholders and thus promote involvement and inclusion for community groups in decision making UNESCO (2009).

Under Section D of the Law more provisions have been made compelling the secretary to invite submissions from government MDA/ Agencies, non-governmental organizations and individuals in the course of plan formulation. It further demands that each draft plan must be subjected to Stakeholders review for comments and objections.

In accordance with the principle of federalism and in order to enhance national development through linkages (from the Federal to the State down to the Local Governments, Urban Center and Communities) the 36 federating states of Nigeria and the Federal Capital Territory are to re-enact the Urban and Regional Planning Law, 1992 in their various States as argued by Wang, Lu, Soderlund, & Chen, (2018).

3.2.The Role of Physical Planning in Urban Governance of Jos Metropolis, Nigeria

It's evident from our earlier discussion that the context of rapid urbanization in Jos Plateau State has posed many problems and the government and its varying agencies face challenges for which established structures, processes and processes have appeared inadequate. Yet, Physical Planning has the potential to play a transformational role in improving urban governance in ways that can enhance the well-being and inclusion, access to services, safe environment, amenities, economic opportunities and to equally empower them.

This current study indicated that 80% of the respondents agreed that..... *for effective municipal governance depends not only on local institutions and actors but also on the framework established by national governments that provide a connection between the city and region and national development.*

Therefore, the Plateau State governments must as a matter of urgency conclude the process of domestication of the urban and regional planning Law of 1992 to provide the necessary legal framework for physical planning to take roots in the State and for the establishment of required institutions at all levels of governments. This will provide the presently missing connection between the city and the region and national development. It will also create opportunity for the realization of those good urban governance principles enshrined in the Law.

It is only through the existence of appropriate institutional and legal structure can Physical Planning enhance good urban governance in the state, hence 60% of respondents observed that..... *if Physical Planning in Plateau State must play its legitimate role of enhancing urban governance, the state government must do the needful through the immediate promulgation into law the Greater Jos Urban Master Plan.*

This would provide the framework through which physical planning can unleash its potential to enhance urban governance.

For an effective urban governance cannot thrive without the involvement of NGO's and SBO amongst others. From the face-to-face interview conducted 80% of the respondents agreed with that..... *But in Jos CBOs are often weak, lacking the ability to influence decisions, and are not very often incorporated into the planning process, planning must formulate specific strategies to constructively involve those NGOs and CBOs for joint partnership in improving the well-being of communities as*

The analysis of the situation in Jos Metropolis, Plateau State, suggests that the potentials for urban planning to enhance urban governance are many, but it is often undermined by weak capacity and sometimes limited recognition of the priorities of the poor and vulnerable. Planning can facilitate more transparent decision and pro-poor service provision. In this study 70% of the respondents observed that..... *Problem oriented planning could be employed to counter areas of weak control arising from low capacity. This is to strengthen coordination in the prevailing weak governance in the urban metropolis under discussion.*

These respondents further suggested that the following areas must be evaluated; existing capacity and processes, effectiveness of decision making, development control, and enforcement. Where capacity is low more attention should be on managing developments with significant environmental impacts. Action or problem-oriented planning is recommended for increasing capacity in planning agencies. This way, a wide range of issues can be addressed as it would bring flexibility in managing change.

From the face-to-face interview conducted 90% of the respondents observed that ... *one element that has limited the capacity of planning institutions in Plateau State is poor funding. That government must explore municipal borrowing to enable the state and local governments to finance capital investments.* This will help in addressing infrastructure deficits by shifting the burden of current expenditure into the future and away from funding via grants.

Additionally, the government can generate funds locally through property taxes. Property taxes have significant potential for raising revenue. This will require entering into agreement with the various local governments, updating address registers, good maps as well as reliable fiscal databases, developing good billing and collection capacities and educating stakeholders on the benefits of such taxations as 70% of the respondents agreed with it.

Migration is easily seen as a menace contributing to shortage of housing and other such ills. Yet, it has also been described as the engine of economic growth. Migration policies must be formulated for the state through paying due attention to the nature of migration, the vulnerability of the participation of migrants in civic, vocational and political life so as to free the developmental potentials of urban centers.

From the face-to-face interview conducted 40% of the respondents were of the view that...*Urban areas generally, are major contributors to climate changes including those in Plateau State.* The Plateau State government must play a part in addressing it by undertaking relevant studies and formulation of policies to integrate international and national strategies with state and local urban policy frameworks.

3.2.1. The 1992 Urban and Regional Planning Law

This law is popularly known as the Nigerian Urban and Regional Planning law 1992. Established by Decree No.3 of 1988, the law has suffered rejection and non-acceptance by the government since its conception by the Nigerian Institute of Town planners. Till this present day the law has not been adopted for use, after Supreme Court Judgement in favour of the Town planners (NITP) since 2003. The non-adoption of this law has affected the government (institutions) and management (Planning Authorities) to guide and control orderly development in the urban metropolis basically because of the non-availability of the right documents employed for regulation as asserted by over 90% of the respondents in this study. This was confirmed as this law has not been put to use and hence has constrained the activities of planners all over the place especially in most cities and metropolitan areas where the planners are few and have a wide area to control. One major reason why this has not been favoured is due to the fact that the planning powers of the Federal Government are now strictly limited to the federal capital Territory, according to the court, it is a non-controversial political philosophy of federalism that the federal government does not exercise supervisory authority over state governments as over 70% of the respondents are aware and they had stated that.....

'It is clearly wrong for the federal government to give anyone building permits, licences or approval over federal land in any state territory. All such permits, licences or approval must be issued by the State government in conformity to the planning law and regulations of the State'

Furthermore, his Lordship held that....

'Any Act, be it the federal Highways Act, the Civil Aviation Act and the Nigeria Railways Corporation Act which tends or is implemented in a way to tend to exercise or assume such function is unconstitutional and in appropriate circumstances will be declared so'

The implication is that the state government was free to repeal the Urban and Regional Planning law or to adopt it as a state law after deleting the unwanted sections of the law. This has gone further to established certain principles that have important ramifications to the practice of physical planning in most urban areas in Nigeria as observed earlier to be on the issue of federalism, planning powers, state and exclusive powers for planning, national assembling not making laws and federal government seeking planning permission for its projects in the states as well as ownership of land does not confer planning powers on federal government. This simply means that all the planning authorities at the three tiers must seek and obtain planning permission for the implementation of their plans.

The provisions of the Law have not been implemented, as the various planning authorities, National Planning Commission, State planning boards and local planning authorities have not been created except for a few states like Lagos, Kaduna, Kano, Plateau and Niger (State Boards). Only a few local councils exist in Western and Eastern States of Nigeria with Local planning Authorities as confirmed by over 80% of the professionals interviewed saying.....

'The entire Northern states do not have any local planning authority to implement as stipulated by the law'

The main culprits of this situation are the various governments for non-implementation of its provisions. The implication is the continuous presence of plan-less urban centres and the haphazard and ineffective planning and further reassurance that the outdated ordinance the 1946 being still in use (even if unofficially) all over the country. The non-implementation of the Law has affected the setting up of a viable administrative framework leading to the absence of development plans as provided in the law.

The implication of this is the loss of the accrued benefit that comes from the proper planning observed. Professional planners have been incapacitated as definite planning standards and guidelines are non-existent. The law has a close tie with the Land Use Act and this has been faulted by almost all experts in the built Environment, lawyers and the different geopolitical regions in the country.

This is made manifest by the extreme constraint of the physical planning activities taking place on the land, and making governance of Land very difficult. This was emphasized further by 80% of the respondents during the face-to-face interview.....

'The vast segment of the society finds it difficult to operate with as it requires a comprehensive review and consideration of the interest of the vast majority in Nigeria and having a professional physical planner as a permanent member of the Land allocation Advisory committee'

Another issue in Nigeria is the complexity of the Nigerian legal system as the 1992 urban and regional planning law suffers difficulties of implementation. Furthermore, the non-enactment of the national urban development policy by the government twenty 21 years after making planning activities remain disjointed and uncoordinated in the absence of the development policy for planners to use.

Based on the above, there is a dearth need for the federal government to reconsider and pass the Nigerian urban and regional planning law in addition to what the states can do to bring about a controlled urban development and management. This is necessitated by the fact that almost every form of physical planning and other planning legislature derives its structure and direction from the law which has a structure which forms the basis for the institutional framework for the discipline.

3.2.2. Implementation of the Urban and Regional Planning Law 1992 in Jos Metropolis, Plateau State, Nigeria as a veritable tool for Urban management

Seventy percent (70%) of the respondents within have observed that.... *Twenty –six (26) years after the coming into effect of the Urban and Regional Planning Law of 1992, -(the extant law*

Wapwera S. D., Ziyok I. Musa Bulus A. Peter D. Y., Azi J., Nate B. P. and Juliana E. H.

that governs the practice of Urban and Regional Planning in Nigeria) Plateau State is still operating under the Cap 130 Law of Northern Nigeria as it has not domesticated, as it should, the Urban and Regional Planning Law 1992.

Consequently, structures considered necessary for the efficient and effective administration of physical Planning and urban governance as conceived by the URP Law of 1992 are virtually absent in the State. Urban and Regional Planning in the State is administered under the Ministry of Lands, Survey and Town Planning and the Ministry for Physical Planning and Urban Development. The Jos Metropolitan Development Board, Plateau State Sanitation Agency, the Water Board are the execution agencies as the Ministries are designed for policy formulation. The existence of the two Ministries has raised concern of possible duplication of function with its attendant waste of resources and an unending conflict; this is reflected in the ministry of lands survey and town planning and the ministry of physical planning and urban development as respondents over 90% agreed. It is worrisome to observe that the non-implementation of this masterplan for proper and comprehensive governance of the urban area has not been passed to law for implementation.

3.2.3. Development Control a mechanism for management of urban areas

This section established and provided jurisdiction of the Development Control Department within the Commission, Board and Authority. It demands that the Department shall be multi-disciplinary charged with the responsibility for matters relating to development control and implementation of physical development plans. The section is structured into three, as:

- A. Establishment and Functions of the Department 27(1-5).
- B. Powers and functions of the Department Section 28-46.
- C. Enforcement: Sections 47-63.

3.3.4. Municipal Structures Act (Act 117 of 1998)

The non-adoption of a municipal structures Act which provides for the establishment of municipalities and defines the various types and categories of a municipality. It also regulates the internal systems, structures and office-bearers of municipalities and provides for appropriate electoral systems. The Act does directly address urban management but a number of functions exercised and performed by the municipalities have a significant impact on the management of the Urban centres through provision of services and service delivery agreement. Failure in these aspects of the Act has negatively impacted good urban management practice, this has confirmed the study of Bhattacharya, (2012) in India.

This is manifested in the haphazard developments observed everywhere in the Jos metropolis, a planned area with grids of definite designs as confirmed by 90% of the respondents.

3.2.4. Municipal Systems Act (Act 32 of 2000)

The Municipal Systems Act aims to provide for the core principles, mechanisms and processes that are required enabling municipalities to progressively work towards social and economic upliftment of local communities, and ensure universal access to essential services as confirmed by 70% of the respondents. The Act does not directly address urban management but a number of functions exercised and performed by the municipalities have a significant impact on urban

management through provision of services and service delivery agreement. Failure in these aspects of the Act has negatively impacted good Urban management practices; this has also confirmed the study of Bloch, (2012), as well as agreeing with the theory of urban systems which states that every system is supported by a government which is structured to ensure certain set goals are achieved.

3.3.Theory of Urban Governance and Management

Urban Governance and Management explains that every system is supported by a government which is structured to ensure certain set goals are achieved and, in this instance, a planned environment and in this instance Jos metropolis, Nigeria. The theory that is reflected in this study is the Regulatory theory and some basic elements of the Systems theory as opined by Giddens, 2000; 2006; Scott, 2005; JMDB, 2006; Davoudi, 2009; Litman, 2011; Rydin, 2011). But for the purpose of this paper emphasis will be placed on the Regulatory theory.

3.3.1. Regulation theory

The theory intends to discuss the dynamic changes in the political and economic environment of cities and their impact on configuration and effects of urban governance coalitions. It overemphasizes the linkage between different functional sub-systems (e.g., government and planning authorities) within nation states and the possibilities for intertwined changes of these sub-systems to form a coherent new political economy.

The theory was explained using multiple perspectives of (assumptions) motivation viz; (i) planning calculative motivations or the fear of detection of violations and application of sanctions (ii) social motivations, or the desire to earn the respect and approval of significant plans design for specific uses others and (iii) normative motivations, or the sense of moral duty to comply and agreement with the legitimacy of particular regulations (which can include evaluations of both the substantive and procedural justice of regulation).

The main contribution of the theory is bringing an understanding on regulatory enforcement and its impact on compliance as there is a recognition that different people/communities have different motivations for complying or not complying with the law, and that the same person or firm can have multiple, potentially conflicting, motivations for compliance. The existence of plural motivations for compliance and non-compliance in the same individual or firm is well supported in other empirical research on compliance. It also gives explanations about regulatory enforcement practice and compliance by proposing a theory on the way plural motivations for compliance interact with one another and respond to plural deterrent and cooperative regulatory enforcement strategies. Responsive regulation thus synthesizes other contradictions and seeks to explain the impact of regulatory enforcement strategies on regulatory compliance.

The reactions and counter-reactions are possible as planning authorities generally start enforcement from a presumption of being cooperative. Communities showing the will and ability to repair any harm they have caused and to reform them to come into compliance should be rewarded with less harsh enforcement. In a case of failure on the part of the community to respond to planning authorities should go on to in a subtle way and address the issues with caution more on punitive approaches only when the more modest forms of punishment fail. When the community becomes willing to cooperate, planners should be able to forgive a history of wrongdoing. The pyramid of enforcement in the responsive regulation theory claims that

enforcement activates different (Potentially contradictory) motivations so that they interact to support compliance as well as discourage resistance.

For development and infrastructure as stated in World bank policy, for regulation to be implemented an enforcement agency is required to be put in place such as (the development control unit) as an institution to be able to track what is happening in each matter at each stage in not only a technical sense, but also an emotionally intelligent way, so that as escalation and de-escalation up and down the pyramid occurs, it can be communicated appropriately. Generally, planning authorities often struggle to have some information tracked even in a technical sense. It is even more difficult for them to have the integrity required to choose and follow through on both the technical and the relational–emotional aspects of implementing responsive regulation in practice. Even if planning authorities have done everything they can do to behave responsively, there is still the additional complication of how the community actually perceive their behavior, as our data measures. For instance, individual regulatory interactions will often be interpreted suspiciously by the community even if this is not the regulator's intention, because of the broader context of what a regulator has done in the past and what he or she might do in the future.

This theory is adopted for planning and that the responses are from a few regulators. Another limitation is that due to the few number of regulators the number of offence cases is always high. This is to say because a few numbers of planning agencies will always be on planning offences (policy). It also relates to resources and skills as any regulatory agency (planning authorities) might or not even have a strategy or general policy for progress and effective regulation.

It is evident that this theory presents urban governance and management as basically a function of regulation giving and executing instructions from peculiar laws such the urban and regional planning law domesticated in each state of the federation to bring about a planned and well-developed physical urban area.

4. CONCLUSION

The institutional and Legal Framework for Urban Planning in Plateau State does enhance the practice of the profession in the way that it can engender the emergence of the principles of good urban governance. Governance chiefly focuses on the process of governing involving interactions between various formal and informal institutions as well as influencing the policies and decisions that concern public lives. The success of governance depends on the reinvention of the government, reinvigoration of non-government sectors, with a social motive.

5. RECOMMENDATIONS

Based on the results obtained recommendations were made; there is a need to have political will, normative concerns and organisational flexibility. Because, it is imperative to pay attention to the mechanisms and modalities followed by governments to determine public policies (formulated by some ministries as it relates to physical planning) and equally important, to critically examine whether the policies are being efficiently and honestly implemented by the government agencies and organisations (i.e Jos metropolitan development Board as well as others agencies such as Ministry of lands Survey and town planning and others saddled with the responsibility of performing the assigned tasks. It also needs to be seen whether, and to what extent, the governments have established meaningful linkages with various elements of civil society, which can support the concern for good governance. Governance needs to be altered as a veritable tool in the management of cities and urban areas; Case of a city in the Developing World for effective implementation of public policies. This requires a multi-discipline, multifaceted and multi – dimensional strategy to strengthen the capacities of all the actors (professionals in the built

Environment) involved in the governance process. Governance as sustainable human development which needs to be given a wider nuance, so as to bring within its fold, not just good government, but also other formal and informal institutions, public-private interface, legal and regulatory reforms, decentralization of economic functions, and empowerment of communities. The State, the private sector and the NGOs especially the community-based organisations should collaborate and corroborate with each other to make good governance possible.

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