



## Construction Failures in Lagos Metropolis: An insight of non-technical issues

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### History:

Received: 20 March 2016

Accepted: 22 July 2016

Available Online: 30 September 2016

### Keywords:

Building failures, building construction, building control, technical and non-technical causes

### DOI:

10.11113/ijbes.v3.n3.139

### ABSTRACT

The common causes of construction collapse are mainly design, materials, accidents, the elements, workmanship and supervision. Regarding the increasingly frequent incidents in the Lagos Metropolis, published findings of researchers have not been markedly different. This paper argues that beyond the technical issues already raised, there are important factors yet to be investigated, which may be classified as being non-technical in nature, but constitute hindrances not only to the capacity of the supervising agency, the Lagos State Building Control Agency to perform its functions, but more importantly, to the effective execution of building control generally. The study reviews earlier findings, the practice and challenges of building control in the Lagos Metropolis before identifying and discussing these other factors. The findings are that the building control function is inappropriately assigned to the state government, rather than the local governments, and that the state bureaucracy cannot effectively execute building control because of poor capacity and practices. The most important implication of this research is that, by drawing attention to issues which have hitherto been unconsidered, it brings to notice the need to ascertain pragmatically which tier of government is better suited to execute building control and offer the required capacity and organizational effectiveness.

## 1. Introduction

Collapse during construction is just one aspect of building failure. Others occur during renovations, alterations and demolitions, in construction and demolition accidents, crane and scaffold collapses. Included also are demolition mistakes, errors of design, detailing, construction and procedure, expansion and movement, and natural disasters such as earthquake, high wind and tornado amongst others. These occurrences are interchangeably referred to as building failure, building collapse, construction failure and construction collapse. Collapse during construction occurs all over the world, even in the most advanced societies. Examples include the FC Twente Stadium Roof Collapse (MacDonald, 2011) and the San Antonio Parking Garage Collapse (Jiang, 2012). Janney (1986) defines construction failure as "failures that occur during construction and they are considered to be either a collapse or distress of a system to such a degree that it cannot safely serve its intended purpose". Thornton (1985) states that the causes of failure can be grouped into five general areas comprising design, construction, material, maintenance and administrative deficiencies. A structural failure is a construction failure which occurs when a structural system becomes incapable of achieving its purpose.

Building failure in the Lagos Metropolis dates back to 1982, but this study is limited to construction stage failures which have occurred since 2000 which approximately coincides with the restoration of democratic governance in 1999. The major incidents of construction stage collapses in Lagos between 2000 and 2015 are presented in Table 1.

Statistics show that since 2000 there have been collapses every year except for 2008 and 2009, the highest frequency of 13 having occurred in 2006 followed by 10 in 2000. Oni (2011) reports nearly 30% of the incidents as having occurred in Lagos Island. This should be ascribable to its being a highly populated business and residential district where the pressure of development is great, with a density of 92,856 persons/km<sup>2</sup>, the second highest among the local governments (Resourcedat, 2016). Building control laws exist in Lagos, but in spite of them, construction stage collapses have continued and their frequency is growing. With each incident of failure, there follow calls for the state government to investigate the causes, prevent further occurrences by improving monitoring and prosecute offenders against the law. The government response has been through a 2010 reorganization of its administration of building control by creating a separate agency for that purpose. Yet, the frequency of collapses has been rising. There is also a discernible acceptance by stakeholders that only some now well-advertised technical factors could be responsible for collapses and this has created a kind of complacency all round. It is against this background that this paper looks further into the practice of building control in the Lagos Metropolis with a view to highlighting other issues which have a bearing on the capacity and capabilities of the existing system to function effectively and purposively.

As a preamble to this chapter, the reasons for the importance of this study have to be stated. First, the spate of collapses and the significant level of fatalities suggest that the construction industry has a poor safety record. This situation needs to be improved. According to Yates and Lockley (2002), "It is impossible to totally eliminate structural failures,

**Table 1:** Major incidents of construction collapse in Lagos metropolis (2000-2015)

No.	Year	Location	No. of story	Local Government Authority	No. of Casualties
1	2000	Oluwanisola Estate, Ikota, Lekki	Multi-storied	Victoria Island-Iru LCDA	2
2	2002	Mosadolohun St,Iba	3-storied	Ojo LGA	15
3	2003	Tapa Street,Orile	3-storied	Aguda-Coker LCDA	9
4	2004	Elias Street, Lagos Island	3-storied	Lagos Island LGC	8
5	2006	Ebute Metta	4-storied	Lagos Mainland LGC	37
6	2009	Ojerinde Street, Idiaraba	3-storied	Itire LCDA	9
7	2010	Odowu Street,Oshodi	2-storied	Oshodi-Isolo LCDA	4
8	2010	24 Alli Street, Victoria Island	2-storied	Victoria Island-Iru LCDA	3
9	2014	Synagogue Guest House, Ikotun	5-storied	Ejigbo LCDA	116
10	2015	Odunfa Street, Lagos Island	3-storied	Lagos Island LGC	Many trapped, rescued with injuries

Note: These major incidents of were chosen on the basis of the magnitude of loss of life and serious injuries. Between 2000 and 2015 there were over 50 incidents of construction stage collapse in the Lagos Metropolis. Ayedun, Durodola et al (2012: 316-318) list 56 such incidents up to 2010. The fatalities and injuries involved construction workers, passersby, people sheltering from rain and people inhabiting the unfinished structures.

but the safety record of the construction industry can be improved by reducing the overall number of structural failures”. Second, when collapses occur, the stakeholders come into disrepute: regulators are accused of dereliction of duty and the regulated (developers, their workforce and engaged professionals) face opprobrium and official sanctions. In actuality, these situations lead to stakeholders playing the blame game. Ayedun, Durodola and Akinjare(2012) report that data gathered from a study of stakeholders: professionals in the building industry, landlords, developers and contractors, shows a difference of opinion as to the causes of failure, with each group exonerating itself and putting the blame elsewhere. The authors consider this finding as being indicative of a failure to appreciate the consequences of building failure. Third, collapses come with costs in the form of the loss of resources: money, property, life and time, all of which are irreplaceable. Fourth, in the matter of putting up structures which stand the test of time, the stakeholders constitute not only the regulators and the regulated, but indeed all who make use of constructed facilities. In some of the Lagos incidents, fatalities were recorded amongst non-construction workers and often when no activity was taking place on the site. It is, therefore, in the interest of all that buildings stay up as they are designed to be, rather than come down even before completion.

Regarding justification, in the aftermath of recent collapses, stakeholders have offered explanations and researchers given findings for the causes of failure, but these findings have been technical in nature such as poor design, poor supervision, incompetent builders, sub-standard materials and the like (Olagunju, Aremu, et al.,2013) and Alamu and Gana (2014). There have also been stakeholder assessments with similar findings (Ayedun, Durodola and Akinjare: 2012). However, further research is recommended by Oni as well as Olagunju, Aremu and Ogundele). Alamu and Gana, in doing the same, also call for local involvement in the execution of the building control function. They do not expatiate on their reasons for this particular recommendation, but it may be inferred that the present system lacks local input which they believe would be beneficial to the process. Given that further research is always necessary for phenomena to be better understood such research need not be in one direction only, which in the case of collapses, has tended to be only in the technical direction. It is equally germane to

look in the non-technical direction if it can shed light on the matter. Building on earlier work which has identified the technical issues, this paper seeks to enquire further in other directions.

Further research is made necessary also by certain disturbing facts which are associated with recent collapses in the Lagos Metropolis. First, the casualty rate tends to be high. Second, the casualty rate tends to be higher among non-construction workers as seen in the Synagogue Church Guest House collapse in which all 116 fatalities were non-construction workers, and in the 2016 Lekki Gardens collapse where none of the 34 casualties was carrying out construction activities at the time of the incident. This is contrary to what should be expected in a building under construction. Third, in both the Synagogue and Lekki Gardens incidents, the building control administration claimed to have served contravention notices which were disregarded by the builders/ developers and, curiously, without any official follow-ups being made or sanctions applied until the collapses occurred. Fourth, both structures were very visible multi-story structures and in locations which could be easily monitored by officials.

This paper looks beyond findings on the causes of failure as contained in existing literature. It evaluates certain non-technical, structural and cultural factors which are relevant and complementary to explaining the rising trend with a view to proposing solving measures which can significantly bring down the level of failures. To achieve this aim, this study first reviews the technical findings on construction stage collapses since 2000;second,it evaluates the structural administration of building control in present day Lagos compared to earlier times and practice in external jurisdictions; third, assesses the activities and challenges of the government agency in charge of building control together with associated socio-cultural practices which, because they affect the conduct of the stakeholders (the regulators and the regulated) can help to shed light on the overall effectiveness of the building control function; fourth, offers an insight into the non-technical issues which have a bearing on the performance and effectiveness of building control; and fifth, makes recommendations on how the identified hindrances can be overcome.

## 2. Theoretical Backgrounds

### 2.1 Building Control in the Lagos Metropolis

The Lagos State Building Control Agency (LASBCA) was set up as an agency of the Lagos State Government under the Lagos State Urban and Regional Planning and Development Law of 2010. Before 2010, the Development Control Department of the Ministry of Physical Planning took charge of building issues. In addition to this enabling law, its activities are governed by the LASBCA regulations and the National Building Code.

According to Section 47 of its enabling law, the responsibilities of the LASBCA are: (a) enforcement of building control regulations, (b) regulation and inspection of building works and, certification of various stages of building construction and keeping of such records, (c) removal of all illegal and non-conforming buildings, (d) identification and removal of distressed buildings to prevent collapse, (e) issuance of certificates of completion and fitness for habitation, (f) provision of building services such as material evaluation and testing, fire and public health control, (g) establishing Local Building Control Offices in co-operation with the local governments and local council development areas, for the discharge of its functions at the local government level with the approval of the Governor, on the recommendation of the Commissioner.

### 2.2 Effectiveness of the Agency

Under its present name and operating system, the agency is relatively young, but it has had the opportunity of building capacity and developing expertise under the old administrative arrangement. The areas in which the agency has been able to achieve a measure of success include: (a) Increased enforcement activity which has resulted not only in more awareness of the importance and necessity of seeking building approval, but also, leading the now better informed citizenry to seek approval before building in order to avoid sanctions, (b) The use of the services of professionals. Recognizing that its staff strength of lower than 300 as at 2015 is inadequate for its functions, the agency complements with the engagement of independent professionals to carry out its assignments, (c) Establishment of the Materials Testing Offices in various locations to provide comprehensive, one-stop services for builders, (d) The promotion of Building Insurance to protect building owners against loss, (e) The registration of artisans so as to afford an avenue for monitoring their on-site activities at construction projects. However, the agency has shortcomings which serve to hinder its overall effectiveness.

In the first place, there is the issue of perception by the public. Easily, the most enduring perception of the Lagos building control agency is as an entity which demolishes people's structures without allowing the removal of their moveable properties. This reputation was notoriously acquired 25 years ago by the Maroko demolition of 1990 which displaced over 300,000 citizens and appears to have set a poor public policy standard which is difficult to depart from. The early January 2016 holiday-time demolition of the Oshodi market and the destruction of the traders' goods in the process is the latest example of this now entrenched practice. Also, an aspect of citizen-unfriendly behavior is the cost of seeking building approval which appears to be geared towards the maximization of state revenue earnings rather than encourage compliance through affordability of the charges. The agency has an unfriendly image. Its effectiveness can be improved only with a re-orientation not only of its staff, but also, of the Lagos State Government

which supervises it.

Second, there is the issue of capacity and professionalism. Ogundimu (2013) identifies the poor knowledge, experience and exposure of the agency's staff as severe limiting factors, stating that: "Their academic qualifications and experience are questionable..." and they "do not have the necessary experience or expertise to deal with the numerous housing issues in the state. Most of the top officials lack the necessary exposure and very few have travelled out of the country, which is extremely important in terms of exposure these days". Udo-Udoma (2014a) agrees in commenting that: "The frequency of collapsed buildings in Lagos cannot solely be attributed to developers cutting corners or inadequate materials, the Lagos State Government needs to build capacity of the authority and its staff members who police, manage, administer building regulations and planning permission".

Third, there is the national bugbear of official corruption and compromise, from which the agency suffers also, as part of the scheme of things. According to Ogundimu (2013) corruption within and outside the Lagos State Building Control Agency is another reason why building regulation is impossible to enforce in the state. The issue of corruption is remarkably not mentioned in the findings of (Alamu and Gana, 2014), (Olagunju et al., 2013). Also, Ayedun et al. (2012) whose study involves a survey of the key stakeholders namely, professionals, landlords and developers, do not in their findings specifically mention corruption as the issue was not featured in their structured questionnaire which focuses on issues of materials, design, defects, workmanship, supervision and the elements. Oloyede et al. (2010) conclude from their survey that bribery and corruption were considered as insignificant, but this position conflicts with their finding that the remote causes include non-enforcement of the existing laws. The non-enforcement of the laws can constitute not only a dereliction of duty, but may also be construed as an act of corruption which confers advantage on the owner of the property which is deliberately not subjected to the laws of building control. Corruption is usually assessed by perception in view of the difficulty of gathering actual evidence and it is not restricted to the demand for, and receipt of, inducement but can be the deliberate overlooking of breaches of the law for preferential reasons.

Fourth, a lack of infrastructure and resources to tackle the great challenge of monitoring development springing up in all nooks and crannies of the state is identified also by Ogundimu (2013) as a problem to which no solution has been found. The rapid urbanization and expansion of the built up areas of the state coupled with inadequate agency staffing and modern monitoring resources has meant that the agency becomes aware of the opening up of new areas after individuals, acting in their own best interest, have taken actions which do not sit well with official regulations. An official response with sanctions creates an image problem whilst condonation would be ill-advised where the structures are unsound.

There are constraints and challenges to building control which come in the form of (a) physical attacks upon, and the unlawful detention of, LASBCA staff in the course of their enforcement duties by irate and unco-operative members of the public, (b) low public appreciation of LASBCA functions, except perhaps as a building demolition agency, (c) low public perception of LASBCA staff arising from the issue of official gratification, (d) removal of official notices served upon building owners and developers, (e) delays in the prosecution of building law offenders whose conviction should have a deterrent effect on would-be

offenders, (f) difficulty in obtaining building ownership data from multi-tenanted dwellings whose occupants usually remove official information-gathering notices pasted on such buildings, (g) inadequate staff strength-its staff number of below 300 as at 2015 cannot serve a metropolis of 21 million with an average density of population of not less than 13,400 per square kilometer, (h) inadequate operational equipment, (i) Building standards are unclear to the public, (j) the regulatory requirements of the environment are difficult to handle.

The common thread in the collapses is that they involve storied buildings requiring appropriate substructure designs and reinforcement for the superstructure in a terrain which is some 40% made up of wetlands. Other environmental monitoring challenges include pressure of rapid development arising from a population growth rate of 3.5% per annum. As Udo-Udoma (2014 b) observes: “The collapses stem mainly from hasty illegal construction as buildings are tossed up virtually overnight to accommodate the city’s mushrooming populations. In the rush to solve these worsening housing deficits, corners are cut, palms are greased, low-quality materials are used and, in general, shoddy work is performed”.

### 2.3 Construction Failure in Lagos Metropolis

The approach adopted in presenting a review of existing literature is to summarize in tabular form the main findings and recommendations of some authors who have researched into the problem of collapses in the Lagos Metropolis. Table 2 summarizes the findings/recommendations of five such authors.

There is a congruence in the findings of the various authors. The findings are basically technical in nature as they relate to the process of the production of building structures. Regarding recommendations, all authors are agreed as to the need for the involvement of the public in the monitoring of development. The implication is that agency officials alone cannot handle the task. There is also agreement as to the strict application of the laws and sanctions. This, again, is to ensure that the technical processes are strictly followed. Alamu and Gana’s recommendation that a “Systematic inspection of building works should be enforced at the Local Government level” is instructive as it implies that the problem of building control could be better handled if there

was meaningful involvement at local level which is currently not the case. Oni, as well as Olagunju et al. (2013) concur that there is a need for further research into the causes of building collapse in Nigeria in general and the Lagos Metropolis in particular. This recommendation is important because construction failure, even though preventable, cannot be eliminated as failure can result from factors which cannot be controlled or predicted.

### 3. Methodology

This paper is designed as a review of the system of building control in the Lagos Metropolis. Since the study is a review, it relies on data obtained from secondary sources, mainly the studies and findings of researchers into the phenomenon. Construction collapse data used in this study were derived from these previous studies. Reference is also made to extant legislation on building control in the study area and to studies on capacity and culture in the Nigerian bureaucracy of which that of Lagos State is a part, and the implications for public sector service delivery of the structural organization of the Nigerian State and its constituent units.

### 4. The Study Area

The Lagos Metropolis is the business and industrial capital of Nigeria. Its population is put at 21 million (Lagos State Bureau of Statistics, 2015) and it is administratively divided into 57 local authorities spread over a land area of 3,577 square kilometers (Learn About Lagos, 2016). The population density per square kilometer is given at 13,405 persons by Wikipedia (2016). The considerable geographical size and population density of the study area underscores the responsibility and the volume of work involved in the effective monitoring of development. Administratively, the area is structured into 20 local government councils as provided for under the constitution of the Federal Republic of Nigeria but in 2003 the government of the state unilaterally created 37 more administrations which, following the disapproval of the federal authorities, it was forced to re-designate as *local council development areas*, but with all the characteristics and functions of the constitutionally approved local government councils.

**Table 2:** Summary of literature on causes of construction/building collapse in the Lagos metropolis

Authors	Findings	Summary of Recommendations
Oni(2010)	Poor workmanship/materials, Design defects.	Public involvement in monitoring, .strict enforcement for compliance with laws, further research into failure
Oloyede, Omoogun and Akinjare(2010)	Poor materials/specifications/workmanship; non-enforcement of existing laws	Public education, Involvement of citizens, Non-interference by government, prompt sanctions.
Ayedun,Durodola and Akinjare(2012)	Poor materials/workmanship/specifications, Design defect/alteration	Involvement of citizens/professional bodies in monitoring, strict enforcement.
Olagunju, Aremu and Ogun-dele(2013)	Poor materials/workmanship, design defect (foundation), the elements.	Strict adherence to laws /standards, public enlightenment, further research into failure
Alamu and Gana(2014)	Poor materials (concrete mix ratio)/poor materials/workmanship; (walling)/specification/supervision; Design defect (foundation), the elements.	Pre-test of materials; strict enforcement; ensure use of professionals on site; Local involvement

## 5. Discussion

### 5.1 Purpose of Building Control

Building control is aimed at delivering safe and sound structures which will not fail either during construction or when subjected to normal use thereafter. The rationale for control is that the production of built structures is achieved through a technical process which, for the right outcomes to be obtained, needs to be meticulously followed from substructure to superstructure. Building control is the process by which building regulations or standards as to design and modification are administered or enforced by a building authority. The process applies to the design and construction of new buildings and improvements to existing ones. This activity occurs only after the planning agency has approved relevant issues as to appropriateness of the development.

### 5.2 Historical Background of Building Control in Lagos

The British, who created the Nigerian state, were responsible for introducing modern governance, creating townships and the framework for their administration which was patterned after what obtained in their home country. An important aspect of Township administration was the establishment of Town Councils as seen in the Lagos City Council, the Benin City Council and Enugu City Council among others, as authorities responsible for carrying out municipal functions such as the registration of births and deaths, sanitation, the naming of streets, promotion of public hygiene and the approval and control of development. Municipal authorities in Nigeria issued ordinances in carrying out their functions. Ordinances could not contravene or exceed statutory provisions from which their powers were derived. The provision for municipal governance

through ordinances serve as proof that the colonial authorities believed in, and permitted, local administration of local issues by local officials just as in their home country. In this way locally elected councilors can make meaning of their local mandate.

The system of municipal responsibility for the zoning of development, its approval and control started in the colonial era and continued in the post-independence period. The laws issued by municipalities have over these periods been variously tagged as ordinances, laws, bye-laws and edicts. These were incidentally times in which Nigeria was under civilian governance. The crises of 1966-67 which saw the introduction of military rule in Nigeria led to an unforeseen and far-reaching structural reorganization of the country from four regions to 12 states by virtue of the State (Creation and Transitional Provisions) Decree No. 14 of 1967. These structural changes gave rise to cultural changes.

As a consequence, the organization of the Nigerian state, its constituent units and their agencies, their work ethics and organizational culture have been affected in ways which today reflect in the conduct and discharge of public responsibilities. These are the factors categorized in this paper as the non-technical issues implicated in the frequency of construction stage collapse of buildings in Lagos.

## 6. The Non-technical Issues

### 6.1 Appropriateness of Functional Responsibility for Building Control in Lagos State

There are two very important issues regarding the LASBCA, which give an insight into the recurrent building control challenges in the Lagos Metropolis. First, the agency is a public service organization and its staff constitute part of the Lagos State public service and also the wider



Figure 1: Map of the Lagos metropolis  
(Source: Bohr, 2006)

Nigerian public service, with which is associated poor service delivery and considered to be in need of a comprehensive reform which will make it efficient, effective, transparent and responsive (Igbuzor, 2015). Second, it is a state-level organization set up to perform the functions of local organizations i.e. municipal organizations or local governments.

## 6.2 *The Established Order of Functional Responsibility for Building Control*

Building control is a local function which, in other jurisdictions across the world, is performed by the local authority in which a development project is to take place or takes place. This was the system established by the colonial authorities in Nigeria before independence and which was in place until the 1970s. Local supervision of development still obtains in the UK and it works very well there as a symbol of local democracy and the control which the residents of an area have over their affairs. However, local supervision and control over local development is no longer the norm in Nigeria in general and Lagos in particular.

## 6.3 *The benefits of local administration of building control*

The benefits of this arrangement are as follows: (a) the local environment is best understood and also best monitored by those who reside within it. The current arrangement under which the LASBCA has only zonal representation in the councils cannot be regarded as being effective because the local officials have a greater familiarity with their territory and a shorter distance to cover in monitoring it than do officials located at headquarters. Looking at the Synagogue Guest House issue, the Ejigbo Local Council in whose territory it was located would have been better suited for a day-by-day monitoring of the site than head quarter officials. (b) a devolution of building control (and development control as well) would be in accordance with best practice. This is important for a city which prides itself as a “center of excellence” and aspires to the status of a “mega city”. Without a strong and purposive local administration, the quality of urban governance in the state cannot improve. As matters stand, the Lagos State government executes the functions of a state government and, as it appears, those of the local governments as well.

According to the UNDP (2013) good governance is among other things participatory, transparent and accountable. Good 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. Apart from being a tier of government, the local government is an institution of state which state governments in Nigeria, including Lagos State, must respect if indeed good governance is to be pursued. The people who administer the state governments, being elected just like those in the local governments, cannot decide what is suitable for the latter whose mandate is directly and more firmly rooted in the local environment than that of state officials. It is unacceptable and unduly paternalistic for elected officials at the state level to decide what is good for elected officials at the local level in spite of what the constitution says and what voters have decided. (c) the devolution of power to the constituent local governments would enable them develop capacity not only in the discharge of the building control function, but also, in their other areas of responsibility in which they have so far failed to perform. Any argument that the local governments are unreliable and would

make matters worse can be countered by the argument that the state agency has also demonstrated its unreliability as regards effective monitoring of development. Indeed, if these incessant building collapses had been occurring under local government administration of building control as is being proposed in this paper, there would likely by now have been attempts made by the state to take over the responsibilities basically in order to benefit from the revenue realizable from building permit charges. But who now takes over from the state when it is unable to perform? Doing the right thing cannot make matters worse especially when it comes with other advantages which effective local administration offers. Besides, the fact of local governments having problems of leadership is the making of state authorities who interfere in their activities.

## 6.4 *Structural Impact of Centralization of administration and Restructuring*

The capacity of the public service to perform has been, and is still being, affected by structural and cultural changes which were introduced by military *rulership* of Nigeria between 1966-1979 and 1984-1998. The coming and consolidation of undemocratic governance in 1966-67 not only usurped the powers of the democratically-chosen assemblies of Nigeria's four regions, but also, centralized all the powers of the state in the capital, Lagos. This was a destabilizing factor, but it was then not so recognized. When, in addition to the centralization of powers, the country was arbitrarily restructured into 12 states, another far-reaching step with unforeseen implications was taken. These two steps were to have serious effects which have lasted to this day.

Kukah (2012) states that the nature of the military legacy and its cumulative impact on our polity has never really been studied and adds that there has been a negative cumulative impact and the rut has persisted. The fact of the matter is that we have never really exited the stranglehold of the military state that displaced our post-independence experiment with democracy. The reason why is that today, post-military Nigeria is paying a high price for the over-centralization of the threads of power in the hands of the military dictator.

The centralization of power introduced by the military still affects the democratic system or the semblance of it which Nigeria is operating. Stripped of all niceties, the Nigerian system can be characterized as follows: the federal government lords it over the constituent states, whilst the states lord it over the local governments; the presidency tries unduly to influence the federal legislature while the state governors emasculate their various legislatures. In this display of power and preference, the local administration is seriously handicapped. Inefficiency and corruption in local government is systemic, embedded in Nigeria's Constitution by an unwieldy, lopsided arrangement in which local community finances are held in the suffocating grip of the states, which are in turn controlled by the federal government (Maja-Pearce, 2014). The local government should be the bedrock of development as it is the closest to the people and every part of the country belongs under a local administration, but those who operate the constitution disregard these facts. Maja-Pearce (2014) adds that to make matters worse, local representatives are themselves imposed by the parties at the center because, in the words of Chief Bisi Akande, National Chairman of newly unified opposition, the All Progressives Congress. It is the leadership of the party that understands the manifestos of the party and knows what the people really want. Agbodike et al. (2014) add that local government administration in the country is confronted with issues and challenges such as federal and state government's interventions in the constitutional responsibilities of local

government. It is seen as avenue for dispensing political patronage to party loyalists. That the states have no intention of allowing autonomy at the local level was borne out in 2014 when all 36 governors were unanimous in their opposition to a bill proposed in the National Assembly for local governments to receive their funding directly from the Federation Account.

From these observations it may be inferred that the local government system is being deliberately made unworkable by the state administrations, but also complicit in this act are the federal authorities who have failed to intervene. In all, the impression created is that Nigeria's system of governance is centralized and not democratic. The conclusion of Maja-Pearce (2014) is that if Nigerian democracy is to be cleaned up, if indeed, the country is to survive, then reform must start at the local level, with people demanding honest government and a fair share of the national wealth.

The weakening of local administration through the interference of the federal and state governments in its responsibilities, the use of its resources by state governments for political patronage has meant that this third tier of government has been unable to develop capacity, to attract and retain quality personnel who would see to the discharge of its constitutional responsibilities. This is true for each and every state in Nigeria. In the case of the Lagos, there was only the Lagos City Council in the 1960s when the territory and population were much smaller and this situation subsisted for part of the 1970s. Now, with a higher population, higher rate of building construction, greater built-up area and 57 local administrations, what still obtains is one building control authority being in charge of much wider responsibilities than was the case in the 1960s and 1970s. Working with the colonial template in which every town council had its own building authority and engineers fully in charge of development, the state authorities, having of their volition structured the territory into 57 local administrations, should establish that same number of building control agencies for effective coverage.

### 6.5 Cultural Impact of Centralization and Restructuring

The centralization of authority and restructuring of the country also produced some unintended consequences in the culture of the Nigerian public service (federal, state and local governments). First, the concentration of power at the center gradually weakened the federating units of the country and took government farther away from the people at the grassroots. Evidence that government is now further away from the people is seen in the demand for more states. From 4 regions, and without any referendum, 12 states were formed, then increased to 19, then 36, with the final figure proposed in the 2014 constitutional conference put at 54. With the increase in the number of states came a dilution of the quality of capable personnel to manage their affairs. This was basically because the unclear criteria and hastiness of state creation did not take into account the need to have first in place capable personnel to man them. Thus, below the federal tier at which power is overly concentrated, there are weak states and even weaker local governments, resulting in poor governance. Second, military rule was neither transparent nor accountable to the people, and it did not encourage local participation in decision-taking. Human Rights Watch (2007) reports that at the state and local levels the people still have no way of holding their local officials accountable for their actions. Basic information about the use of public resources at the state and local level is kept a closely guarded secret, and state

government 'oversight' of the local governments is often carried out in a manner that is **both** secretive and ineffective.

Third, the military politicized the public service and thereby negatively affected its culture. The federal civil service purge of 1975, involving over 10,000 personnel from the class of messenger to permanent secretary, was a destructive act. According to Asiodu (2015), "the destruction of the civil service meant that institutional memory was lost" because among "those swept away were role models imbued with the core values which enabled some checks and balances in the system". The inherited and now internalized culture is of unquestioning acquiescence to official directives. A situation in which public officers occupy positions which do not require critical appraisals, converts such offices to sinecures for the retention of which loyalty only, not performance, is necessary.

In the view of Ogunrotifa (2012), the service is known for a weak governance structure, red-tape, poor accountability, low professional standards, waste and corruption, poor productivity, and lack of control, redundancy and over-bloated staff structure and strong institutions cannot emerge from the present day Nigerian Civil service where the top echelon is picked on the basis of ethnicity, religion and class. Abdullahi (2013) essentially concurs that recruitments into the civil service have been influenced by patronage and politics. Nepotism and tribalism are the order of the day. Because of the political under tones entrenched in the public service, people are recruited based on tribe and connections. Unprofessional and incompetent hands are now recruited into the public service. This malaise affects all tiers of government across the country. Fourth, with politicization it became difficult for professionals to have career security. According to Asiodu (2015), the situation has long changed from the pre-1975 period when promotion was based upon the organizational chart and there was career planning. Today, public service is no longer the destination of high-fliers. Fifth, the public services of today, in structure and culture, are the legacy of military rule and it is a problematic legacy. In the past, attempts at reform have been made, but these failed due to factors including a lack of political will, poor management, faulty diagnosis, poor recruitment policies, lack of human resource capacity building, political patronage, quota system and lack of democratic practices in the management of the public service (Igbuzor, 2015). These factors are coincidentally much the same which make the public service unable to perform.

Furthermore, recent research by Igbuzor (2015) has found that there is no doubt that the Nigerian public sector performance is weak despite increased public expenditure. It has been shown that increased expenditure has not translated into service quality and performance. The missing link is a poor public service delivery process. This is why the way out of the problem is a comprehensive Public Administration Reform to produce a public service that is efficient, effective, transparent and responsive. The public service processes that need reform are planning, policy making, budgeting, human resource management and performance management. It is important to point out that the pattern of increasing expenditure and declining quality of service is probably worse at the sub-national levels (state and local government). This is why the Public Administration Reform needed in Nigeria must be comprehensive covering all levels and tiers of government.

The cumulative impacts of these cultural influences have been to handicap our various public services and render them incapable of delivering quality. The 2014 Synagogue Church Guest House collapse, in spite of the explanatory technical analyses proffered, smacks of official

neglect, failure, refusal to act on a supposed building contravention for reasons undisclosed to date. Failure to act on such a technical contravention is in actuality not a technical but rather a cultural issue founded in organizational structure and culture.

#### **6.6 *The Indigeney Culture in a Cosmopolitan Environment***

The leadership and staffing of the LASBCA, despite the cosmopolitan nature of Lagos State, has always been drawn from the indigenous population. Its status as a cosmopolitan city, an industrial and commercial center and the most prosperous in the country confers upon it many advantages which can help its transformation into a better place. As its government energetically pursues its mega-city project, it would do well to look into how it can exploit the advantages of state's financial resources and the available pool of human resources in the entirety of Lagos, not just among its indigenes, to tackle the deficiencies in its public service. In the very week of the Lekki Gardens construction collapse in early March 2016, it was announced (Nigerian Eye, 2016) that the monthly internal revenue generation of Lagos State had attained a record height of N24.5 billion (US\$ 122.5million), with most of it coming from land transactions, including fees for building approvals. The non-indigenous residents, who account for most of the productive investments in the state, contribute substantially to this rising revenue profile, but have no voice in the administration of the city.

The state ought to tackle the building control problem by recruiting the best available skilled personnel from the pool of labor engaged in the private sector organizations in the city, many of which are construction companies with engineers of repute. The seriousness of incidents of collapse, news of which travel around the world, should be seen as negative publicity which detracts from the efforts of the Lagos government and, indeed Nigeria also, to attract international investors. The bugbear of recurrent construction collapses indicates that the required technical expertise, experience, commitment or administrative skills are not available in the LASBCA and that the administrative arrangement is not appropriate. In the circumstances, treating the building control job as a position for political patronage which is reserved for Lagos State indigenes is contrary to best practice and good governance. The international dimension of the Synagogue collapse indicates that the responsibility transcends primordial and parochial considerations. Lagos state cannot do it all alone in a globalized world.

#### **6.7 *The Culture of Inhabitation of Buildings under Construction***

Unlike collapses in better supervised jurisdictions where casualties tend to be fewer and are usually restricted to construction workers, in Lagos, casualty rates are not only relatively high, but predominantly consist of non-workers. A reason for this is the widespread practice of workers as well as their dependants (as it turned out in the Lekki Gardens case) sheltering and sleeping over in buildings still under construction. In two of the recent collapses, the Synagogue Church Guest House in 2014 and the Lekki Gardens in 2016, the casualty rates were respectively 116 and 34. Construction was not going on at the time of these incidents. The Synagogue incident is also curious in that the structure was a two-story guest house apparently completed and already in use which accounts for the 86 South African casualties who were guests living in the facility, yet this occupied structure was allowed to become once again a project site as the owners attempted to add three more floors. There

are questions as to whether a completion certificate was issued by LASBCA for the two-story in confirmation of its proper completion before it came into use or whether none was issued probably because the project was yet to attain its 5-floor target.

Researchers, as well as officials, have not given consideration to the potential consequences of the occupation of buildings before the completion of construction, which practice has in these last two major construction failures led to heavy fatalities. The practice of construction workers sheltering inside structures under construction is explained by the reason that they generally reside in the low-rent city outskirts which are usually distant from project sites mainly in up market areas, making it difficult for them to get public transportation home after work and to arrive on site early each working day. This is a peculiar problem of Lagos due to traffic congestion and the absence of a mass transit system. LASBCA field officials who visit project sites cannot claim to be unaware of the fact that workers live in project structures and that this practice increases the risk of fatalities where a structure collapses even whilst work is not going on. The agency should long have stopped the practice and directed developers who need to accommodate workers on site to put up temporary structures in a safe area nearby for that purpose.

#### **6.8 *Absence of a Culture of Self-Appraisal and Public Accountability***

It is not the norm for public sector bodies, Ministries, Department and Agencies, to undertake performance assessments of the quality of the services they provide to the public. This is a reflection of the poor accountability in the entire Nigerian system, federal, state and local government administrative levels, as referred to by Human Rights Watch (2007).

As a public service organ, neither the LASBCA or its predecessor agency has ever sought (and publicly presented as would be expected in a democratic setting) stakeholder assessments from developers, real estate professionals, artisans and the general public as to how effectively it has been carrying out its activities. All the agency has cared about it seems, is the substantial revenue which it has been raising from its activities. This may be a problem of leadership capacity.

Leadership determines the pace and direction of an organization. It is important for result-oriented leadership that those who are appointed to head government agencies interrogate the philosophy of the organization and its operational culture and practices. Where leadership is properly selected, and therefore, is not installed by patronage and fettered by politics, there is a greater chance that it will be knowledge-driven, target-driven, professional and pro-active and equipped to establish a culture whereby periodic introspections and self-analyses are carried out.

#### **6.9 *Failure to Enforce the Laws***

The state authorities have demonstrated an unwillingness or incapacity to see things through regarding the enforcement of the laws of building control. According to Alao (2015), the Lagos State Tribunal of Inquiry into the building collapses which occurred between 2007 and 2013 indicted the state government for being complicit because it "has not done enough in the implementation of laws that prescribe the operations of all stakeholders in the construction industry in the state" adding that, "the preponderance of illegal developments in the state could be traceable to cumbersome planning permit process, absence of physical



development plans and operative development guides, as well as title documents as prerequisite for granting planning". Udo-Udoma (2014b) reports the Chairman of the Lagos State Tribunal of Enquiry as saying also that: "There is no record of persons prosecuted or sanctioned for incidents of building collapse by the Ministry of Justice, the Nigeria Police and any other law organ because of political, cultural, administrative and other interventions."

## 7. Conclusion and Way Forward

This paper was aimed at giving an insight into the non-technical issues lying at the background of the recurrent incidents of construction stage collapse in the Lagos Metropolis since 2000. A review was made of earlier findings on construction failure in Lagos, the functions and challenges of the state building control agency and the structural anomaly in having a state agency carry out the functions of local agencies. The structural and cultural factors which constitute handicaps to the state agency in the execution of its functions were identified as the non-technical issues which are contributory to incessant construction stage collapses. Further investigation is still necessary into these factors as well as to ascertain under which tier of government, state or local government, the building control function would be better executed in the Lagos Metropolis and the necessary conditions for this to be effective. A clarification of these issues would constitute that important first step towards a total reorganization of the present system for better building control performance.

The way forward which arises from this paper is simply that the present system of building control administration in Lagos State is deficient and should be dismantled and reorganized for the following reasons: (a) building control is a local activity which is best administered at the local level. A city which aspires to mega-status ought to apply best practice as seen across the world. Concentration of powers at the state level needs to be reconsidered in view of its inefficiency, (b) capacity at the local level is crucial to good governance and must be actively developed and nurtured so that local communities and administrators can take ownership of their own affairs. The use of elective local offices and resources for political patronage must be discontinued, (c) the inadequacies of the present LASBCA, as part of an incapacitated national bureaucracy, ought to be tackled innovatively by seeking expertise wherever it may be found. Such expertise is to be deployed under a decentralized and democratized administrative structure with each local administrative unit having its own building control agency, (d) in reorganizing the local administration of building control, only 20 and not 57 building control departments are recommended because the 1999 constitution of the Federal Republic of Nigeria (as amended) granted Lagos State only that number of Local Government Councils.

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