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Gbadegesin, Taiwo

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## TOWARDS AN EFFECTIVE PARTNERSHIP POLICY FOR IMPROVING URBAN LOW-INCOME HOUSING PROVISION IN NIGERIA: NEW INSTITUTIONAL ECONOMICS PERSPECTIVE

Job Taiwo Gbadegesin, Delft University of Technology, Netherlands  
J.T.Gbadegesin@tudelft.nl

### ABSTRACT

*Recent critique against the past urban housing provision strategies in Nigeria was that the low-income groups are marginalised. It then led to the adoption of public private partnership (PPP) initiative with a view to pursuing the broad goal of housing-for-all in Nigeria. Most recent studies have however criticised the effectiveness of the existing PPP practice in the housing provision structure without providing a pragmatic suggestion towards an effective framework for improvement. It thus raised the question; what are the main causes of ineffectiveness of existing PPP in housing provision and how can an effective PPP policy framework for urban low-income housing be achieved in Nigeria? This study utilised the concepts of new institutional economics (NIE) - a theoretical and methodological underpinning for multi-actors' policy matters. Using qualitative data from structured interview and credible literature sources, findings indicate that uncertainties in land accessibility, high transaction costs and the developers' high profit agenda, are the major causes of PPP ineffectiveness for housing provision, which are also attributed to lack of a specific PPP policy that recognises all income groups and their roles on housing provision. End-users suggested that government could have a negotiation with land owners and building materials dealers to address the housing problem. In conclusion, it is established in this study that adoption of all-inclusive conceptual approach described within the context of NIE thought can facilitate an effective planning for urban low-income housing in Nigeria.*

**KEYWORDS:** Cities, Low-income-housing, NIE, Nigeria, PPP.

### INTRODUCTION

Nigeria is a multi-ethnic and multi-cultural society, characterized with formalities and informalities (Leffler, 2015). UN (2002; 2013) posited that Nigeria has experienced a high and quadrupling population growth and urbanization for at least the last 50 years. The increasing demographic change, together with institutional structure are connected to urban housing situation in Nigerian cities (Ibem, 2010; 2011a). For instance, the total population of Nigerians was around 160,000 in 2010, compared to 37,860,000 in 1950 (CIA World Fact Book, 2013). The nation's population grows at an annual rate of 3.2 percent, with more than five million people born annually (National Bureau of Statistics, NBS, 2013). World Bank (2013) report indicated that almost 55% of total population growth in Nigeria account for urban population. The increasing population growth and high rate of urbanization are orchestrated from the out-of-control demographic changes (UN, 1986). Figure 1 shows the trend of population, urbanisation and projection in Nigeria.

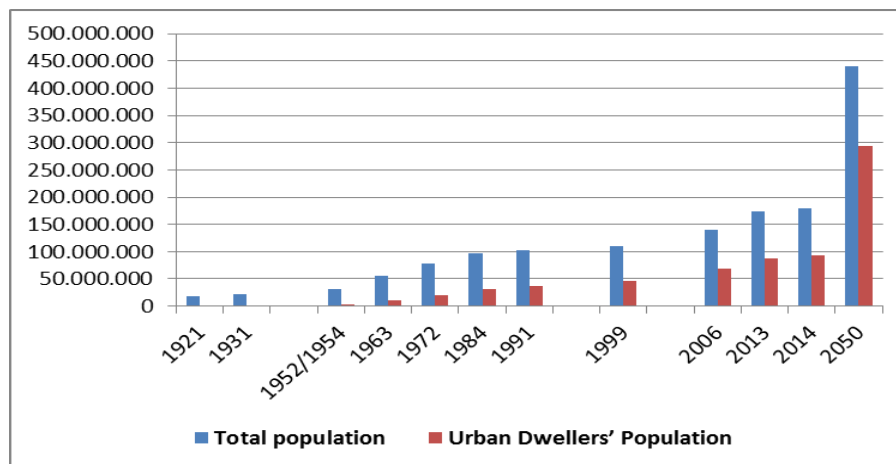


Figure 1: Population and urbanisation growth projection in Nigeria (UN, 2011; NBS, 2013)

In relation to urban demographics, George (2010) reported that between 1901 and 1950, population growth rate of Lagos, the largest city in Sub-Sahara Africa (SSA) for instance, was 3.3% per annum and rose to 18.6% between 1950 and 1963. The increase in population in the city is complimented by vibrant economic status that continues to encourage the rural-urban migration. In 1963, the total population increased from 1.4 million to 3.5 million in 1975. In 1978, the population grew from 3.8 million to 4.13 million in 1979 and 5.8 million in 1985. In 1990, the population was 7.7 million, 10.28 million in 1995. 13.42 million in 2000 and 17.55 million in 2006 (George, 2010).

The institutional system has to do with the institutional procedures and formal requirements, policy approaches and the changing government roles. Studies by Ikejiofor (1999), Akinmoladun and Oluwoye (2007), Ademiluyi and Raji (2008) and Ibem (2011b) pointed at the scenarios when housing policy formulation and implementation constitutes institutional obstacle in the formal housing provision structure. An instance is the context of public private partnership (PPP) structure in Nigeria.

The foregoing situations confirm the opinions of several authors that in the developing countries (see World Bank Development, 2002; Department of International Development DFID, 2005; Kissick *et al.*, 2006; Rashidi *et al.*, 2012) and in the developed countries (Boelhouwer & Van der Heijden, 1992; Haffner *et al.*, 2009; Boelhouwer & Priemus, 2012), housing provision exhibits interactive and influential relationship with demographic, institutional, political situations and socio-economic factors. Currently, urban housing situation can be described from four - related challenges; housing inadequacy, dual operation of formal and informal institutions, growth in the informal provision practices and the changing role of government (Ikejiofor, 1999; Agunbiade, 1983; Makinde, 2014; Ademiluyi & Raji, 2008; Gbadegesin *et al.*, 2016), as established in Figure 2.

There is an increase in housing inadequacy both in qualitative and quantitative terms (Makinde, 2014). Inadequacy is a form of shortage in housing stocks and an expression of homelessness. Homelessness is a special, temporary, permanent, episodic or chronic housing situation including rooflessness (living rough), houselessness (relying on emergency accommodation or long-term institutions), or inadequate housing (insecure accommodation, inferior or substandard housing, intolerable housing conditions), neither shelter nor element

of home (absolute), shelter but not home (relative) (Daly,1994; Edgar, Doherty & Mina-Coull, 1999, p.2; FEANTSA, 1999; Springer, 2000; Global Report on Human Settlements, 2001 (UNCHS), 2001; Tipple & Speak, 2005). While Figure 3 presents the trend of quantitative shortage between 2002 and 2015, in Figure 4, the nature of qualitative shortage is presented.

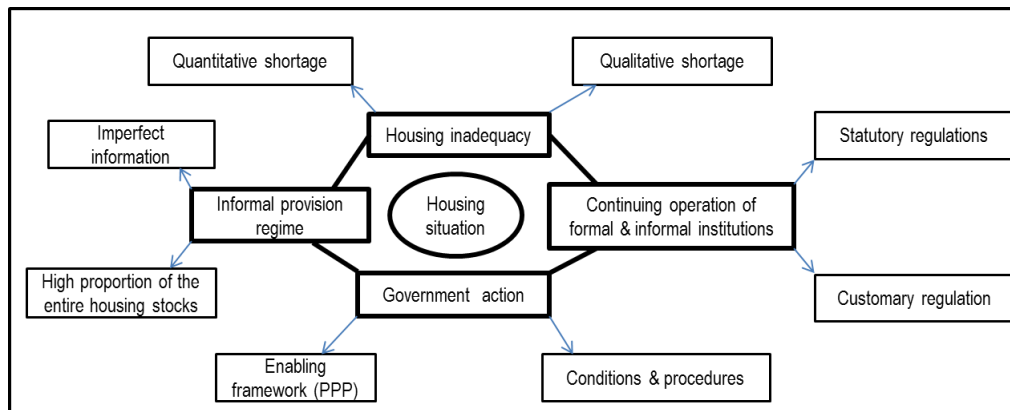


Figure 2: Urban housing situation in Nigeria (Ikejiofor, 1999; Agunbiade, 1983, Makinde, 2014; Ademiluyi & Raji, 2008; Gbadegesin et al., 2016)

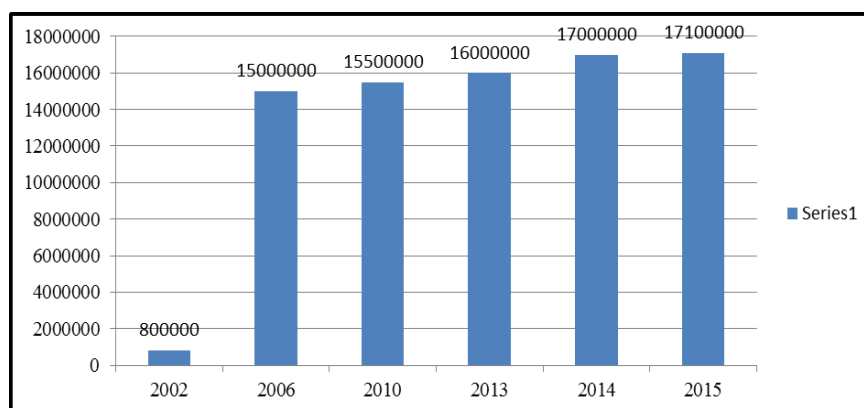


Figure 3: Trends and projection of housing shortage in Nigeria (2002-2015) (UN Habitat, 2001; NPC, 2006; FGN-Housing Sector Reforms, 2006; CAHF, 2013)

As shown in Figure 3, between 1991 and 2001, after the population census, the deficit was calculated to be about 8 million (Achunine, 1993; UN-HABITAT, 2001). In 2006, it was estimated around 16 million units and required more than N56 trillion to bridge the housing deficit at a conservation cost of N3.5 million per unit (World Bank, 2013). The government official records put the total number of houses at 28,197,085 (National Population Census, NPC, 2006) and the types are presented in Table 1.

Based on the estimation of substandard housing stocks, a deficit between 13 and 16 million housing units were reported (FGN-Housing Sector Reforms, 2006). The 16 million units were the prima facie estimation that exist in literature since 2006 until date, as confirmed by the estimation declared by the World Bank (2013). However, after the 2006 estimation, deficit has grown as a result of increasing growth in population at 3.2% annual rate (NPC, 2006).

**Table 1: Stocks of houses in Nigeria (NPC and FGN-Housing Sector Reforms, 2006).**

Serial No	House Type	Percentage
1	Houses on separate stand	50.6
2	Traditional hut structures	13.9
3	Flat in block of flats	9.7
4	Semi-detached houses	9.7
5	Rooms/let-in houses	13.6
6	Improvised dwelling	0.5
7	Others	1.9
	<b>Total</b>	<b>100</b>

**Figure 4: Qualitative Urban Housing in Nigeria (Author's fieldwork, 2016)**

Subsequently, the stocks of existing housing cannot cater for the population which was complicated with the government gradual withdrawal from direct provision (Jibril & Garba, 2012). The explosive urban population within the crippled socio-economic conditions and the rising need for housing, render urban centres in Nigeria, suffocating in and gasping for infrastructure including housing (Ajanlekoko, 2001). It triggered increasing demand for housing, more prominent among the low and middle income group (more than 65% of the citizenry) (Olayiwola *et al.*, 2005). Egbu *et al.* (2008) opined that institutional obstacles contributed to the influx of informal provision practices as shown in Figure 5.

The sporadic growth in the informal practice is majorly attributed to the inability of the actors to meet the requirements in the formal housing provision system and the difficulty of complying with formal institutional conditions in the context of factors of productions (Agunbiade, 1983; Makinde, 2014, Gbadegesin *et al.*, 2016). It is interesting to note that about 85% – 90% of the housing stock in Nigeria can be traced to the personal inputs of private individual effort (UN-HABITAT, 2006) who through personal and informal approaches make effort to cater for housing needs. However, the trend of provision is not adequate to meet up with the huge population. Considering the appalling circumstance, urban centres in Nigeria are confronted with absolute housing shortage to the emergence of slum or squatter settlement (UN-HABITAT, 2003). Thus, it triggered the rising payable rent for



private rental housing and the growing inability of the average urban dwellers to own their houses or procure decent and affordable accommodation in the housing market (Oni, 2011). Not only that, there are scenarios of defiant attitudes in the private rental housing transactions (Gbadegesin & Ojo, 2012; Gbadegesin *et al.*, 2016). The menace of housing shortage hence, moved the government to explore an alternative route while asserting that it is virtually impossible for government alone to shoulder the responsibility of infrastructure in cities (Ibem, 2010; Gbadegesin *et al.*, 2016).



Figure 5: Informal housing units (Author's fieldwork, 2016)

Specifically, the need for the alternative route of housing provision, termed *enabling framework* (UN-HABITAT, 2001) paved way for the 2002 revised national housing policy (Ibem, 2011a). The step was in tandem with the original broad goal of *housing-for-all* in the national housing policy (NHP) of 1991. However, bulks of critique are raised against the effectiveness of the initiative as its outputs are not fairly distributed and the impact of the scheme is not felt in the society (Ibem & Aduwo, 2012). Thus raised the main question: *What are the main causes of ineffectiveness of existing PPP in housing provision and how can an effective PPP policy framework for urban low-income housing be achieved in Nigeria?*

## THEORETICAL UNDERPINNING AND LITERATURE REVIEW

### From Neo-Classical to New Institutional Economics (NIE) School of Thought

Property market in the developing countries, particularly SSA is far from being perfect (Mooya & Cloete, 2007; Mardeusz, 2014), contrary to Neo-classical theoretical assumptions of perfect market. These assumptions of adequate information, well-informed buyers and sellers, prudence and transparency, certainties, proper and predictable procedures/marketing and other institutions influences have been questioned by scholars (Healey, 1991; Coase, 1937) and extended to incorporate the circumstances in the formal and informal institutions (Williamson, 1985; North, 1991; Ostrom, 1990; 2005), specifically, the non-classical market, invisible and idiosyncratic transaction factors (Alexander, 1992). Thus led to NIE school of thought, as posited by Coase (1937) and North (1991).

NIE possesses important tenets; institution, property right, transaction cost and the output (Mooya & Cloete, 2007; Agboola, 2015). NIE idea can be traced to an input from Williamson (1985), Coase (1935; 1998) and North (1991) by establishing that neo-classical

economics is not grounded in reality and that urban policy issues including housing are based on perfect competitive market where economic systems rely solely on price mechanism. Healey and Barrett (1990) opined that knowledge of the urban development processes through which the built environment is produced and used is critical to the understanding of urban development and the management of the process. Really, by virtue of the structure of housing provision in the market, neo-classical ideology misses the track for effective planning and public policy in an imperfect market. NIE makes a connection among institutions (regulations), provision requirements (transaction costs) and rights. Institutions can be normative, cultural-cognitive and regulative (Scott, 1995; 2001). The theoretical concept views a systemic phenomenon within the context of a set of regulations (norms and rules) that govern society and reflect the way society is shaped by actors (Healey, 1991) in order to reduce the uncertainty in transactional activities and to acquire a right with secured output title. In tandem with van der Krabben and Lambooy (1993) position, NIE is a better theoretical tool for urban policy decision because it entails the issues of urban land and housing markets such as transaction costs, imperfect information, hidden costs and property rights. According to Karruna (2013), the theory has formed the basis for studies on land rights, formal and informal housing as well as broader issues around how the urban housing consumers can access markets, similar in context with the studies by the World Development Report (2002), Department for International Development (DFID) (2005) and Egbu *et al.* (2008). The theory is premised on the hypothesis that issues of transaction costs and institutional influences should be acknowledged while providing access to an opportunity to build, transfer assets and reduce vulnerability (Buitelaar, 2004).

Again, NIE in urban market establishes links between structure and all agencies in the formal and informal market (North, 1991; Williamson, 2000; Ostrom, 2005). It puts into consideration roles, strategies, and interests of agencies, transaction costs, rules and challenges (Healey, 1991; 1992). NIE provides cohesive and coherent theoretical explanation of institutions and institutional paths, property rights and transaction cost in housing market (Agboola, 2015a). It also serves as an underpinning that is fitting in a policy-related research in a multi-cultural location (North, 1990). According to Agboola (2015a & b), the theoretical concept focuses on self-interest found in democratic governance where a vast proportion of population is suppressed, property right, agents' roles and information access are the prevailing issues. A peculiar nature of NIE is that all institutional poles are recognised including formal and informal with the operating norms, rules and regulations (North, 1990; 1995).

The schematic diagram of NIE in relation to formal and informal institutions is presented in Figure 6. Output is the target which is the adequate and decent housing in cities as described in Nigerian NHP.

The theoretical framework is described by Agboola (2015) in Figure 7 for proper analytical significance. These collections of theoretical concepts as shown in Figure 7 are vastly applicable especially where there are variants of institutions (governance structure) over the times (Agboola, 2015b).

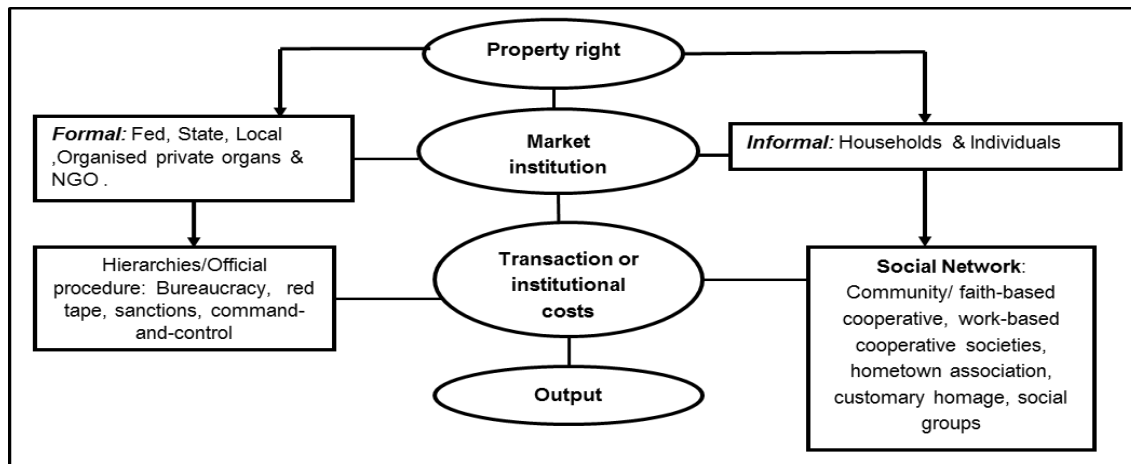


Figure 6: NIE concepts of formal and informal market (North, 1998; Buitelaar, 2003; Mooya & Cloete, 2007; Mardeusz, 2014)

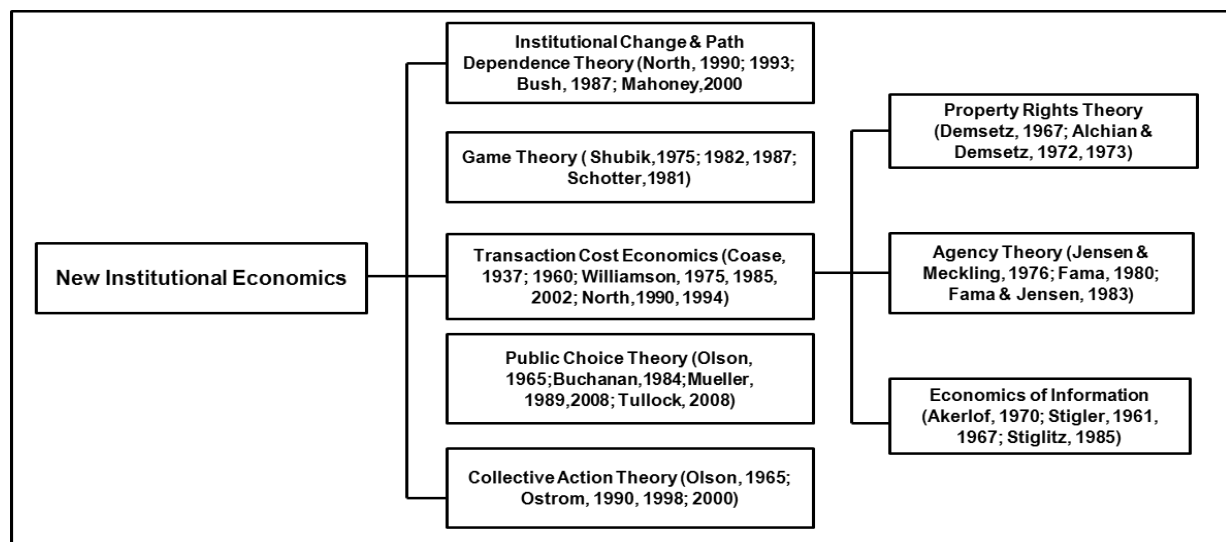


Figure 7: A framework of branches and interconnectedness of the new institutional economic thesis (Culled from Agboola, 2015b p.52)

### Public Choice Theory

The theoretical concept is applicable in a system where people on the basis of self-interest express their interests within the context of constitution, democracy, voting, political manipulation and rent seeking (Buchanan, 1984; Mueller, 2008). In the public choice theoretical perspective, every citizen imbibe a sense of association to politics which forms collective bodies of majority (Tullock, 2008).

### Institutional Changes

This is a theoretical concept that holds on belief that regulatory system are ‘filtered’ by the particular national influencing factors which varies from one country to another (North, 1995). This is a situation where institutions; both formal bodies of law and informal regulations such as norms, customs and values are changed or transformed as a result of



changing exogenous factors such as demographic, socio-economic, technology and other legislations (Mahoney, 2000). In the context of path dependency, Boelhouwer and Van der Heijden (1992) and Van der Heijden (2013) described the application in relation to past policy on housing provision.

### Collective Action

This is a theoretical approach that involves the commitment of actors from different sectors to a common agenda for addressing a specific complex problem (Kania & Kramer, 2011). Collective action theoretical concept has to do with getting people to work together differently in pursuit of a clearly defined common goal (Ostrom, 2000; Easterling, 2013). It often brings stakeholders together in a structured and deliberate way to achieve change. It is about working together to make effective use of the resources already within a system. Westley, Brenda and Michael (2007) described collective concept as the process of a principled, well-developed social policy framework that builds common understanding.

### Transaction Cost Theory

It is often referred to as transaction costs economics (TCEs), originally propounded by Coase (1937) and often adopted to gain insight into governance system in the private sectors and public systems (Alexander, 2001). Transaction costs theory bridged the two main gaps of institutions and governance in relation to efficiency and institutional obstacles (Buitelaar, 2004; 2007). Most of these costs are in the context of institutional enforcement, thus creating uncertainties. Hence, these non-specific costs are described as transaction costs. Transaction costs theory is anchored on process efficiency (Williamson, 1999; Webster, 1998) rather than allocative economics as emphasized by neo-classical theories (Alexander, 1992). Coase (1937) illustrated transaction cost model with figure 8.

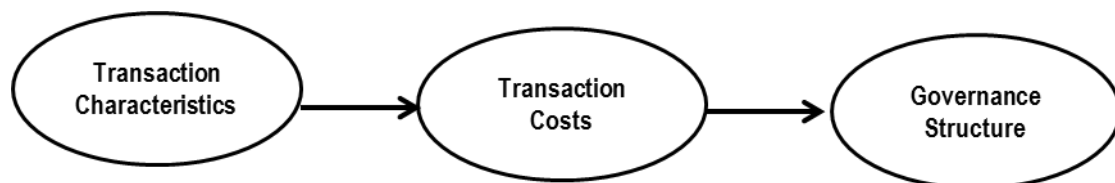


Figure 8: Transaction costs economic model (Coase, 1937)

Transaction costs hence, referred to as activities and procedures involved such as consultancy, Memorandum of Understanding (MoU), legal deals, partnership vehicles, contract formations and other unplanned contingencies (Alexander, 1983; 1992). And the costs are influenced by the existing institution (governance) structure. Therefore, the argument of this paper in the context of PPP for housing provision is centred on NIE theoretical concepts as a prospective and appropriate framework to investigate solution toward ineffective PPP structure in Nigeria.

### PPP and its Contribution in Nigeria

The basic original concept of PPP globally is a contractual and collaborative partnership or synergy for improvement (Miraftab, 2004; AHURI, 2004; 2006). PPP involves joint decision making, commitment of resources, sharing of responsibilities, risks and benefits, division of labour and interdependence among stakeholders (Ibem, 2011; UN-HABITAT, 2006). Ibem

(2011) described PPP concept in Nigeria as a form of joint venture involving government providing part of the resources but the main construction is by private partners. Umoh (2012) and Ukoje and Kanu (2014) described PPP as the enabling framework towards providing housing for all especially the low-income groups in cities. In the structure of the model, Adegun and Taiwo (2011) described the existing PPP practice in Nigeria as the one that the private sector consists of corporate institutions in the direct large-scale production and delivery of housing units. The model is expected to cater for urban housing needs of the masses, based on the objective highlighted in the NHP.

The PPP initiative is a topical issue in 2002 NHP. The adoption of the initiative is mentioned in the policy while Infrastructure Concession Regulatory Commission (ICRC) (2005) is the acclaimed legal instrument to that effect. Extant studies in Nigeria revealed that PPP model, though offered a weight of contribution to housing provision, it is usually and politically diverted to high-income groups (Ibem, 2011; Dominic *et al.*, 2015). Identified PPP housing units are presented the subsequent tables.

**Table 2: PPP housing completed by public agencies in Nigeria**

Housing Schemes	Location	Public housing agencies involved	Units per target income group		
			Low	Middle	High
Lekki Apartment	Lagos MCR	LSPDC	-	-	126
OGD-Grant	Lagos MCR	GCDCL	-	60	100
OGD-Sparklight	Lagos MCR	GCDCL	150	250	-
Paradise City	Lagos MCR	GCDCL	-	100	200
Ewu Elepe Housing Estate	Lagos MCR	LSPDC	50	119	50
Ikeja GRA	Lagos MCR	LSPDC	-	-	36
Housing Estate Ilupeju	Lagos MCR	FHA	-	-	26
DN Meyer	Abeokuta	FHA	-	50	-
Trans Amadi	Port Harcourt	FHA	100	200	171
Trinity Gardens	Port Harcourt	RSHADC	-	-	32
New Rainbow Town	Port Harcourt	RSHADC	-	-	704
Ehimiri Housing Estate	Umuahia	ASHADC	-	200	300
APICO- Shelter Afrique	Uyo	APICO	-	335	-
Ikorodu Site & Services	Lagos	FMEHUD	N.A.	N.A.	N.A.
<b>Total</b>			<b>300</b>	<b>1,314</b>	<b>1,745</b>

(Source: Ibem, 2011a; 2011b)

Infrastructure Concession Regulatory Commission (ICRC) (2013) document, as reported by Dominic *et.al* (2015) indicated that private partnership with federal housing authority has also delivered some housing units across the country as shown in Table 3. It was also reported that PPP contractor - financed initiative programmes, in partnership with the federal ministry of land, housing and urban development (FMLHUD) have also delivered units of housing across some states in the federation as presented in Table 4.

**Table 3: PPP housing projects – Federal Housing Authority and private companies**

S/N	Name of Partnership	Location	Output Units
1	FHA/CITEC International	Gwarinpa, Abuja	300
2	FHA/ADKAN Services	Gwarinpa, Abuja	351
3	FHA/BAUHAUS Int. Ltd	Isheri-Olofin, Lagos	554
4	FHA/BAUHAUS Int. Ltd	Trans-Amadi, PortHarcourt	288
5	FHA/PRINCE & PRINCESS Properties Limited	Lugbe, Abuja	70
6	FHA/ OHMS Limited	Gwarinpa, Abuja	20
7	FHA TANGENT	Irette, Owerri	140
8	FHA/Tangent Partnership	Irette, Owerri	201
9	FHA/ Bauhaus Partnership	Irette, Owerri	150
10	FHA/Zincspace Partnership	Lugbe, Abuja	54
11	FHA/Good Homes Ltd	Egan, Lagos	349
12	FHA/ENL Partnership	Apo, Abuja	923
13	FHA/ Bauhaus Partnership	Apo, Abuja	523

(Source: ICRC, 2013; Dominic *et al.*, 2015)**Table 4: PPP Contractor-Financed Initiative Programmes**

S/N	States	No of Developers	Size of Land (hectares)	No of houses realizable	Building Technology Type	Completion Period
1.	Adamawa	2	13	260	Traditional	20 months
2.	Cross River	18	250	5,000	Advanced bamboo product/NBRRI bricks/traditional	"
3.	Delta	11	25	500	Plasswall/traditional	"
4.	Edo	5	184	3,680	Plasswall/insulated concrete forms/traditional	"
5.	Enugu	4	30	600	NBRRI bricks/traditional	"
6.	Katsina	1	5	100	Traditional	"
7.	Kogi	4	21.15	423	American building system/traditional	"
8.	Lagos	1	1.04	24	Traditional	24 months
9.	Nassarawa	28	109	2,180	Hydraform/NBRRIi bricks/western form tech/traditional	20 months
10.	Ogun	15	224	4,500	American building system/insulated concrete form/traditional	20 months
<b>Total</b>		<b>89</b>	<b>889.54</b>	<b>17,267</b>		

(Source: Pepple, 2012; Federal Ministry of Land and Urban Development, Nigeria)

## RESEARCH METHOD

The purpose of this research was to demonstrate the relative importance of NIE framework to neo-classical approaches, towards enhancing an effective PPP policy for urban low-income

housing in Nigeria. It begins with review of extant literature on NIE, examination of existing PPP practice in Nigeria and exploring opinion and expectation of the selected actors.

Considering the nature of Nigerian urban housing situation among the low-income groups and the argument against the effectiveness of existing PPP practice in Nigeria, a qualitative research methodology was chosen. Similar to Naismith *et al.* (2016) studies, qualitative research made it scientific and realistic to establish perspectives on the “how and why” questions of this nature: *Despite the acclaimed PPP model (enabling framework) with promising notions of housing for all, why is it that most of the outputs by the providers are out of reach of the majority groups? How can an effective policy measure be formulated to make a functional PPP structure for urban low-income housing provision in Nigeria and how can the conceptual proposition be demonstrated?*

To address these questions, semi-structured interviews with open-ended questions within the context of the theoretical underpinning as described in this study was adopted. This was useful in probing and exploring respondents’ perceptions (Barriball & White, 1994). The need to gather opinion on possible solution(s) gives room for interaction with the actors (Galletta & Cross, 2013). This approach is similar to some identified extant studies (see Agboola, 2015; Keivani *et al.* 2001). In tandem with Hoyle *et al.* (2002) and Gillham (2000), the use of research skills and experiences such as good memory, attentiveness, unbiased attitudes, and compliance with necessary ethics was highly useful.

The interview was conducted on the homogenous groups of people, purposively sampled based on substantial years of experience on the issues germane to housing provision system and PPP in the most vulnerable city, Lagos, Nigeria. This approach underscores the philosophy of purposive technique as Creswell (2003) and Mathew and Ross (2010) explained that purposive method serves as a useful approach in identifying and choosing the main stakeholders or participants, with an insight to gain a deeper knowledge of the key phenomenon. The sample size is limited owing to the fact that the focus was much more on the point of saturation (Bryman, 2012; Edwards & Mauthner, 2012). The selection of housing and real estate practitioners (REDAN) and policy makers’ representatives- the formal actors, was done through snowballing technique in consistence with Atkinson and Flint (2001) opinion.

In this study, 11 interviews were conducted which included four landlords/ rental housing private providers, four independent housing and real estate practitioners (REDAN) and three policy makers. The process of interview was consistent until there appeared a reoccurrence or repetition. The qualitative principles in this study is to ensure that new themes on PPP emanate during process (Marsh & White, 2006). Through this approach, a clearer picture, interpretation and understanding of PPP situation and the implications were examined. Table 5 presents the profiles of the respondents.

In the data analysis, because of the nature of the study, thematic data analysis, for the qualitative data collected via interview, desk analysis of literature and policy documents for the secondary information collected were adopted. It entails focusing on the repetitive words and the phrases and expression used by the respondents in the course of the interview (Naismith *et al.*, 2016). Having confirmed the coherence of the data with the emerging first sets of theme, the final themes that emerged indicate the bulk of the findings in the context of

institutional barriers and possible solutions towards formulating an efficient PPP policy for housing provision in Nigerian cities.

**Table 5: Profiles of respondents**

Respondents	Years of Experience	Profiles	Organisation Types
4	≥18	Principal real estate developers & property development consultant with experience in housing estate development, building project management, land acquisition & finance procurement	Registered & Licenced real estate & construction companies with 10-20 staff capacities and three branches within Nigeria
2	≥16	Consultant and Head of department, ministry of housing, project procurement & execution section	Government Ministries: Ministries of housing & Housing corporation in Lagos
1	≥ 20	Unit head, project planning section	Ministry of Physical Planning and Urban Development, Lagos.
4	≥25	Private landlords & rental housing providers across the city senatorial districts	Civil society, Executives of Community landlords & Cooperative Associations in Lagos

(Source: Author's fieldwork, 2016)

## FINDINGS

The emerging themes include elements of institutional barriers in the context of production factors; land, finance, material and labour resources procurements. Complexity and uncertainty in the land acquisition and titling process vis-a-vis Land Use Act (LUA) of 1978. Emphasis placed on the recognition of informal institution actors, their preferences and *Omo onile* (traditional land custodians) and insecurity posed by the unrecognized customary system. Unclear PPP mode of operation, lack of clear specific legal instrument and objectives for low and middle income groups. Collective opinions towards improving the PPP for better performance in Nigerian housing market.

### Uncertainty and Unclear Mode of Operation

Critical information and institutional barriers that hinder the success of PPP were parts of the major opinions expressed by most respondents. Most of the independent private practitioners, private landlords and rental housing providers indicated that they find it difficult to agree that there is functional PPP in Nigeria. Private practitioners expressed it in words that they cannot actual pinpoint the place of PPP policy. According to them, NHP of 2002, although made mention of PPP adoption, but how is to be practiced and implemented cannot be found in any specific policy instrument. This is made known from the following respondent practitioners:

“... as for me I don't think what is being practiced in our country is really PPP. There is no clear specific policy instrument that target housing alone..... Let us start from the reasons for partnership by comparing the present styles with that of the colonialist's type. During that time for instance, religious missionaries brought schools and hospitals to cities and peri-urban in order to ease the tension of the citizenry...what we practice now to me is a kind of personal investments which exclude the rights of low-income groups”(Private Practitioners March, 2016)”

Responses got from two policy makers, who are senior personnel in ministry also indicate that the model has misconceived blue-print objectives in providing housing for all in cities:



*“PPP in Nigeria is still at the developing stage...as at now, we can point to a kind of reaching a memorandum (MoU) with private companies or corporate organizations to provide housing in cities. Although, the developers have the choice to target on where they can get more profit...Yet, it is still PPP... and I don't want to say more than that in this context”*

In another related response from an octogenarian landlord in Alimosho area of Lagos:

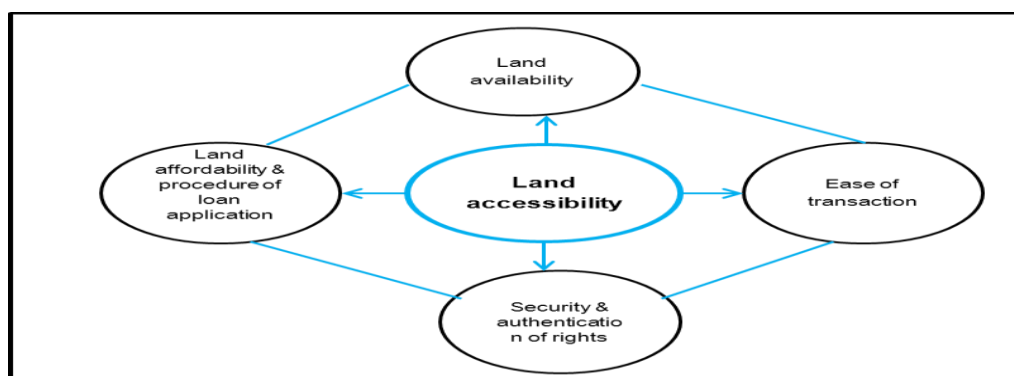
*“..if truly there is PPP in this nation I don't think majority should suffer for the basic needs such as housing. It will be better if the welfare of the commoners can be put into the consideration. It cannot work this way. If housing needs of the low and middle income groups can be prioritized, country will go well. Criminality and homelessness will vanish in our land [Landlord, May, 2016, Alimosho, Lagos]*

Majority of the respondents expressed uncertainty on the mode of operation by claiming that the scheme is political, discriminatory and not all-inclusive. An instance of the response is observed when most of the landlords claimed that they have no adequate information on the modus operandi:

*“Government of this day or let us say our politicians are busy with telling us that housing will be made sufficient through PPP...but how will it work, what will be our roles as stakeholders who are the major providers today in cities, since government is incapacitated to meet the housing needs of people in cities...? ....not clear to us, the objectives are not certain, especially in the context of production factors procurement”.*

### **Institutional Barriers to PPP Model for Urban Housing Provision**

Barriers in relation to execution of PPP were mentioned in the responses of most respondents. Land accessibility problem was emphasized by all the respondents. The dimension of accessibility was expressed in the context of availability, affordability, ease of transaction and security of right, as shown in Figure 9.



**Figure 9: Dimension of land factors (Authors fieldwork, 2016)**

Access to land herein refers to ability, opportunity and procedure to acquire a needed piece of land either by direct occupation, exchange (purchase or rental) through membership of family and kin groups, or through allocation by government, other land owners and/or management

authorities. It is a complex procedure in today Nigerian cities. In relation to land availability, two respondent private landlords said:

*“...even the PPP we are talking about in cities requires that lands are available, especially in Lagos. Where are the land? Most of the government land and Lagoon areas of Lagos have been sand filled. Vacant lands are not many. That is why people are now moving to neighbouring state like Ogun state.”*

Respondents also pointed to the fact that there are lots of complex cases of transparency in land transaction, the situation of two or more people claiming that they are the owners of a single plot. Information in this context is not usually verified in the government ministries because most of the land owners claim that they are yet to secure title to the land. Thus land acquisition; procedures from the stage of information search, transaction agreement and titling procedures have not in any way help smoothing the practice of PPP. Three members of REDAN explained that:

*“...Land is a big issue for PPP to succeed in Nigerian cities.... So many unforeseen and uncertain challenges in the process of getting a genuine land and the bureaucracy of securing title to the land are problem..... It is not the financial costs in most cases, the unnecessary procedures and protocols in the ministry.”*

The respondents were also of the opinion that The Land Use Act (LUA) of 1978 does not help the matter. The LUA stipulates procedures for transition between the traditional owners and the state government. Section 1 of the Act indicates that all the land within the territory of each state shall be governed and administered by the state Governors as the trustee for any developer, government ministries or individual. In other word, governors serve as trustees from 1978, but without addressing the issues prior to the date. While the Act provides in sections 1 and 2 of the act for the establishment of allocation committee at the state level and land advisory committee at the local government levels to advise state government and local council respectively on land use, customary owners are busy in backdating their customary ownership title to land to be earlier than 1978. According to the respondent private developers:

*“...if the government only reserves the supreme power to acquire land compulsorily for overriding public interest, then the security of investors on such land is not secured...by the way, meaning of overriding public interest is not clear.. why should state government be the superior overlord over the land...? no investors would like to put their investments in such a situation where the enabling act is not supportive of the investment in land.”*

On the issues of land, most landlords pointed to the complex procedures of securing titles to land as a major obstacles to PPP:

*“...there are too many procedures that easily discourage the ideal of PPP for housing provision. ..let us look at about eleven to twelves procedures involved in land certification alone...yet one is not sure what can happen at the end of the process”*

The most current problem now is the menace of Omo-onile (the customary sons of the land) as fearfully mentioned by all respondents. All respondent private developers and landlords referred to this as Lagos factors:

“...It is often difficult nowadays to acquire land in city like Lagos. Omo onile is our home-based problem. Omo onile case must be considered and factored into the total costs. ..often time you pay for the land more than two times....you go further to pay while doing foundation, setting blocks, roofing, until you finish. You pay several time without receipts and you must do that, otherwise they would sell the land to another buyer...”

Similar to the foregoing is finance problem. Members of REDAN (private developers) hit hard that nothing can be done if there is no effective finance mechanism coordinated by the government. They often mentioned the stringent conditions for accessing finance for housing provision:

“ ...in relation to investment analysis of housing provision in Lagos, costs of other factors of production such as finance are very important especially at this time of unstable economy and interest rate of double digits....also when discovering that the conditions to access formal finance institutions are too stringent, it would still bounce back on low housing provision....,....these are constraints”

In summary, the overall institutional impediments to make an effective PPP in Nigerian housing provision parlance is presented in Figure 10.

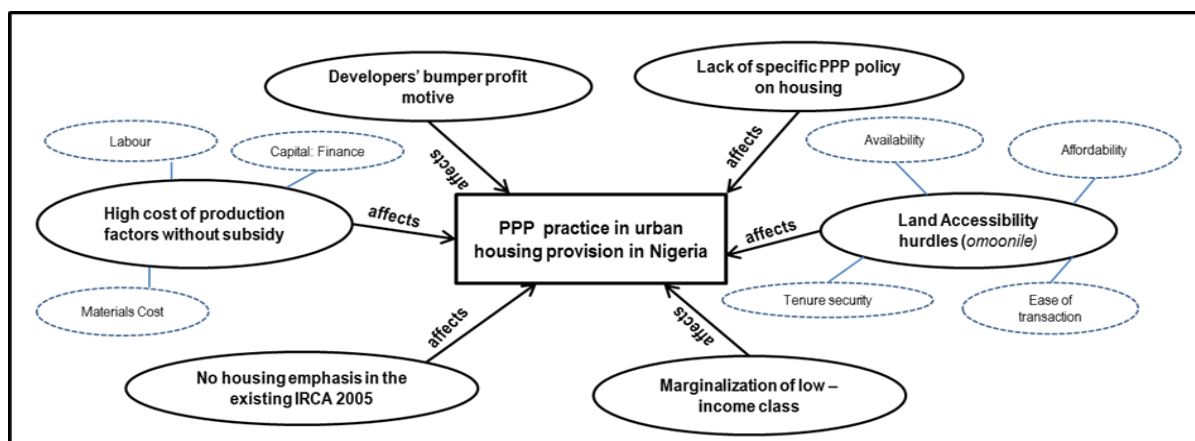


Figure 10: Forces against the effectiveness of PPP for housing delivery in Nigeria (Authors, 2016)

In Figure 10, three major challenging forces are observed including land inaccessibility and other factors of production, the private developers' bumper profit motive, procedures and high cost of other production factors. These findings are connected to the remaining three factors (lack of specific PPP policy for housing, marginalisation of low-income class and Infrastructure Concession Regulatory Commission (Establishment, etc.) Act (ICRC) of 2005.

The extent of complaint on systemic factors including the complex procedures of securing finance, land acquisition, transparency on the parts of the human resources and competent professionals are emphasized repeatedly by most respondents.

### Possible Policy Solution towards an Effective Partnership

Against the foregoing, respondents' opinions on the possible way forward were explored. Different but corroborative opinions for solution were given in the light of the collective ideas, focus of PPP, procurement of production factors, suggestion for the removal of

institutions hurdles and formulation of clear and specific PPP policy, as distinct from national housing policy and ICRC. Following the thematic analysis of the qualitative data gathered on the field, Figure 11 provides some revealing results.

Going by the broad goal of PPP discussed earlier, respondents established that the central subject is the accessibility of the end-users to affordable housing in Nigerian cities. In doing

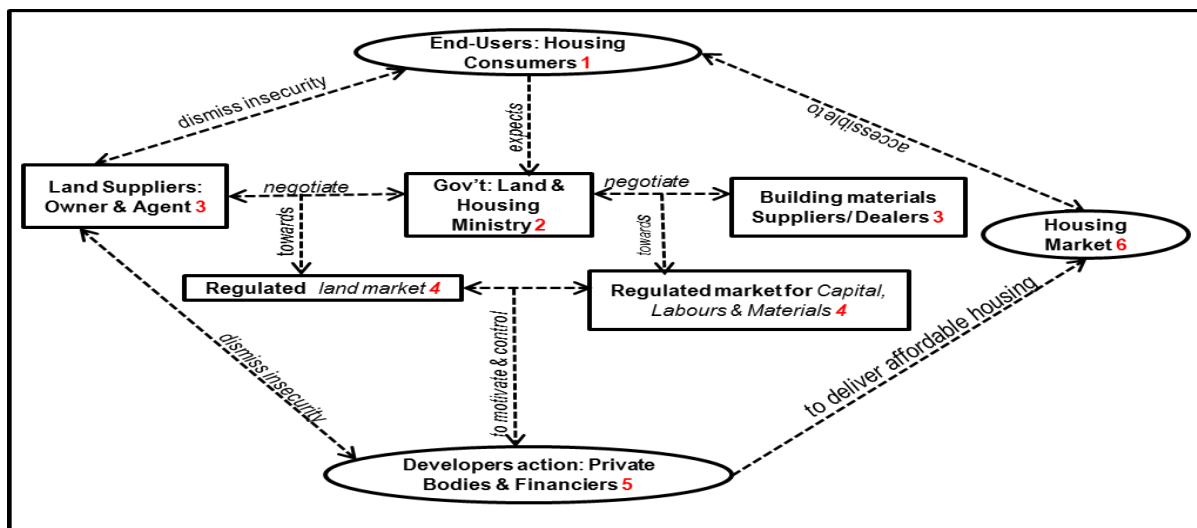


Figure 11: Institutional Reform Recommendation (Author's interpretive analysis, 2016)

such, respondents expressed that government is expected to take pragmatic steps towards eliminating the hurdles imposed by land owners, speculators and grabbers often referred to as *Omo onile* by recognizing the traditional/customary land owners. The realization of the reform objective is through a review of some sections of LUA of 1978 and a realistic review will definitely pave ways for the establishment of an ideal PPP programme as a panacea for housing provision crises. This was confirmed from the response of an experienced housing practitioners in Nigeria.

*"I believe, based on my experience in cities for years especially in Lagos that Nigeria leaders should stop politicizing issues that are important on people life. For instance now, housing-for- all promise is overdue and always promised by every successive politician... where are we going on housing matter.....except we come together and government develop different format for different category of housing consumers using a workable policy that recognizes all income-groups, formal and informal groups[Property Consultant, Valuer & Developer March, 2016]"*

Some of the respondents opined that government should imbibe the ideas of working toward removing procedures and bureaucracies in land certification and loan application including national housing funds. With the availability of the two sets of economic factor (land and other factors) as placed in boxes 4, private developers can easily gain access to land without encumbrances and fear of security from the owners in box 3a. This hence empowers the interested and approved private developers to deliver affordable units of housing in box 6. Consequently, two respondents' landlords opined that with the foregoing steps, the value of the housing unit in the market becomes affordable for common people as a result of the reformed regulatory and cooperative effort of the government with other actors. Another

respondents posited that end-users (housing consumers) dealing directly with the land owners and other related agents would be limited. This will minimize land related crises that characterized urban housing market in Nigeria. A private developer indicated that if the customary rights can be given a level of recognition, it might be of help.

## DISCUSSION

### Institutional Barriers to PPP Model for Urban Housing Provision

The foregoing findings have confirmed some opinions identified in extant literature in Nigeria on developers' attitudes relating to high profit target, land inaccessibility, high cost of other factors of production (finance, labour and materials), complex procedures of finance applications and processing, ambiguity of regulations such as LUA of 1978, urban regional planning law in relation to planning permission, national building codes in relation to formal unrealistic requirements (Fabiya, 1990; Aluko, 2002; 2006; Olotuah & Bobadoye, 2009; Nubi, 2008).

In the context of Nigerian PPP for housing provision, hidden factors that constraint the success as identified in this study include transaction challenges due to uncertainties, dual existence of customary and statutory institutions in relation to land. In the formation of contractual agreement, there are consultancy barriers, difficulties in the formation of Memorandum of Understanding (MoU), herein referred to as institutional costs that impede the effectiveness of the initiative, corroborated by Ibem (2011a; 2011b).

An instance of policy vacuum is manifested in Abuja mass housing schemes; a variant of PPP recently carried out (Umoh, 2012). In the project, Umoh (2012) established that the program was carried out without adequate planning and implementation and the partners seem not to have the capability. Not only that, the study also made cases for capacity buildings for the partners, positive quality enabling environment, stricter control and government's support for the sake of the low-income earners. In tandem with the finding, the existing PPP model was inaugurated by the federal republic of Nigeria within the context of ICRC, 2005 and subsequent establishment of Infrastructure Concession Regulatory Commission for the provision of infrastructure. In this legal instrument, housing provision is not specifically prioritised. Also, it is also found that the seemingly PPP practice in Nigeria for housing provision is based on mere agreement and special arrangement (Ibem, 2011a; Gbadegesin *et al.*, 2016).

It is also important to note that informal institution have been in existence as far as the beginning of ages, embedded in the cultural orientation, ways of life and customary rights (Mooya & Cloete, 2007; Agboola, 2015; Karruna, 2013; Kirsten, Muhammad & Dorward, 2009; Richter, 2005). As suggested by respondent private developers, private landlords and public policy makers, a defined level of recognition can be accorded to the customary institution. This corroborates with the notion of Williamson (1985); North (1990); Coase (2005) and Ostrom (2005) that the achievement of an effective partnership is premised on the opinion of NIE that a society and organization that is characterized with distinct poles; formal and informal can achieve substantially through an effective policy instrument, if all the actors in the market achieve *consensus ad idem* (meeting of mind). It is often expressed in network-relationship forms (van Bortel & Elsinga, 2007; Adam *et al.*, 2012).



The result on land acquisition procedures also suggest that the most important target is the security of the reliable title *rights*. Difficulty to access land with a secured title in Nigeria has been attributed to both poor and weak governance (UN-HABITAT, 2003; FAO, 2007). This also confirmed in the extant land literature in Nigeria, that land accessibility possesses four dimensions; availability, affordability, ease of transaction and security of tenure in Nigeria (Omirin, 2002; Agbola & Olatubara, 2007). Success of PPP in the aspect of housing provision in Nigeria is constraint with land accessibility problem (Ibem, 2010; Makinde, 2013) in agreement with the responses from the landlords.

In relation to expensive building materials and the requirement set by the institution such as National Building Code (2006), vast majority of the urban populace cannot meet up with the requirements of housing provision (Olotuah & Bobadoye, 2009). This confirms the concept of transaction cost (requirements) as a hindrance to low class citizens' rights to housing. Williamson (1985), North (1990), Coase (2005) and Mardeusz (2014) all take the position that transaction costs are inevitable in any institutional context, characterised with uncertainties, resolved in the process of coordination to achieve the output (housing).

## CONCLUSION

In this study, specifically, two categories of findings emanate: firstly, in the aspect of deficiencies or barriers against the effectiveness of the existing PPP practice in Nigerian urban centres for housing provision, it is found that land accessibility, complex procedures of mobilizing other production factors and developers' aim of high profit are the major barriers and all these barriers are attributed to the lack of a specific and clear policy on PPP that caters for all income groups in Nigeria. The foregoing circumstances impinge on the overall performance of the PPP as the complex structures and hurdles disenfranchised the target beneficiaries.

Secondly, on the profit expectation of private developers (organized or institutional housing investors or developers), customary land owners (or agents) and the end-users, it is found that the end-users expect that government could have a negotiation with customary land owners (also called omoonile) and building materials producers, to ensure a reformed market for factors of production. Thus, it will facilitate the expected performance of prospective developers to deliver affordable housing units in the market, accessible to end-users and with no uncertainties on the security of title from customary land owners.

Consequently, the emanated results from the analysis corroborate with the central tenets of NIE on the needs for the recognition of all institutions to ensure secured property rights and better negotiation towards achieving less stringent transaction costs (procedures, protocols and financial costs), that are affordable for the end-users (housing consumers) in a dualistic society (formal & informal institutions) like Nigeria.

Transaction costs are viewed in terms of processes, protocols, procedures, bureaucracy and financial requirements, agency costs (search and information), legal costs, negotiation costs, contingencies, costs of title procurement, property rights are underpinned in the context of transaction costs theory. The consideration of choice and preferences within formal and informal housing market and rights are situated in the context of public choice theory and institutional changes. Aspects of information and transparency in land and housing transaction are also situated in information economics concept. The concept of customary and

statutory rights recognition which often generate land crisis and insecurity should be gauged in the context of collective action concepts.

## POLICY IMPLICATION AND RECOMMENDATION

The implication for NIE on the formulation of a framework for an effective PPP policy is that the achievement of secured (reliable) housing rights is premised on less stringent costs (requirements/protocols) that boost the housing provision (outputs) in the market at reasonable transaction costs as described by Gbadegesin *et.al.* (2016). While PPP concept serves as the subject of joint venture, NIE can be described as the coverage concept that incorporates the practice within the context of the conditions and attributes. The central propositions of NIE model include institution, property rights, transaction cost, point of leverage and synergy and output (meeting of needs including housing) - the attributes perceived to be features of Nigerian situation, measured within a practical method.

The importance of NIE in any collaborative scheme (PPP) for housing provision is that all stakeholders (housing provision actors) are integrated with the understanding of the cultures, norms, values, regulations, rights and costs. In essence, the approach would be of immense contribution in exploring the nature and circumstances in the course of the partnership in housing provision. Identifying the inputs of all poles (institutions) which entail the interests, norms, regulations, challenges, financial status and cultural orientations are fundamental to form a workable partnership (PPP) as embedded in NIE. As identified in extant literature NIE analysis is a pragmatic approach that enables details of relationship in the negotiation of development under different conditions. Institutional framework that governs interaction and transaction between individuals who constitute a system and some collective entities can be conceptualized as both an institution and an organisation such as formal and informal. Hence, institution approach is made transitional by continuous modifying organisations in the environment of market competition in order to eliminate inferiority in the approved structure of provision.

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