

Urban and Regional Planning as an Instrument for Wealth and Employment Creation

Proceedings of the National Conference Held from 2-3 February 2005, Safari Park Hotel, Nairobi, Kenya

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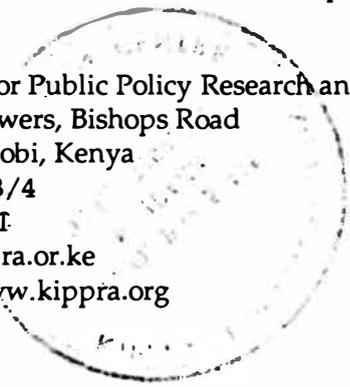
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KIPPRA in Brief

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We are reminded of an ancient kernel of wisdom by Confucius, a renowned Chinese philosopher, that says: "*A journey of a thousand miles begins with a single step*". We acknowledge the support of those listed here and many others in this effort aimed at moving Kenya towards becoming "*A Planning Society*".

We thank you all

*Infrastructure and Economic Services Division, KIPPRA
May 2005*

Abbreviations and Acronyms

CBD	Central Business District
CBS	Central Bureau of Statistics
ICAO	International Civil Aviation Organization
ICDs	Inland Container Depots
ICTs	Information and Communication Technologies
KEPSA	Kenya Private Sector Alliance
KIP	Kenya Institute of Planners
KIPPRA	Kenya Institute for Public Policy Research and Analysis
LADP	Local Authority Development Programme
M&E	Monitoring and Evaluation
MDGs	Millennium Development Goals
NCC	Nairobi City Council
NEMA	National Environmental Management Authority
NESC	National Economic and Social Council
NMT	Non-Motorized Transport
NSE	Nairobi Stock Exchange
PPPs	Public-Private Partnerships
PS	Permanent Secretary
RDAs	Regional Development Authorities
UN	United Nations
URP	Urban and Regional Planning

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EXECUTIVE SUMMARY

Background

According to estimates by the UN-Habitat, nearly 50% of the population in developing countries will be urban by the year 2020 as more people abandon traditional rural areas to live and work in cities. In Kenya, as in many developing countries, increased urbanization has been accompanied with reduced capacity of national and local governments to provide vital infrastructure and services. The trend has also reduced the usefulness of traditional approaches to fulfilling core urban and regional planning objectives, which include: stemming physical deterioration through proper land use planning; providing safety and beauty of the environment; and achieving economy and convenience in the movement of goods and efficiency in service provision.

Research work carried out under the Urban and Regional Planning Initiative (URPI) at KIPPRA shows that poor urban and regional planning in Kenya is the result of:

- ❑ Poor governance and weak political will and commitment;
- ❑ Low level of community involvement and stakeholder participation;
- ❑ Absence of updated and reliable planning information, including data and statistics;
- ❑ Inadequate linkage between economic and spatial planning; and
- ❑ Constraints in budgetary and human resources.

Challenges such as environmental degradation, insecurity, haphazard development, and poor management of cities and lack of space for entrepreneurs are either direct or indirect results of poor urban and regional planning.

The Government of Kenya has already initiated measures to improve urban and regional planning and increase its contribution to wealth and employment creation. The measures include the ongoing formulation of a land policy; continuing legal and institutional reforms towards restructuring and right sizing of local authorities; and development of strategic plans by regional development authorities. More critically, however, effective urban and regional planning in Kenya is still hampered by systemic challenges that need urgent attention. The most glaring of these challenges are:

- (i) Institutional and legal complexities, and lack of harmony between central and local governments, and between line ministries and regional development authorities;
- (ii) Shortage of suitable and adequate serviced land for investment activities such as location of housing, industry and commercial activities;

- (iii) Unavailability of and poor access to critical planning data, absence of an integrated approach to data gathering, processing and dissemination, and continued use of outdated technology;
- (iv) Low funding and poor staffing in critical areas within planning agencies;
- (v) Absence of a framework for partnership and collaboration among planners (surveyors, engineers, architects, designers, social planners, economic planners, transportation planners and environmental planners);
- (vi) Poor implementation of existing plans and inadequate monitoring and evaluation (M&E) mechanisms, and constant interference by politicians; and
- (vii) Weak professional organizations unable to enforce ethical practices among their members.

This Conference was motivated by a desire to kick start discussions within government, between government and planning professionals, within the planning profession and with consumers of planning products and services. The key conference questions that facilitated this interaction were:

- (i) What is the nature of urban and regional planning (URP) and planning practice in Kenya?
- (ii) Who are the main actors and their capacities, and what is the nature of their interactions in respect of urban and regional planning?
- (iii) What is the legal, institutional, and regulatory framework for URP in Kenya?
- (iv) What is the nature and efficacy of instruments (economic, planning and regulatory) for urban and regional planning in Kenya?
- (v) What are the major challenges facing urban and regional planning in Kenya?
- (vi) What can be done to establish a more effective and proactive urban and regional planning system for Kenya?

The main objective of the conference was to identify the underlying forces that have led to ineffective urban and regional planning and suggest policy proposals to reverse the situation. The specific conference objectives were to:

- (i) Create awareness on the role of urban and regional planning in supporting national development efforts and exploiting Kenya's comparative advantages;
- (ii) Distill stakeholder concerns and expectations on the status of urban and regional planning;
- (iii) Provide a forum for exchange of ideas on the role of urban and regional planning in national development;

- (iv) Discuss the role of urban and regional planning in creating an enabling environment for business; and
- (v) Propose a strategic way forward in strengthening the role of urban and regional planning in wealth and employment creation in Kenya.

The proposals made by participants towards meeting these objectives and make Kenya a planning society revolved around a strong but realistic vision for urban and regional planning; effective policies, laws and institutions; and a well-coordinated urban and regional planning practice. These proposals were distilled from discussions carried out over two days in four working groups, namely:

- (i) Vision of urban and regional planning in national development.
- (ii) Policy, legal and institutional framework.
- (iii) Urban and regional planning practice.
- (iv) Emphasis on Nairobi as a special planning area.

The conference was organized through an inter-ministerial task force coordinated by KIPPRA and involving the Ministry of Planning and National Development; Local Government; Regional Development Authorities; Lands and Housing; and Office of the President. Consultations were done with the National Environmental Management Authority, the City Council of Nairobi, the civil society, and the private sector. Over 200 stakeholders from government, the private sector, and civil society attended the conference.

Plenary I: Opening Ceremony

Plenary I was chaired by Mr David Nalo, Permanent Secretary, Ministry of Planning and National Development.

Welcome Address: Dr Hezron Nyangito, Acting Executive Director, KIPPRA

Dr Hezron Nyangito welcomed participants, and noted that effective regional and urban planning offers significant opportunity for wealth and employment creation, attainment of Millennium Development Goals (MDGs), and puts the country on the path to development. He highlighted the factors that have contributed to Kenya's poor planning, which include poor governance; lack of community involvement; lack of planning data; weak linkage between economic and spatial planning; resource constraints; and lack of political will and commitment. This situation is now manifested in low levels of economic growth; environmental degradation; rising unemployment and poverty levels; insecurity and high crime levels; haphazard development and poor management of cities; and lack of space for entrepreneurs.

Concept Papers

Dr Eric Aligula (KIPPRA), Mr John P. Mbogua (Chairman, KIPPRA Board), and Mr Lanfranc Situma (National Projects Officer, Department of Transport, Republic of South Africa) presented the concept papers.

The paper by Dr Aligula provided an overview of urban and regional planning in Kenya. It addressed the importance of urban and regional planning, and its role in ensuring sustainable utilization of resources, exploiting competitive advantage and mitigating conflicts and threats in development. Presenting a historical overview of urban and regional planning in Kenya, the paper observed that during the colonial period, urban and regional planning was left to weak local authorities, which by and large lacked capacity. Planning focused on developing the agricultural sector as the means for wealth and employment creation, and was segregative in nature.

After independence, urban and regional planning in Kenya was characterised by a flurry of initiatives culminating in the Sessional Paper No. 10 of 1965 on *African Socialism and its Application to Development*. The period between 1963 and 1975 was the era of the *Structure Plan* as a means of spatially guiding development. Planning during this period focused on enhancing agricultural productivity, poverty alleviation, and industrial development as the channel for economic growth. The paper observed the correlation between the high levels of economic growth experienced during this period and the strong application of urban and regional planning. This was the Golden Era of Planning.

After 1975, a number of interventions such as Sessional Paper No. 1 of 1986 on *Economic Management for Renewed Growth*, which introduced the concept of rural trade and production centres, were formulated. New laws such as the Physical Planning Act of 1996 and the Environmental Management and Coordination Act of 1999 were enacted. New instruments to strengthen funding of local authorities, such as the Local Authority Transfer Fund were developed and implemented.

However, this period witnessed a continuous decline of local authorities as instruments of development. This decline was occasioned by lack of vision; lack of strong political will and commitment; lack of a clear policy framework; lack of a coordinated institutional set-up supportive of integrated planning and implementation; lack of an urban and regional development policy; and severe capacity constraints in urban and regional planning.

The paper by Ambassador John P. Mbogua focused on Nairobi as a Special Planning Area. He observed that the sustainability of cities was dependent on access to and proper use of natural resources. In this respect, Nairobi and other urban centers in Kenya faced a number of challenges, which need to be addressed through:

- ❑ Transformation of the City by providing adequate infrastructure, especially in the face of the ever-increasing population;
- ❑ Strengthening the City's management capacity through effective legislation;
- ❑ Establishment of markets for the growing number of informal sector traders;

- Improvement of governance of urban areas/cities;
- Harnessing of technological developments towards city and urban planning;
- Involvement of communities and integrating environmental concerns into urban and regional planning; and
- Strengthening the link between local authorities and the central government.

The paper by Mr Situma focused on the link between transportation and urban and regional planning. The paper noted that an inefficient transport system was a recipe for a socio-economic disaster. Kenyans need a mental shift from their current attitudes, perceptions and misconceptions, which have caused "perverted planning, maintenance and operations disorder in all modes of transport". He emphasized that all stakeholders (policy makers, transportation scholars, service providers and consumers) need to embrace the fact that cost effective and demand-responsive multi-modal transportation systems are critical in meeting Kenya's socio-economic challenges. The paper identified the following challenges for urban and regional planning, which need to be addressed for Kenya is to reap benefits from its planning and development, namely:

- Political challenges - legacies and transformation;
- The impact of transportation policies and regulations;
- Less integrated land use/transportation systems planning;
- Institutional constraints;
- Stakeholder participation; and
- Inadequate funding of infrastructure facilities.

Mr Situma particularly highlighted the need for "flagship" projects with drivers as a means to successful urban and regional planning in Kenya.

Highlights of the Keynote Address by Hon. Prof. Peter Anyang' Nyong'o, Minister of Planning and National Development

In his speech, the Minister noted that proper planning and efficient use of available resources is capable of transforming Kenya's cities from what they are today. He observed that cities serve different functions at various stages of development. Focusing on Nairobi, he noted that Nairobi's current poor status called for transformation to enable it become a globally competitive city. The Minister also noted the need to address the unique demands of rural areas. He emphasized the need for rational use of space to provide accessibility, safety and entertainment points, and provision of facilities with proper information and communication technologies (ICTs).

The Minister emphasized on the challenge of re-configuring the City of Nairobi to enable it take its rightful place in the globe. This requires re-planning of run-down

areas of the city, designating special districts within the new planning framework, relocation of all government offices away from the Central Business District (CBD) to a designated administrative district, and creation of effective rail transport links within the city.

In conclusion, the Minister reiterated the need for effective governance as a component of proactive urban and regional planning. In addition, there is need for effective public-private partnerships (PPPs) in management of Kenya's cities.

Plenary II

This Plenary was chaired by Hon. Prof. Peter Anyang' Nyong'o, Minister of Planning and National Development.

During this session, Dr Joe Wanjui, the Chancellor of the University of Nairobi informed participants that the failure to provide infrastructure to facilitate the activities of informal traders, who are capable of creating numerous jobs, indicates lack of vision among Kenya's leaders. Giving examples of nations that have developed from trading activities, he cited trade as a significant basis for economic development and wealth creation. He urged planners to avail adequate land for domestic trade, which he said is capable of making great contribution to Kenya's economy. Dr Wanjui also stated that Kenya needed to lay more emphasis on deploying local resources towards development, instead of focusing on external aid.

In this plenary, key ministries delivered ministerial statements in respect of their mandates and relevance to urban and regional planning, their vision, the impediments that they face, and their inputs and or expectations to or from urban and regional planning. The chart below summarizes the key issues arising from the various ministries represented at the conference.

Ministerial Policy Guidance Statements

MINISTRY	ISSUES RAISED
Ministry of Lands and Housing (Hon. Orwa Ojodeh, Assistant Minister)	<ul style="list-style-type: none"> <input type="checkbox"/> Inadequate human resources, planning capacity <input type="checkbox"/> Institutional complexities and lack of harmony between central and local governments <input type="checkbox"/> Poor representation of stakeholders in the emerging planning paradigm shift <input type="checkbox"/> Insufficiency of data, both at departmental and national levels <input type="checkbox"/> Low funding, especially at the Department of Physical Planning <input type="checkbox"/> Need for an apex national organization to oversee plan implementation
Ministry of Regional Development Authorities (Hon. Peter Odoyo, Assistant Minister)	<ul style="list-style-type: none"> <input type="checkbox"/> Inadequate institutional capacity <input type="checkbox"/> Poor infrastructure <input type="checkbox"/> Ineffective policy framework that is particularly weak on Monitoring & Evaluation (M&E) <input type="checkbox"/> Insufficient budget resource allocation

MINISTRY	ISSUES RAISED
	<ul style="list-style-type: none"> ❑ Lack of consistency between line ministries and the regional development authorities ❑ Need to integrate security into urban and regional planning
Ministry of Local Government (Mr Zachary Ogongo, Permanent Secretary)	<ul style="list-style-type: none"> ❑ As poor vision ❑ Weak governance structures ❑ Inadequate human resource capacity
Ministry of Trade and Industry (Ms Joyce Ogundo, Deputy Director)	<ul style="list-style-type: none"> ❑ Availability of serviced land for trading activities ❑ Lack of integration of small, micro and medium enterprises in urban and regional planning ❑ Poor enforcement of regulations. The Ministry needs support in enforcing trade regulations because an increasing number of businesses are operating in places other than in designated locations
Ministry of Transport (Mr Gabriel Kirori, Deputy Chief Economist)	<ul style="list-style-type: none"> ❑ Need for reduced urban congestion ❑ Reduced costs of transport and production ❑ Harmonized standards, policies and regulatory frameworks within the region ❑ Improved environment for doing business and attracting investment ❑ Expansion of urban transport infrastructure and services ❑ Increased contribution of the transport sector to GDP and improvement in the competitiveness of Kenya's economy ❑ Improved enforcement of transport laws ❑ Improved safety and security
Ministry of Energy (Ms Bernadette Nzioki, Deputy Director)	<ul style="list-style-type: none"> ❑ Low access to affordable and reliable sources of energy ❑ Over reliance on hydroelectric power ❑ Over-dependence on bio-mass energy, which is environmentally unsound ❑ Uncompetitive pricing of petroleum products ❑ Need for urban and regional planning to be applied to encourage efficient energy utilization
Office of the President, Provincial Administration and National Security (Mr Leonard Kimani, Deputy Chief Economist)	<ul style="list-style-type: none"> ❑ Unavailability or inaccessible roads particularly in the slum areas ❑ Poor lighting system that makes it difficult to track down criminals ❑ Lack of numbering of streets and buildings, which hampers fast location of crime scenes ❑ Lack of connecting bridges, mainly in slum areas, which hinders effective pursuit and consequent arrest of criminals

Summary of Plenary I and II Discussions

During the discussions that followed Plenary I and II, it was recognized and affirmed that urban and regional planning presented an important tool for fostering economic growth and development. Therefore, there is need to create a lead agency to integrate planning and give guidance on policy and legal matters, and to supervise resource mobilization. All regional, urban and physical planning professions need to collaborate towards the development of urban and regional planning in Kenya.

It was observed that even as the public sector suffered a staffing constraint, a large number of physical planners are unemployed. It was, however, pointed out that the Department of Physical Planning had received authority to employ an additional 40 physical planners.

Access to critical physical planning data, and lack of an integrated approach to data gathering, processing and dissemination is still a big problem, forcing planners to continue using outdated planning data. In this regard, it was indicated that the cost of setting up a Satellite Imagery Centre was approximately Ksh 2 billion, a sum that could be raised given the importance of accurate data for planning purposes.

The conference noted that there is need to enhance the linkage between physical planning and the national investment and budgetary process to improve plan implementation. There is also need to strengthen the linkages between the National Environmental Monitoring Authority and planning authorities.

The importance of the urban design profession, whose objective is to ensure linkages with the Department of Physical Planning was highlighted. There is, however, need to instill professional ethics and discipline in urban and regional planning to make it more effective.

The general lack of a clear vision by local authorities was cited as a cause of their failure in effective urban and regional planning. Specifically, the need to integrate urban-based informal traders (hawkers) into urban planning, and to assign these traders to specific market places with supportive infrastructure and services was highlighted.

Participants observed the failure of urban and regional planning in Kenya to take cognizance of the dynamics of rural areas, which act as important springboards for regional development. The need to develop an ideal African city concept reflecting indigenous socio-cultural norms and values instead of constantly referring to foreign city models was emphasized. Of particular importance, also was the need to strike a balance between commercial and environmental viability of planned development projects.

In closing the plenary, the Session Chair, Prof. Peter A. Nyong'o encouraged participants to develop a comprehensive framework for taking stock and consolidating past and present efforts in urban and regional planning. He proposed that existing development plans for small urban centers be resurrected and implemented, and that the plan approval process be unblocked.

MINISTRY	ISSUES RAISED
	<ul style="list-style-type: none"> <input type="checkbox"/> Lack of consistency between line ministries and the regional development authorities <input type="checkbox"/> Need to integrate security into urban and regional planning
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<p>Ministry of Trade and Industry (Ms Joyce Ogundo, Deputy Director)</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Availability of serviced land for trading activities <input type="checkbox"/> Lack of integration of small, micro and medium enterprises in urban and regional planning <input type="checkbox"/> Poor enforcement of regulations. The Ministry needs support in enforcing trade regulations because an increasing number of businesses are operating in places other than in designated locations
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Plenary III

Mr Zachary Ogongo, Permanent Secretary, Ministry of Local Government chaired plenary III. Various working groups presented the results of their deliberations during this plenary. The following section provides a synopsis of the issues discussed and the proposed interventions.

Vision of urban and regional planning in national development (Group 1)

This group addressed the issue of a vision of urban and regional planning in national development. The group defined a vision as a mental journey from the known to the unknown, which creates a picture of the future based on current facts, hopes, dreams, dangers and opportunities.

A vision can also be seen as a mental picture of the desired destination at the end of a journey, from unsatisfactory known origin to a perceived more satisfactory future. Group members were then challenged to use the following guiding queries in developing a vision for urban and regional planning in Kenya's national development:

- Where does the Kenyan nation want urban and regional planning to take us to?
- What do we want to become?
- What benchmarks or goals can we measure ourselves against?
- Is there any urban and regional planning taking place in Kenya today?
- How do we successfully coordinate urban and regional planning?
- Who is going to lead the vision? Who will be Kenya's champion in regional and urban planning?
- What is the vision of the African city?

Group members sought to develop a vision for urban and regional planning. The vision should be easily comprehended by majority of Kenyans, should address national obligations and help the country achieve its desires. The need for a definite criteria in the development of such a vision was agreed upon. It was also agreed that the adopted vision should embrace technology, and address issues of security and governance. Finally, members agreed that the vision should be based on the core values and principles of Kenya's society, should be easy to market, and should help to promote national pride.

Participants identified the characteristics of such a vision as simple; capable of realistically balancing issues of concern; and be socially, economically, politically and environmentally sustainable. Further, the vision should ensure that urban and regional planning is integrated in regional and national development.

The group came up with four options for Kenya's vision for urban and regional planning. These are:

- *An integrated, participatory urban and regional planning process that guarantees equitable and sustainable national development*
- *To achieve excellence in urban and regional planning process for employment and wealth creation for the well being of all Kenyans*
- *An urban and regional planning process that creates opportunities for sustainable livelihoods of all Kenyans*
- *A Kenya with modern and functional cities and regions*

Policy, legal and institutional framework (Group 2)

The group raised a number of issues out of presentations made by the resource persons. First, the group noted that the current urban and regional planning model is based on the colonial legacy planning models that used agriculture as a basis for urban development. These planning models have resulted in glaring inequalities especially between the white highland regions and other areas, and between the white residential areas and African native areas of Kenya's urban centers.

Secondly, though comprehensive town Master Plans were developed after independence and integrated into national development plans, these were later replaced with short-term sectoral plans, which are less effective.

Thirdly, there is disconnect between plan formulating agencies and the implementing agencies. This needs to be addressed before any meaningful planning can take place.

Finally, poor professional ethics among planning professionals, together with unresponsive planning institutions that are out of touch with changing market, business, technological and public management trends are also responsible for Kenya's challenges in urban and regional planning.

To harmonize the policy, legal and institutional framework under which urban and regional planning operates, the group agreed on the need to:

- Decentralize service delivery mechanisms to improve governance, and re-organize physical planning to make it more integrated;
- Implement performance-based remuneration as a means of developing human resources;
- Implement facilitative laws instead of the current control-based laws;
- Adopt a national planning policy to avoid the current multiplicity of institutions and statutes; and
- Reduce political interference, which inhibits proper plan implementation.

Urban and regional planning practice (Group 3)

After going through various definitions of planning, the group conducted a SWOT analysis of urban and regional planning in Kenya, as follows:

Strengths

- Well-established Department of Physical Planning with representatives in more than 50 districts

Weaknesses

- Poor recognition of planners
- Low professional standards and ethics
- Insufficient public awareness of the role and importance of planning, and its relevance to investment and business decisions

Opportunities

- Planning legislation
- Strong political will (as demonstrated by this conference)
- Ongoing land policy formulation process

Threats

- Large number of quacks masquerading as professional planners
- Land grabbers who look at planners as threats
- Public perception of land as a commodity, rather than as a productive resource

The group was of the view that planners should be well insulated from undue political influence for them to be able to improve the performance of urban and regional planning. Professional planning bodies and organizations also need to be strengthened.

In terms of medium to long-term solutions, group members discussed the various problems faced by the planning practice in Kenya and made suggestions on the way forward. The group observed that lack of effective collaboration and partnership has weakened the position and impact of planners, relative to other professions. While agreeing on the need for a national planning agency to champion the profession, members suggested a number of institutions to initiate and carry forward the process of forming this agency. The institutions, to be led by KIPPRA, include the ministries of Planning and National Development, Lands and Housing, Local Government, and Regional Development Authorities. It also includes the University of Nairobi and Kenyatta University. Also to be included are non-physical planners such as environmental and economic planners.

Failure to avail adequate land for planning was cited as a major constraint to urban and regional planning and a contribution to the poor implementation of plans. To improve the planning practice, members agreed on the need to designate land for specific planning projects to avoid land use conflicts, land grabbing and development of marginal land, which leads to environmental degradation. Members also considered

the need to slightly relax planning standards in rural areas in accordance with expectations and realities in those areas.

The group observed that whereas the media had been invited to cover the conference, they only attended the opening ceremony. Involvement of and partnership with the media is important in helping to disseminate information and communicate the benefits of planning to the general public, which remains largely ignorant of urban and regional planning. There is need to market the planning profession and its activities through the media. Planners are also encouraged to undertake more research and to share their findings through the proposed data/resource center. In this regard, the use of ICTs was greatly encouraged.

The group identified the need to introduce additional planning courses (such as a diploma in urban and regional planning) in Kenya's institutions of higher learning as a solution to the technical human resource constraint currently being experienced.

Emphasis on Nairobi as a special planning area (Group 4)

The group was of the view that Nairobi should be designated a special planning area in order to:

- Overcome jurisdictional limitations of adjoining areas;
- Ease pressure and demand on city services by the outlying population;
- Overcome duplication of roles by various arms of government, such as the offices of Provincial Physical Planning, City Planning, City Health, and Provincial Health, etc;
- Achieve economies of scale in areas such as revenue collection, training, etc;
- Enhance inter-urban coordination of planning and administration, and development between authorities involved; and
- Make Nairobi the most competitive regional financial/business center.

The group identified the problems currently facing the City of Nairobi as follows:

- High rate of urbanization, leading to sprawl of informal settlements, constrained service and infrastructure supply capacity, and ineffective overall coordination and management;
- Pressure of population growth;
- Continued urban decay and disorder;
- Weak political support for planning and plan implementation;
- High level of bureaucracy and a weak institutional planning capacity;
- Poor delivery of services; and

- Increased pollution.

The proposed solutions to the problems of Nairobi as a special planning area were categorized as either quick-wins or long-term actions as follows:

Quick-wins solutions	Long-term solutions
<ul style="list-style-type: none"> □ Increase revenue base □ Rationalize the transport system □ Internal reorganization □ Redefine and enforce law on role of councilors □ Designate special temporary trading/hawking zones and timetable □ Reclaim 'grabbed' land 	<ul style="list-style-type: none"> □ Set-up multi-storey markets □ Strict enforcement of planned land use □ Resource mobilization, for example bonds at the Nairobi Stock Exchange □ Build investor confidence □ Promote privatization □ Elected Mayor

The Way Forward

In order to make Kenya a planning society, participants agreed on the need to, among other things:

- Adopt a *vision for urban and regional planning in national development*
- Adopt a *clear and coordinated policy framework*
- Establish a *National Planning Agency* supported by a *National Planning Resource Centre* and complemented by a *Satellite Imagery Centre* to provide efficient and reliable planning data
- Establish the *Nairobi Metropolitan Authority* to facilitate reconfiguration of the City of Nairobi
- Support innovative urban and regional planning initiatives through *political and mental transformation*
- Enhance *collaboration between planning professionals*
- Review and rationalise planning standards
- *Widen stakeholder participation* to include developers and users of urban and regional planning products and services
- *Promote Public-Private Partnerships (PPPs)* in planning
- *Integrate transportation planning* and other infrastructure planning into the urban and regional planning function

Closing Ceremony: Ambassador Francis Muthaura, Head of the Public Service and Secretary to the Cabinet

Mr David Nalo, Permanent Secretary, Ministry of Planning and National Development conducted the closing ceremony on behalf of the Permanent Secretary/Secretary to the Cabinet and Head of Public Service, Ambassador Francis Muthaura. The Permanent Secretary, in his closing remarks, noted that the conference was expected to come up with a clear set of recommendations and timeframe of implementation. These recommendations should support the government's desire for practical solutions to help accelerate the realization of the objectives of the economic recovery strategy. He noted that the conference had made clear resolutions and recommended that all the participating institutions, in particular ministries and regulatory agencies initiate the process of integrating the quick win solutions into their work plans with a view to starting implementation. This, he observed, is consistent with one of the expectations of the National Economic and Social Council (NESC) in terms of fast tracking those activities that can quickly change the image of Nairobi.

He directed that the Secretariat consolidate medium term and long-term recommendations and provide feedback to the Cabinet for further advice. Modalities of implementation need to be brought out clearly because the Cabinet had expressed a strong desire to receive pragmatic and practical solutions that could enhance the role of urban and regional planning and more importantly, on how planning can significantly contribute to wealth creation and poverty reduction.

He challenged participants, in particular the professional associations in planning, to ensure that the initiative was kept alive through continuous engagement with the government to ensure that there is follow-up on these recommendations.

He concluded by thanking KIPPRA, the Ministry of Planning and National Development, and other ministries for making the conference a success.

1. PROCEEDINGS OF THE CONFERENCE

1.1 Plenary I

Session Chair

David Nalo, Permanent Secretary, Ministry of Planning and National Development

1.1.1 Introduction

The vision of the government is to drive Kenya towards being a service economy that supports local efforts and those of neighboring countries. This requires that space must be created in a manner that facilitates productive enterprises to locate and flourish in Kenya. This vision, however, is hampered by poor performance of the economy over the last two decades, leading to deterioration in the quality of the life of Kenyans. The reasons for this poor performance include poor implementation of economic policies and mismanagement, and weak institutions of governance. After making initial gains soon after independence, the economy started a downward trend during the late 1980s and this deteriorated by late 1990s. Reforms of the 1980s and 1990s that sought to deal with structural problems appear to have had limited success in stimulating economic growth. This is particularly so because little progress was made in improving economic governance. Poor economic performance has led to increased poverty, unemployment, high domestic and foreign debt, crime, deterioration in health status, declining school enrolment and generally a marked decline in the quality of life.

Poor economic performance has also led to deterioration in provision of infrastructure, proliferation of informal settlements, insecurity and violence, environmental degradation and deteriorating public health standards, and poor development control. Available evidence suggests that urban and regional planning has failed to meet the challenges of urbanization. These challenges have meant that:

- Kenya's urban and regional centers lack proper planning.
- Planning laws and codes are poorly enforced.
- Road reserves, riverine reserves, and water catchment areas have been encroached.
- Land development approvals face numerous bureaucratic obstacles.
- There is mismatch between development approvals and provision of supportive infrastructure.
- Plan formulation and execution functions face institutional, policy, professional, and jurisdictional conflicts.
- Regional development authorities are not properly integrated.
- There is lack of national urban and regional development policy.

To deal with these and other challenges, it is important to realize that issues of workspace planning, housing, transport, security and other infrastructure provision are inextricably linked. A well-prepared plan for an urban area or a region is necessary to provide a framework to guide location and development of all other activities in that area over a given period of time. National development and urban and regional planning can only work properly when effectively and efficiently or competently operated.

Key conference questions

1. What is the nature of urban and regional planning system and planning practice in Kenya?
2. Who are the main actors and their capacities, and what is the nature of their interactions in urban and regional planning?
3. What is the legal, institutional, and regulatory framework for urban and regional planning in Kenya?
4. What is the nature and efficacy of instruments (economic, planning and regulatory) for urban and regional planning in Kenya?
5. What are the major challenges facing urban and regional planning in Kenya?
6. What can be done to establish a more effective and proactive urban and regional planning system for Kenya?

Conference objectives

The aim of the conference was to identify the underlying forces that have led to ineffective urban and regional planning, the role of planning in society, and suggest policy proposals to reverse the trend in poor urban and regional planning in order to make Kenya a planning society.

The conference objectives were to:

- (i) Create awareness on the role of urban and regional planning in supporting national development in order to exploit Kenya's comparative advantages.
- (ii) Identify stakeholder concerns and expectations on the status of urban and regional planning.
- (iii) Provide a forum for exchange of ideas on the role of urban and regional planning in national development.
- (iv) Discuss the role of urban and regional planning in creating an enabling environment for business.

Welcome address

Dr Hezron Nyangito, Acting Executive Director, KIPPRA

After welcoming conference participants, Dr Nyangito noted that effective regional and urban planning offers significant opportunities for creating wealth and employment and attainment of the Millennium Development Goals (MDGs). He highlighted the factors that have contributed to Kenya's poor planning regime, which include: poor governance; lack of community involvement; lack of planning data; inadequate linkage between economic and spatial planning; resource constraints; and lack of political will and commitment.

Dr Nyangito observed that poor planning has been manifested in various ways, including: low levels of economic growth; environmental degradation; rising unemployment and poverty levels; insecurity and high crime levels; haphazard development and poor management of cities; and lack of space for entrepreneurs. He challenged participants to use the conference to create awareness among stakeholders on the current situation in urban and regional planning; develop clear action plans to deal with challenges of urban and regional planning; and identify appropriate policy actions for urban and regional planning.

After these introductory remarks by Dr Nyangito, the following three concept papers were presented (see Section 2.3 for complete papers):

1. Urban and regional planning in Kenya: Past, present and future (Dr. E. M. Aligula, Analyst, KIPPRA)
2. Emphasis on Nairobi as a special planning area (Amb. J. P. Mbogua, Chairman, KIPPRA Board of Directors)
3. Making Kenya a planning society: Role of urban and regional planning (L. W. Situma, Ministry of Transport, Republic of South Africa)

The section below provides summaries of the three papers, which are reproduced in the appendices section 2.3 of this report.

1.1.2 Overview of urban and regional planning in Kenya: Past, present and future

Dr. E. M. Aligula

Kenya Institute for Public Policy Research and Analysis

Urban and regional planning is key in ensuring sustainable utilization of resources, exploiting competitive advantage, and in mitigating conflicts and threats encountered in development. Planning during the colonial period exhibited the following features:

- It emphasized "product" above "process" and physical (spatial) land use objectives above economic and social objectives. Under the colonial government,

central planning authorities were not concerned with implementation, which was left to local authorities; and

- It focused on developing the agricultural sector as the means for wealth and employment creation. Urban and regional planning was segregative in nature.

The period after independence is considered as the “era of the structure plan as a means of spatially guiding development”. A number of key initiatives developed during this period; for example the Integrated Rural Development Programmes, District Planning, Rural Urban Balance Strategy, the District Focus for Rural Development Strategy, Provincial Physical Development Plans and the Nairobi Metropolitan Growth Strategy of 1973, among others. Urban and regional planning during this period focused on enhancing agricultural productivity, poverty alleviation, and industrial development as the channels for growth.

Other interventions developed after 1975, include:

- Sessional Paper No. 1 of 1986 on *Economic Management for Renewed Growth*. This introduced the concept of rural trade and production centers.
- New laws, such as the Physical Planning Act of 1996 and the Environmental Management and Coordination Act of 1999; and
- New instruments to strengthen funding of local authorities, such as the Local Authority Transfer Fund, which were developed and implemented.

This planning period after independence nevertheless experienced continuous decline of local authorities as instruments of development. The decline was occasioned by the absence of a clear vision and policy framework; lack of strong political will and commitment to planning; and lack of a coherent, coordinated institutional set-up supportive of integrated planning and implementation. Urban and regional planning during this period was also constrained by serious capacity shortfalls.

1.1.3 *Emphasis on Nairobi as a Special Planning Area*

Amb. J.P. Mbogua

Chairman KIPPRA Board of Directors

Attainment of the Millennium Development Goals (MDGs) is dependent on urban and regional planning, and the sustainability of cities is dependent on access to and proper use of natural resources. Among challenges facing Nairobi and other urban centers in Kenya are the needs to:

- Transform the City and provide adequate infrastructure, especially in the face of the ever-increasing population;
- Strengthen the City’s management capacity through effective legislation;
- Establish markets for the growing number of informal sector traders;

- Improve governance of urban areas/cities;
- Harness technological developments towards city and urban planning;
- Involve communities and integrate environmental concerns into urban and regional planning processes; and
- Strengthen the link between local authorities and the central government.

Urban and regional planning must be aligned with broader national objectives of urbanization in Kenya. The Building Inspectorate Division of the Nairobi City Council (NCC) needs to be improved and its role strengthened. The coordinating role of the City Planning Department should also be strengthened and the process of approving plans made more efficient. Finally, there is urgent need to find a sustainable solution to the City's growing problem of hawkers.

1.1.4 Making Kenya a planning society: Role of urban and regional planning

L. W. Situma

Ministry of Transport, Republic of South Africa

Transport is a prerequisite for socio-economic development, and an inefficient transport system is both a recipe for a socio-economic disaster and a potential weapon of mass disaster. Kenyans need a mental shift from their current attitudes, perceptions and misconceptions, which have caused "perverted planning, maintenance and operations disorder in modes of transport". All stakeholders (policy makers, transportation scholars, service providers and consumers) need to embrace the fact that cost effective and demand-responsive multi-modal transportation systems are critical in meeting Kenya's socio-economic challenges.

The following six challenges of urban and regional planning need to be addressed if Kenya is to reap benefits from its planning and development:

- Political challenges, legacies and transformation;
- The impact of transportation policies and regulations;
- Less integrated land use/transportation systems planning;
- Institutional constraints;
- Stakeholder participation; and
- Inadequate funding of infrastructure facilities

Mr Situma particularly highlighted the need for "flagship" projects with "drivers" as a means to successful urban and regional planning in Kenya.

1.1.5 Keynote address

Prof. Anyang' Nyong'o
Minister for Planning and National Development

The Minister noted that the streets of Nairobi City are today more disorderly than they were a few years ago. This is an indication of poor urban and regional planning, itself the result of wrong use of space. Proper planning, accompanied by efficient use of available resources, is capable of transforming Kenya's cities from what they are today.

Cities can serve different functions at various stages of their development. Prof. Nyong'o traced the evolution of Nairobi, beginning with its role as a resting point for laborers constructing the Kenya-Uganda railway, to its present status as an international commercial and trading center. During this period, the Greater Nairobi has grown from less than 500,000 people to its current population of approximately 4 million people. This significant transformation calls for the development of a new concept for the city.

The Minister noted the need to address unique demands of rural areas, where majority of Kenyans still reside. He singled out the need to recognize and plan for emerging non-motorized means of transport such as *boda bodas*, which cater for the transport requirements of most urban dwellers. The world has become a "globalized environment" in which cities are in competition against each other, and Nairobi needs to identify its place in this environment by adequately responding to the rising challenges. Rational use of space to provide accessibility, safety and entertainment points, and provision of facilities with proper information and communication technologies (ICTs) will need special attention from planners.

The Minister made the following specific suggestions for re-configuring the City of Nairobi:

- Re-designing of the area East of Tom Mboya Street to reflect better use of space;
- Re-development of Upper Hill area into a financial district (containing banks, insurance and pension-fund services) capable of serving the entire region;
- Relocation of all government offices away from the Central Business District (CBD) to a designated administrative district, say in Gigiri. The CBD should be left for private sector activities;
- Development of a standard plan with similar facilities and services for all rural and urban centers in Kenya;
- Re-configuration of Bomas of Kenya and the Kenyatta International Conference Center (KICC) to transform them into more effective information and communication centers;
- Transformation of the area currently housing railway headquarters into an investment area with first class hotels, offices and residential apartments. The railway headquarters should be situated above the present railway station. Both

the Coffee Board of Kenya and the Kenya Planters Coffee Union (KPCU) should be relocated from their present locations as well; and

- Establishment of rail linkages between the various function areas e.g. between the CBD and the proposed administrative district.

The Minister observed that there was no defining criteria in the certification of Kenya's urban centers and proposed a certification/inspection framework for all townships in Kenya. He concluded by indicating that the current system of electing councilors has failed to ensure good governance and a replacement is needed, and that public-private partnerships need to be adopted in the management of Kenya's cities.

1.2 Plenary II

Session Chair

Hon. Prof. P. Anyang' Nyong'o

Minister for Planning and National Development

During the second plenary, presentations on policy guidance were made by Dr Joe Wanjui, Chancellor of the University of Nairobi, and by representatives of various ministries. The section below summarizes these presentations:

1.2.1 Presentations on urban and regional planning

Dr Joe Wanjui

Chancellor, University of Nairobi

Dr Wanjui informed participants that the failure to provide infrastructure to facilitate the activities of informal traders, who are capable of creating numerous jobs, indicates lack of vision among Kenya's leaders. He gave examples of nations that have developed from trading activities, and cited trade as a significant basis for economic development and wealth creation. He urged planners to avail adequate land for domestic trade, which he said is capable of making great contributions to Kenya's economy. Dr Wanjui also stated that Kenya needs to lay more emphasis on deploying local resources towards development instead of focusing on external aid.

Ministry of Lands and Housing

Hon. Orwa Ojodeh

Assistant Minister

Ministry of Lands and Housing

The Assistant Minister informed participants that because planning is a basic and intuitive process that does not require science, the difference between urban and regional planning and normal day-to-day planning is only contextual. The Minister traced the history and basis of planning in the Ministry, as contained in the Physical Planning Act of 1948, and outlined its objectives. He indicated that urban and regional planning is carried out through land use planning and management, which is linked to

the Department of Physical Planning. Among the planning challenges facing the Ministry are:

- Inadequate human resources and planning capacity. The Assistant Minister observed that there is only one planner for every 300,000 Kenyans, and that the Department of Physical Planning has officers in only 56 of Kenya's districts.
- Institutional complexities and lack of harmony between the central and local governments.
- Poor representation of stakeholders in the emerging planning paradigm shift.
- Insufficiency of data both at departmental and national levels. The Minister indicated that there is need for a centralized database that is technologically equipped to handle all planning data requirements; and
- Low funding especially at the Department of Physical Planning. This has adversely affected the department's ability to undertake projects.

The Minister proposed the formation of a national organization to oversee the execution of plans, particularly within Nairobi, which needs immediate intervention.

Ministry of Regional Development Authorities

Hon. Peter Ooyo
Assistant Minister
Ministry of Regional Development Authorities

The Assistant Minister defined planning as the process of "bridging plans and implementation", and termed as fallacious the assertion that once urban areas have been developed, rural areas will develop automatically. He informed participants that the Ministry oversees Kenya's six Regional Development Authorities (RDAs), each created by an Act of Parliament and with a specific mandate. Since this presents a challenge to the Ministry in its attempt to provide coherent policy guidance and support, the Assistant Minister informed participants that all RDAs are now in the process of developing a strategic development plan to be integrated into a single plan.

Hon. Ooyo outlined four major challenges faced by the Ministry in coordinating the activities of the country's RDAs. These challenges are:

- Inadequate institutional capacity;
- Poor infrastructure;
- Absence of a policy framework, and therefore of Monitoring & Evaluation (M&E) mechanisms; and
- Insufficient budget resource allocation.

The Assistant Minister noted that lack of consistency between the government's line ministries and the RDAs is another challenge faced by the Ministry. He acknowledged

that urban and regional planning is capable of helping create wealth and employment. The Minister challenged the conference to come up with proposals for a well-coordinated urban and regional planning process with a clear role for all stakeholders. He underscored the importance of integrating security, in its local and international contexts, into urban and regional planning and suggested the establishment of regional security arms in partnership with the private sector.

Ministry of Local Government

*Mr Zachary Ogongo
Permanent Secretary
Ministry of Local Government*

Local authorities (LAs) are not only engines for development but also platforms for advancing economic growth strategies. The Permanent Secretary informed the conference that towns need to provide efficient services to attract investors. He listed the major challenges facing the Ministry as poor institutional vision, weak governance structures and inadequate human resource capacity. The Permanent Secretary outlined the following as some of the measures needed to overcome the stated challenges:

- Acceleration of ongoing legal and institutional reforms, particularly relating to restructuring and right sizing;
- Acceleration of capacity building within the Ministry of Local Government and local authorities;
- Adoption of strategic planning;
- Greater accountability; and
- Increased involvement of stakeholder groups and partnerships with the private sector.

The Assistant Minister also highlighted the importance of formulating a decentralized planning policy as a solution to shortening delays currently witnessed in the approval of plans.

Ministry of Trade and Industry

*Ms Joyce Ogundo
Deputy Director
Ministry of Trade and Industry*

The Deputy Director acknowledged the importance of efficient urban and regional planning for the development of internal trade, whose broad objectives include improving the enabling environment for business and stimulating entrepreneurship. Both objectives are geared towards promoting competitiveness.

Commenting on the linkage between growth and development, planning and the promotion of internal trade, Ms Ogundo identified the role of the Ministry as:

- Promoting investment. Ample land is needed for locating industry, and therefore planning, especially land use planning, is an integral part of the Ministry's functions;
- Facilitating development of small, micro and medium enterprises. The Economic Recovery Strategy for Wealth and Employment Creation highlights the need to ensure that these enterprises receive proper business advisory services, and that they are linked to larger enterprises through incubators; and
- Enforcing regulations. The Ministry needs support in enforcing trade regulations because an increasing number of businesses are operating in residences rather than in designated locations.

The Deputy Director concluded by challenging participants to make proposals on an integrated and well-coordinated facilitation mechanism for small, micro and medium enterprises.

Ministry of Transport

*Mr Gabriel Kirori
Deputy Chief Economist
Ministry of Transport*

Mr Kirori informed participants that provision of an effective, efficient and modern transportation system is the goal of the Ministry. This, he noted, is capable of facilitating proper functioning markets, improving the country's competitiveness, generating employment, and creating a conducive environment for investment and private sector growth. Mr Kirori highlighted the important role of transport infrastructure in Kenya's economic recovery efforts, and therefore in creating wealth and reducing poverty. The Ministry is keen to revitalize the sector by addressing challenges such as inappropriate modal split and fragmented transport system, poor institutional set up, and the unexploited role of transport in promoting regional development.

Specifically, the Ministry aims to:

- Improve road transport safety and reduce accidents, by giving direction to the industry;
- Enhance operations and efficiency of railway transport;
- Increase efficiency and enhance safety and security in air transport; and
- Provide safe shipping services to promote trade and tourism.

He gave examples of potential road transport projects capable of supporting urban and regional planning. These include road networks linking Kenya with Ethiopia and Sudan, introduction of high capacity vehicles in major urban towns, and rehabilitation of the Northern Corridor. He indicated that the Ministry contributes to effective urban and regional planning by:

- Reducing urban congestion;
- Reducing costs of transportation, and therefore production costs;
- Promoting harmonized transport standards, policies and regulatory frameworks within the region;
- Improving the environment for doing business and therefore attracting investment;
- Expanding urban infrastructure and services; and
- Enhancing safety and security.

Ministry of Energy

*Ms Bernadette Nzioki
Deputy Director
Ministry of Energy*

Ms Nzioki outlined the following major challenges facing the Ministry in relation to urban and regional planning:

- Low access, especially by rural dwellers, to affordable and reliable sources of energy;
- Over-reliance on hydroelectric power, which provides 52% of Kenya's energy needs;
- Over-dependence on bio-mass energy, which is environmentally unsound; and
- Uncompetitive pricing of petroleum products.

The Deputy Director informed participants that the Ministry is currently undertaking the following measures aimed at addressing the above-mentioned challenges:

- Revamping Kenya's power generation and distribution capacity;
- Establishing a single independent power regulator. The Bill establishing the proposed regulator is currently awaiting discussion in Parliament;
- Proposed establishment of a state-owned geo-thermal generator;
- Establishment of a facility at the port of Mombasa to handle liquefied petroleum gas (LPG);
- Formation of a Rural Electrification Authority; and
- Increased exploration for fossil fuels.

Ms Nzioki suggested that planning be used to encourage efficient use of energy that is environmentally friendly, and that new building designs incorporate energy saving measures.

Office of the President

*Mr Leonard Kimani
Deputy Chief Economist
Office of the President
Provincial Administration and National Security*

Mr Kimani explained that the role of the Office of the President is "to provide leadership, policy direction, a secure environment and to set the agenda for achieving social, economic and political development". The Provincial Administration, which transmits government functions to the grassroots levels, provides the vehicle for quick interpretation, dissemination and implementation of policies. Among the specific functions of the Provincial Administration are: maintaining law and order; harmonizing and coordinating implementation of public programmes; resource mobilization; and coordinating disaster and emergency response throughout the country.

The Provincial Administration is the "key organ for community and resource mobilization", which are essential for creation of wealth and employment opportunities. He cited the following as factors that hinder security agents' rapid response to complaints:

- Poor lighting system that makes it difficult to track down criminals;
- Numbering of streets and buildings, which hampers fast location of crime scenes; and
- Lack of connecting bridges, mainly in slum areas, which hinders effective pursuit and consequent arrest of criminal elements.

The following are among the reforms measures so far undertaken by the government to enhance security surveillance in Kenya:

- Launching of community policing programmes to enhance private-public partnerships in the sector;
- Retraining and reorientation of the police force;
- Enhancement of police accountability to the public;
- Recruitment of additional police officers to attain the required UN ratio of 1:450;
- Legal reforms to advance public private partnership in administration of security. In this regard, pieces of law to facilitate collaboration with private security providers are being addressed with assistance from the Attorney General;

- Mainstreaming of information and communication technology (ICT); and
- Rapid Results Initiative (RRI), which has been piloted in the Central Business District by police presence through patrols. Although this initiative has been yielding outstanding results, the effort has been constrained by limited resources.

1.2.2 Plenary discussions by participants

A representative of the Kenya Institute of Planners (KIP) emphasized the importance of urban and regional planning as a tool for economic growth and development. He expressed his expectation that one of the outcomes of the conference would be a concrete proposal for the creation of a lead agency to integrate planning and give guidance on policy and legal matters, and to supervise resource mobilization. The agency should in addition be charged with exploring of avenues for public-private partnerships (PPPs) to develop integrated plans especially for the City of Nairobi.

A participant from the Geology Department of the University of Nairobi highlighted the urgent need for collaboration of all regional, urban and physical planning professions. The participant particularly pointed out the important role of geologists in identifying natural resources in urban and regional planning and ensuring their efficient use.

The Director of Physical Planning acknowledged the need for a multi-disciplinary approach to physical planning. He noted that the public sector is experiencing a shortage of human resources capacity as a result of the employment embargo within the public service. However, the Department of Physical Planning has been authorized to recruit more physical planners, a move that is expected to ease the staff constraint. A participant from the University of Nairobi observed that the staffing constraint, which is causing a "blockage" in the planning process, is paradoxical considering the large number of unemployed physical planners.

Unavailability of and poor access to critical physical planning data, continued use of outdated technology, and lack of an integrated approach to data gathering, processing and dissemination were pointed out as major challenges to urban and regional planning in Kenya. There is need to either acquire government-owned satellite imagery facilities or seek concessions from international satellite image providers. Participants were informed that the cost of satellite imagery technology is approximately Ksh 2 billion.

A representative of the Architectural Association of Kenya (AAK) reminded the conference participants not to overlook the importance of the urban design profession, whose objective is to ensure linkages with the physical planning.

Among the themes that recurred throughout the plenary are the needs to:

- Integrate urban-based informal traders (hawkers) into urban planning, and to assign these traders to specific market places with supportive infrastructure and services;

- Enhance the linkage between physical planning and the national investment and budgetary process to improve plan implementation;
- Inculcate planning values among Kenyans. The conference was informed that whereas traditionally, Africans had a good sense of planning especially for their residential areas, the advent of urbanisation has led to abandonment of this *good sense*;
- Strengthen the linkages between NEMA and planning authorities. The Deputy Director of NEMA informed the conference that integration of environmental planning requires grassroots community participation, which the Authority has tried to achieve through use of public media notices; and
- Instill professional ethics and discipline in urban and regional planning practice to make it more effective.

The general lack of a clear vision by local authorities was cited as a cause of their failure in effective urban and regional planning. The failure of planning in Kenya to take cognizance of the dynamics of rural areas, which act as important springboards for regional development was also noted. An example of such dynamics is the scattered rural-population settlement pattern, which makes provision of facilities and services costly and ineffective. Finally, participants noted that planning has failed to fully integrate students into the practical planning issues, and to incorporate planning into the education system at the early learning stages.

The conference noted the need to develop an ideal African City concept reflecting indigenous socio-cultural norms and values, instead of constantly referring to foreign city models. A participant observed that there is need to strike a balance between commercial and environmental viability of planned development projects. According to the participant, environmental viability appears at the moment to unduly surpass other considerations in terms of importance.

While closing the plenary, the Session Chair, Prof. Anyang' Nyong'o encouraged participants to concentrate, during their working group discussions in the subsequent conference session, on developing a comprehensive framework for taking stock and consolidating past and present efforts in urban and regional planning. He proposed that existing development plans for small urban centers be resurrected and implemented, and that the plan approval process be unblocked.

1.3 Plenary III

*Session Chair:
Mr Zachary Ogongo
Permanent Secretary
Ministry of Local Government*

The third plenary was devoted to receiving and discussing reports from Working Group Sessions. Participants were put into four groups, each of which deliberated at length on a theme pertaining to urban and regional planning, before developing recommendations and the Way Forward. The themes were as follows:

Working Group 1: Vision of urban and regional planning in national development

Working Group 2: Policy, legal and institutional framework

Working Group 3: Urban and regional planning practice in Kenya

Working Group 4: Emphasis on Nairobi as a special planning area

The following are summaries of key issues raised and presented by each group.

1.3.1 Vision of urban and regional planning in national development (Group 1)

The group was challenged to use the following guiding queries in developing a *vision* for urban and regional planning in Kenya's national development:

- Where does the Kenyan nation want urban and regional planning to take us to?
- What do we want to become?
- What benchmarks or goals can we measure ourselves against?
- Is there any urban and regional planning taking place in Kenya today?
- How do we successfully coordinate urban and regional planning?
- Who is going to lead the vision? Who will be Kenya's urban and regional planning champion?
- What is the vision of the African city?

Vision was defined as:

- A mental journey from the known to the unknown, creating a picture of the future based on current facts, hopes, dreams, dangers and opportunities; or as
- A mental picture of the desired destination at the end of the journey from unsatisfactory known origin to a perceived more satisfactory future.

Group members sought to develop a vision for urban and regional planning, which will be easily comprehended by majority of Kenyans, take care of national obligations and help the country achieve its desires. The need for definite criteria in the development of such a vision was agreed upon. It was also agreed that the adopted vision should embrace technology, and address issues of security and governance. Finally, members agreed that the vision, which is to be based on the core values and principles of Kenya's society, needs to be easy to market, and should help to promote national pride.

On the components of a good vision, participants felt that a vision should not only be simple, but should also be capable of realistically balancing issues of concern, such as the need for portable water and the importance of environmental conservation. The vision ought to be socially, economically, politically and environmentally sustainable. It must also address itself to the promotion of equity and social justice. Further, the vision should ensure that urban and regional planning is integrated in regional and national development.

The group conceded that developing a vision for urban and regional planning in Kenya would require:

- An integrated, participatory process that guarantees equitable and sustainable national development;
- Excellence for employment and wealth creation to improve the well being of all Kenyans;
- Creation of opportunities for sustainable livelihoods of all Kenyans; and
- A Kenya with modern and functional cities and regions.

The group came up with four options for Kenya's vision in urban and regional planning, viz:

- (i) *An integrated, participatory urban and regional planning process that guarantees equitable and sustainable national development.*
- (ii) *To achieve excellence in urban and regional planning process for employment and wealth creation for the well being of all Kenyans.*
- (iii) *An urban and regional planning process that creates opportunities for sustainable livelihoods of all Kenyans.*
- (iv) *A Kenya with modern and functional cities and regions.*

1.3.2 Policy, legal and institutional framework (Group 2)

The group began by making short presentations to assist the group define the main issues in policy, legal and institutional framework. The following are the key issues that came out of the presentations:

- The current urban and regional planning model is still based on the colonial legacy planning models that used agriculture as a basis for urban development.

- These planning models have resulted in glaring inequalities, especially between the white highland regions and other areas, and between the white residential areas and African native areas of Kenya's urban centers today.
- Though comprehensive town master plans were developed after independence and integrated into National Plans, these were later replaced with short-term sectoral plans, which are less effective.
- Since the 1980s, not much planning has been done. There has been a loss of focus in planning.
- The disconnect between plan formulating agencies and the implementing agencies is a major planning challenge that needs to be addressed before any meaningful planning can take place.
- Lack of professional ethics among planning professionals, together with unresponsive planning institutions that are out of touch with changing market, business, technological and public management trends are also responsible for Kenya's planning challenges.

In order to harmonize the policy, legal and institutional framework under which urban and regional planning operates, members agreed on the need to:

- Decentralize service delivery mechanisms to improve governance;
- Re-organize physical planning to make it more integrated;
- Implement performance-based remuneration as a means of developing human resources;
- Implement facilitative laws instead of the current control-based laws;
- Undertake urgent legislative review to reduce the multiplicity of laws;
- Adopt a national planning policy to avoid the current multiplicity of institutions and statutes; and
- Reduce political interference, which inhibits proper plan implementation.

The Group agreed that a comprehensive policy framework backed by well-coordinated, harmonized and integrated planning systems is key to improving urban and regional planning in Kenya. The following activities need to be undertaken before such a framework can be realized:

- (i) Review, harmonization and simplification of all laws, processes and procedures pertaining to urban and regional in Kenya.
- (ii) Decentralization of planning powers to local authorities.
- (iii) Establishment and institutionalization of monitoring and evaluation (M&E) mechanisms.
- (iv) Strengthening of participatory approaches to planning.

- (v) Continued professional development and capacity building including training, employment of additional professionals where necessary, outsourcing and transparent procurement of equipment and services.
- (vi) Enforcement of and compliance with the *Public Officers Ethics Act*.
- (vii) Establishment of a central depository data bank, effective dissemination of information, and focus on research and sensitization of lawmakers.

Finally, members agreed that urban and regional planning needs to take advantage of information and communication technology to lower cost, increase speed and efficiency and improve access to data and information.

Policy, legal and institutional framework (Group 2)

Issue/problem	Action/solution	Actors	Expected outputs	Timeframe for action			Indicators for M&E
				Short term	Medium term	Long term	
Lack of national urban and regional planning policy framework	Formulate a comprehensive policy framework	Ministries of Lands and Housing; Local Government; Planning and National Development; Attorney General's Chambers; and other stakeholders	Policy document	1 year			National committee in place; stakeholder workshops
Lack of coordinated and integrated planning systems	Coordinate, harmonize, integrate planning systems	Ministry of Lands and Housing	Harmonized system	1 year			Lead agency in place, coordinated planning implementation
Multiplicity of laws	Review, harmonize and simplify laws	Ministry of Lands and Housing; Local Government; Regional Development; Planning and National Development; Attorney General's Chambers; and other stakeholders	Harmonized and simplified laws		2-3 years		Inter-agency committee in place
Lengthy plan approval processes and procedures	Review and simplify processes and procedures	All approving authorities; KEPSA	Service charter manuals, improved service delivery	1 year			Service charters in place; reduced approval steps and time

Issue/problem	Action/solution	Actor	Expected outputs	Timeframe for action			Indicators for M&E
				Short term	Medium term	Long term	
Disconnect between planning and implementation	Decentralize planning powers to local authorities	Ministry of Lands and Housing; Ministry of Local Government; Ministry of Planning and National Development; Attorney General's Chambers; Office of the President	Reviewed Physical Planning Act, CAP 265, and all regional development Acts		2-3 years		Decentralized planning system
Inadequate inbuilt monitoring and evaluation systems in the planning authorities	Establish and institutionalize monitoring and evaluation systems	Ministry of Planning and National Development; all agencies	Functional M&E units	Immediate			M&E reports
Inadequate stakeholder involvement in the planning and implementation process	Strengthen participatory approaches	All stakeholders	Consultative forums	Immediate			Reduced conflicts
Inadequate capacity to plan and implement	Build capacity through training, recruiting, outsourcing and equipment procurement	All planning authorities	Efficient and effective planning and implementation	Continuous			Trained personnel and equipped agencies
Lack of adherence to professional ethics	Continued professional development, and enforcement of Public Officers' Ethics Act	All planning authorities; planning professional bodies	Improved discipline and professionalism; more professional plans	Continuous			Reduced professional misconducts

Urban and regional planning as an instrument for wealth and employment creation

Issue/problem	Action/solution	Actors	Expected outputs	Timeframe for action	Indicators for M&E
Inadequate planning information	Establish central depository data bank; disseminate information; undertake research	Central Bureau of Statistics, Ministry of Lands and Housing	National spatial data infrastructure; research findings	Immediate and continuous	Accessible data and research findings
Institutions not responsive to changing environment	Inculcate business approaches through training; adopt ICTs in planning	All planning authorities	Efficient service and improved accessibility and transparency	Continuous	Number of planners trained; ICT facilities procured
Lack of political will	Sensitization of politicians	All planning authorities	Faster passage of Bills and legal reviews; and improved political support	Continuous	Planning statutes amended, reviewed or enacted; Cabinet and parliamentary policy approvals

1.3.3 Urban and regional planning practice in Kenya (Group 3)

After giving various definitions of planning, the group conducted a SWOT analysis of urban and regional planning in Kenya, with the following results:

Strengths:

- Well-established Department of Physical Planning with representatives in more than 50 districts

Weaknesses:

- Poor recognition of planners
- Low professional standards and ethics
- Insufficient public awareness of the role and importance of planning, and its relevance to investment and business decisions

Opportunities:

- Planning legislation
- Strong political will (as demonstrated by this conference)
- Ongoing land policy formulation process

Threats:

- Large number of quacks masquerading as professional planners
- Land grabbers who look at planners as threats
- Public perception of land as a commodity (rather than as a productive resource)

Among the immediate actions that members felt are capable of improving performance of urban and regional planning in Kenya are the insulation of planners from undue political influence, and strengthening of professional planning bodies and organizations.

In terms of medium to long-term solutions, the group discussed the following key issues:

(i) Collaboration

Lack of effective collaboration and partnership was acknowledged as having weakened the position and impact of planners, relative to other professions. While agreeing on the need for a national planning agency to champion the profession, members suggested a number of institutions to initiate and carry forward the process of forming this agency. The institutions, to be led by KIPPRA, include the ministries of Planning and National Development; Lands and Housing; Local Government; and Regional Development Authorities. It also includes the University of Nairobi and

Kenyatta University. Also to be included are non-physical planners such as environmental and economic planners.

(ii) Land use and implementation of plans

Failure to avail adequate land for planning is a major constraint to urban and regional planning, and a contribution to poor implementation of plans. To improve the planning practice, members agreed on the need to designate land for specific planning projects to avoid land use conflicts, land grabbing and the development of marginal land, which leads to environmental degradation. Members also considered the need to slightly relax planning standards in rural areas in accordance with expectations and realities in those areas.

(iii) Marketing of the planning profession, research and the use of information communication technology

Members noted that involvement of and partnership with the media is important in helping to disseminate information and communicate the benefits of planning to the general public, which remains largely ignorant of urban and regional planning. Planners were also encouraged to undertake more research and to share their findings through the proposed data/resource center. In this connection, the use of information communication technology was greatly encouraged.

(iv) Capacity building and funding

The group identified the need to introduce additional planning courses, for example diploma in urban and regional planning in Kenya's institutions of higher learning.

To improve the practice of urban and regional planning, the group resolved that planning professionals needed to collaborate more, particularly by exploiting the benefits of private public partnerships. Members suggested the establishment of a *National Planning Agency* supported by a *National Planning Resource Center* and possibly a satellite imagery center as well. This will require:

- Enhancement of the National Spatial Data Infrastructure of the Department of Survey.
- Further training of urban and regional planners, and outsourcing of planning services where necessary.
- Deployment of planners from the Ministry of Lands and Housing and from local authorities.
- Enhanced budgetary provisions for urban and regional planning functions.
- Review and harmonization of statutes dealing with planning.
- Strengthening of District Liaison Committees (DLCs). Since they are not planning authorities, DLCs need to be strengthened by giving them decision-making

powers, and expanding their membership to include civil society representatives such as those from residence organizations.

- Increased publicity backed by more aggressive marketing of plans and the planning profession itself.
- Strengthening of the professional code of conduct for professional planners.
- Improved security of tenure for planning professionals in government.

Urban and regional planning practice in Kenya (Group 3)

Issue/problem	Action/solution	Actors	Expected outputs	Time frame			Indicators for M&E
				Short term	Medium term	Long term	
Inadequate capacity	Collaboration of professionals; training of more planners; Diploma courses in urban and regional planning; Outsourcing planning services; Deployment of planners from Ministry of Lands and Housing to key municipalities; and establishment of a National Planning Agency	Line ministries; universities; polytechnics; Ministry of Local Government; Ministry of Planning and National Development; KIPPRA	Teamwork; number of plans; trained, contracted and deployed staff; formation of a National Planning Agency	√	√	√	Level of participation; number of plans prepared; number of staff trained; formation of a National Planning Agency
Limited funding for planning	Enhanced budgetary provision, and private-public participation	Ministry of Finance; Ministry of Lands and Housing; Ministry of Local Government; Ministry of Planning and National Development; KEPSA; NEMA	Budget allocations for planning and involvement and participation in planning	√	√	√	Enhanced funding; degree of involvement in the planning process; and number of organizations involved
Lack of planning data	Establish National Planning Resource Centre; enhance collaboration between data providers; enhance budget to Survey Department for acquisition and updating of spatial data; and establish Kenya's own Satellite Imagery Centre	Ministry of Finance; Ministry of Lands and Housing; Ministry of Local Government; Ministry of Planning and National Development; Ministry of Local Government; RCRMD	Resource center; sharing of data; updated spatial data and a satellite imagery center	√	√	√	Resource center in place; availability of data; enhanced budget; spatial data available; and established Satellite Imagery Center

Issue/problem	Action/solution	Actors	Expected outputs	Time frame			Indicators for M&E
				Short term	Medium term	Long term	
Governance	Review and harmonize statutes dealing with planning; implement and enforce the Physical Planning Act; transfer powers of local authorities to a national planning authority; strengthen liaison committees; market the plans; and strengthen professional conduct of professionals	Various ministries; Attorney General's Chambers; Ministry of Lands and Housing; Ministry of Local Government	Harmonized planning law; increased awareness; effective liaison committees; and improved awareness of plans and implementation	√	√	√	Reduced conflict in law; enhanced development control; and amended law in place
ICT and planning practice	Enhance the National Spatial Data Infrastructure of the Department of Survey; develop networks within government and other agencies	All planning agencies					
Non-availability of serviced land	Enhance funding to Commissioner of Lands for acquisition of land		Establishment of a land bank				Amount of land availed for planning purposes
Security	Develop a standard design for kiosks and designated areas for their location; and improve security of tenure						

1.3.4 *Emphasis on Nairobi as a special planning area (Group 4)*

The group observed that Nairobi should be designated a special planning area in order to overcome jurisdictional limitations of adjoining areas; ease pressure on city services by the outlying population; overcome duplication of roles by various departments of government; achieve economies of scale in areas such as revenue collection, training, etc; enhance inter-urban coordination of planning and administration, and development between authorities involved; and in order to make Nairobi the most competitive regional business center. The group classified problems currently facing the City of Nairobi as follows:

1. High rate of urbanization. This has numerous spatial implications such as the sprawl of informal settlements; constrained service and infrastructure supply capacity, and ineffective overall coordination and management;
2. Extreme pressure of population growth. This is a result of the functional area being larger than the physical administrative area;
3. Continued urban decay and disorder. This is manifested in inadequate housing and transport, infrastructure, environmental degradation and high unemployment;
4. Weak political support for planning and plan implementation;
5. High level of bureaucracy and weak institutional planning capacity. This is evident in the red tape procedures resulting in huge backlog of development applications (80% of building plans are currently unapproved);
6. Poor delivery of services such as water and sanitation, education, transport and other vital social service; and
7. Increased pollution. This includes water pollution from industries and poor waste management and treatment; and air pollution from motor vehicle exhaust fumes.

The group agreed on the importance of designating the City of Nairobi as a special planning area. The possibility of incorporating satellite towns in the City to ease the problem of management was discussed at length, though not conclusively. The benefits of restructuring and rationalizing the City's organizational framework were however clearly presented. The need for more prudent use of available resources, and the need for a broader revenue base were generally agreed upon. Proposed solutions to the problems of Nairobi as a special planning area were categorized as either quick-wins or long-term actions:

Quick solutions	Long-term solutions
Increase revenue base	Set-up multi-storey markets
Rationalize the transport system	Strict enforcement of planned land use
Internal re-organisation	Resource mobilization, for example. Bonds at the Nairobi Stock Exchange
Redefine and enforce law on role of councilors	Build investor confidence
Designate special temporary trading/hawking zones and timetable	Promote privatization
Reclaim 'grabbed' land	A directly elected Mayor

Emphasis on Nairobi as a special planning area (Group 4)

Issue/ Problem	Action/solution	Actor	Expected outputs	Timeframe			Indicators for M&E
				Short term	Medium term	Long term	
Lack of integrated planning	Integrated planning of sectors; formulation of a metropolitan growth strategy; and formation of a metropolitan authority	Nairobi City Council; Ministry of Local Government; Ministry of Lands and Housing; Ministry of Public Works; Ministry of Planning and National Development; and stakeholders	Integrated local plans and new planning regulations; new metropolitan growth strategy; and a metropolitan authority in place	√	√	√	Integrated planning
Urban sprawl and proliferation of illegal settlements	Census and audit of existing developments; rationalization and regularization of standards across municipalities; and plan ahead of development and future expansion	Nairobi City Council; Ministry of Lands and Housing; Ministry of Local Government; Office of the President; adjoining local authorities and stakeholders	Status reports; budget allocations; standardized plans and regulations in place; and action plans	√	√	√	Formalized settlements and controlled urban sprawl
Inadequate housing	Improve quality of existing housing; increase housing stock; streamline housing finance mortgages; and facilitate private-public partnerships	Nairobi City Council, Ministry of Lands and Housing, Ministry of Local Government; stakeholders	Improved housing stock; improved standards; increased housing stock and housing stock inventory; accessible finances; and private-public partnerships in place	√	√	√	Improved and adequate housing

Issue/ Problem	Action/solution	Actor	Expected outputs	Timeframe			Indicators for M&E
				Short term	Medium term	Long term	
Poor service delivery	Private-public partnerships in provision of services; upgrade infrastructure facilities and equipment; and review policy	Private sector; Nairobi City Council; Ministry of Local Government; Ministry of Lands and Housing; Ministry of Public Works; stakeholders and the community	Status reports, policy documents	√			Upgraded infrastructure; improved services delivery
Water and sanitation	Use private-public partnerships in providing services and upgrade; and improved water harvesting		Private-public partnerships in place; and upgraded systems	√			Improved accessibility of water and sanitation services
Solid waste management	Recycling of waste and use of private-public partnerships in service provision		Private-public partnerships in place, and recycling of waste	√			Cleaner environment
Unreliable City fire service	Upgrade		Efficient services	√			Efficient services
Congested transport system	Maximize use of existing transport services; rationalize transport facilities through expansion of railway line; enhance car and taxi parking policy; provide infrastructure for non-motorized transport; and establish scheduled transport service		Mass transport system in place; an expanded railway line; built parking bays; regulated car and taxi parking; special lanes for pedestrians and cyclists; establishment of a scheduled transport service	√	√		Less congested, more efficient and highly reliable transport service throughout the City

Issue/ Problem	Action/solution	Actor	Expected outputs	Timeframe			Indicators for M&E
				Short term	Medium term	Long term	
Markets	Identify better industrial sites for MSEs; explore idea of rotational markets; construct multi-storey market buildings; and integrate informal sector into urban economy	Nairobi City Council; Ministry of Lands and Housing; Ministry of Public Works; Ministry of Trade and Industry; Ministry of Labour and Human Resource Development; and stakeholders	Industrial parks in place; identified sites for rotational markets; multi-storey market buildings and integrated informal sector	√	√	√	Organized hawking
Environmental pollution	Clean up environment including Nairobi river; plant trees; reclaim open spaces and create footpaths	Nairobi City Council; Ministry of Environment and Natural Resources	Clean environment, more trees, more footpaths	√			Cleaner environment
Governance	Reforms in institutional and administrative structure; local capacity building; enforcement of Public Officers Ethics Act; redefine and enforce law on role of councilors; elected Mayor; and improve internal efficiency	Nairobi City Council; Ministry of Justice and Constitutional Affairs	Reformed administrative structure; better trained Nairobi City Council officers; reduced corruption; reduced roles of councilors in management; directly elected Mayor; and improved efficiency	√	√		Better governance at City Hall

1.3.5 Plenary discussions

Before Kenya can embark on any urban and regional planning activities, a national vision needs to be clearly defined. Without such a vision, competitiveness both within the region and internationally might not be achieved. Urban and regional planning needs to be aligned with the country's macroeconomic, infrastructure development and investment policies before it can have the desired impact.

The Plenary was informed that several institutions and agencies, all working at cross-purpose and supported by conflicting legislation, currently undertake urban and regional planning. The need for a strong institutional set up to coordinate planning matters throughout the country was therefore identified. Among the laws relating to urban and regional planning, which the government was requested to streamline in this regard are the Agriculture Act, Land Act and Survey Act. Consideration should also be given to harmonization of planning policies and regulations, and planning standards across sectors. To raise the profile of planning within Kenya's cities and towns, the Ministry of Local Government was requested to ensure that local authorities market themselves in addition to preparing strategic plans. They should also be encouraged to establish independent planning departments.

The conference noted that since information is critical to proper urban and regional planning, data generated by institutions should be kept and made accessible to the entire network of planners. Storage and dissemination of information should therefore be handled centrally so that it is easily accessible and updated. In this connection, greater use of ICTs was noted as capable of adding significant value to urban and regional planning and bettering its outcomes.

Effective urban and regional planning can only take place under a favorable political climate. The planning fraternity was encouraged to take advantage of the political goodwill demonstrated by the Government of Kenya through its initiation and facilitation of the conference, and through the participation of high-ranking public officials. On regulation, a participant observed that the government should aim at facilitating the process of development through provision of social services, rather than frustrate the activities of planners, which has been the case in the past.

In response to challenges of pollution, garbage collection and disposal, and the need to recycle waste, participants deliberated extensively on the benefits of integrating environmental concerns into the activities and practice of urban and regional planning. A specific recommendation in this regard is the need for continuous consultation between spatial planners and NEMA, whose assistance should be sought in the development of environmental action plans. Participants also noted the close relationship between urban and regional planning and policies on food security. Prudent use of natural resources and provision of agricultural marketing contribute to ensuring food security. In this connection, participants agreed on the need for concerted civic education campaigns to make Kenya a planning society.

In addition to the above deliberations, participants made the following specific suggestions to the government for the improvement of urban and regional planning in Kenya:

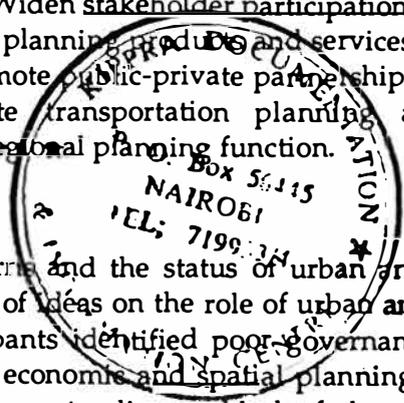
- Include professional planners in the recently established National Social and Economic Council (NESC).
- Accelerate the ongoing formulation of a land policy.
- Implement a land bank with adequate legal and security mechanisms to guard against land grabbing.
- Institutionalize security issues in the planning process.
- Identify planning programmes and projects to act as *pilots* and *vehicles for development* (i.e. planning projects capable of increasing access to finance, enhancing production, generating job opportunities, etc).
- Involve the media in the planning process, particularly in information dissemination and building stakeholder support.
- Introduce diploma courses in urban and regional planning to enhance capacity building.
- Establish a *planning fund* to be used in meeting expenses related to plan preparation, which participants were informed is an expensive exercise.

1.3.6 Resolutions

At the end of the Plenary, participants agreed on a Way Forward with regard to enhancing the role of urban and regional planning as an instrument for wealth and employment creation. To make Kenya a planning society, participants agreed on the need to: Adopt a vision for urban and regional planning in national development; Adopt a clear and coordinated policy framework for urban and regional planning; Establish a national planning agency supported by a national planning resource centre; Establish a Nairobi metropolitan authority to facilitate reconfiguration of the City of Nairobi; Support innovative urban and regional planning initiatives through political and mental transformation; Enhance collaboration between planning professionals; Establish a satellite imagery centre to provide efficient and reliable planning data; Review and rationalise planning standards; Widen stakeholder participation to include developers and users of urban and regional planning products and services; Mobilize funds for urban and regional planning; Promote public-private partnerships (PPPs) in the practice of planning, and; Integrate transportation planning and other infrastructure planning into the urban and regional planning function.

1.3.7 Conclusion

The conference aimed to discuss the concerns and the status of urban and regional planning and provide a forum for exchange of ideas on the role of urban and regional planning in national development. Participants identified poor governance, lack of political will, lack of coordination between economic and spatial planning activities, lack of a national urban and regional development policy, and lack of planning data as some of the problems that have led to poor urban and regional planning in Kenya.



To overcome these obstacles in urban and regional planning, participants proposed that an integrated urban and regional planning approach be adopted. They also proposed the establishment of a national planning agency supported by a national planning resource center. It was proposed that a clear and coordinated policy framework in urban and regional planning be adopted as opposed to the current partial framework. The need to review and rationalize planning standards was also recognized.

Another conference highlight was the need to recognize Nairobi as a special planning area because of its high rate of population growth. Nairobi is also the center of government, and serves as the entry point into the country. Besides, it serves the upcoming peri-urban areas in the greater Nairobi. The status of Nairobi as a growing city was recognized as of paramount importance. It was therefore proposed that a Nairobi Metropolitan Agency or Authority be formed to facilitate its reconfiguration as a modern city and make it a competitive financial and business center in the region.

As a way forward, participants proposed that all the recommendations from the conference be shared with the Cabinet and the National Economic and Social Council (NESC).

2. APPENDICES

2.1 Conference Participants

1. Prof. Peter Anyang' Nyong'o, Ministry of Planning and National Development
2. Mr David Nalo Ministry of Planning and National Development
3. Mr Zachary Ogongo Ministry of Local Government
4. Mr Orwa Ojode Ministry of Lands and Housing
5. Mr Dave Mwangi Office of the President
6. Prof. Michael Chege Ministry of Planning and National Development
7. Mr Renson K.Mbwagwa Ministry of Land and Housing
8. Mr Maghanga Sabina Wakio Ministry of Planning and National Development
9. Mr Philip Ngung'u Ministry of Regional Development Authorities
10. Mr Lanfranc Wakhisi Situma Ministry of Transport
11. Dr Joe B.Wanjui UAP Insurance & Chancellor, University of Nairobi
12. Ms Wanjiru Makanga Munene Ministry of Tourism and Wildlife
13. Ms Miriam M. Kebuka Ministry of Lands and Housing
14. Mr Leonard N. Kimani Office of the President
15. Ms Elizabeth Nguah Physical Planning Department
16. Ms Lucy Simiyu Ministry of Lands and Housing
17. Mrs Rose C. Kitur Ministry of Lands and Housing
18. Mr Benson Akungo Ministry of Lands and Housing
19. Mr M.O. Ondiek Ministry of Lands and Housing
20. Ms Theresia Munyua Physical Planning Department
21. Mr Peter E. Ochieng Ministry of Livestock
22. Mr J.M.Okungyu Ministry of Lands and Housing
23. Ms Lillian W. Njenga Ministry of Lands and Housing
24. Mr Gabriel N. Kirori Ministry of Transport
25. Mr John K. Mungai Ministry of Agriculture
26. Mr Gideon M. Mailu Ministry of Planning and National Development
27. Mr Samuel C. Yegon Ministry of Lands and Housing
28. Ms Lilian K. Ndubai Physical Planning Department
29. Mr John K. Njera Ministry of Planning and National Development
30. Mr O.M.Nzwilli Ministry of Lands and Housing
31. Mr Joseph Mutua Ngayai Ministry of Lands and Housing
32. Ms Monica R. Mueni Ministry of Agriculture
33. Ms Tamara Ratemo Ministry of Education
34. Mr S. Wainaina Ministry of Planning and National Development
35. Ms Rosemary Wachira Ministry of Lands and Housing
36. Mr Joseph Masila Ministry of Planning and National Development
37. Mr Evariste N. Adambo Office of the President
38. Ms Clare Omolo Office of the President
39. Ms Christine Agimba Office of the Attorney General
40. Ms Sophia Sitati Office of the Attorney General
41. Ms S.B. Keter Ministry of Trade and Industry
42. Mr Patrick O. Hayombe Physical Planning Department
43. Ms Peris Korir Mangira Ministry of Lands and Housing
44. Ms Bernadette M.Nzioki Ministry of Energy
45. Mr Samuel G. Cichere Ministry of Regional Development Authorities
46. Mr Ndorongo T.G. Physical Planning Department
47. Mr Alphonse K.A. Rotich Physical Planning Department
48. Mr Ken Oguya Physical Planning Department
49. Mr John Misiga Ministry of Justice and Constitutional Affairs
50. Mr J.N. Kariuki Physical Planning Department
51. Ms Dinah B. Oichoe Ministry of Regional Development Authorities
52. Mr Kiama Njoroge Ministry of Trade and Industry
53. Ms Joyce A Ogundo Ministry of Trade and Industry

54. Ms Miriam Wambugu	Physical Planning Department
55. Eng. A.A. Ali	Ewaso Nyiro North Development Authority
56. Ms Irene K. Irungu	National Aids Control Council
57. Mr Peter M. Ngunjiru	Municipal Council of Nakuru
58. Mr David Gatimu	Nairobi City Council
59. Ms Rose Muema	Nairobi City Council
60. Mr Patrick Adolwa	Kisumu Municipality
61. Mr J.K. Barreh	Nairobi City Council
62. Mr Patrick Tom Odongo	Nairobi City Council
63. Mr Patterson Mutungi	Nairobi City Council
64. Eng. H.W. Kihumba	Kenya Road Board
65. Mr David Githere	Chamber of Commerce
66. Mr Godfrey N. Mwangi	NEMA
67. Dr Frederick O. Nyang	Electricity Regulatory Board
68. Ms Francisca Maina	Kenya Local Government Reform Programme
69. Mr James M. Maina	Nairobi City Council
70. Mr Moses Chepkoy	Kenya Prisons
71. Mr Rapando Oliver Khabakali	Kenya Prisons
72. Mr Kenneth W.D. Aduda	Kenya Industrial Research Development Institute
73. Mr Enosh Onyango Momanyi	Local Government (UDD)
74. Mr F.M. Ndereba	Nairobi City Council
75. Mr Silas Kinoti Muriithi	Institution of Surveyors of Kenya (ISK)
76. Ms Bernadette N. Mwaniki	Kenya Institute of Planners
77. Mr Josephine M. Rondo	Coast Development Authority
78. Ms Esther Pamba	Kenya Revenue Authority
79. Mr Sam Mwale	Ministry of Planning and National Development
80. Eng. George Mac'Odawa	ACEK/KEPSA
81. Mr Charles M. Muchiri	KNFC
82. Mr Fernando Da Cruz	UN-Habitat
83. Mr Desterius Busuru	NACHU
84. Mr K. Mwero	Survey of Kenya
85. Mr Kim	Safari Park Hotel
86. Dr Eliud M. Mathu	Geology Department, University of Nairobi
87. Mr Maurice O. Mbegera	NEMA
88. Mr Rufus Ndung'u	Neighbours Alive Volunteers (K)
89. Mr John Kibui	Matatu Owners Association
90. Ms Winnie Mitullah	University of Nairobi, Institute of Development Studies
91. Mr Benson Kavoo	KPMG-Kenya
92. Dr Caleb Mireri	Kenyatta University
93. Mr Zachariah Maleche	University of Nairobi
94. Mr P.M. Kibinda	Kenya Institute of Planners
95. Mr Paul Chege	ITDG
96. Mr John Karumbi	Neighbours Alive Volunteers (K)
97. Dr Halima Noor	KIPPRA Board Member
98. Ms Ombretta Temptra	UN-Habitat
99. Mr Herbert Kassamani	Export Promotion Council
100. Ms Carolyn M. Getao	Kenyatta University
101. Mr Edwin Kimutai	NACC
102. Mr Osborne Amuhanda Kilasi	Catering and Tourism Development Levy Trustees
103. Mr E.M. Sabwa	KIFWA
104. Mr Michael Gachoki	GMS Associates Ltd
105. Mr Gilbert J. Njau	Bhundia Associates
106. Mr Noah C. Chune	COTU (K)
107. Mr Tom Opiyo	ITEC Eng. Ltd
108. Ms Mary W. Kimani	University of Nairobi
109. Mr John M. Muiruri	Neighbours Alive Volunteers
110. Mr Francis G. Mwangi	Architectural Association of Kenya
111. Mr George Odhiambo	KENFAP
112. Mr George Onyiro	KPI-UN Habitat
113. Mr Albert Mwenda	Institute of Economic Affairs

114. Ms Millicent Muthoni	University of Nairobi
115. Ms Joy Mideva	EPZA/ISK
116. Ms Mairura Umwenga	AAK Town Planning Chapter
117. Prof. E. N. Ndegwa	University of Nairobi
118. Mr Robert J. Kigunda	Kinyua Koech Ltd
119. Mr Festo Fadamura	NCBDA
120. Prof. R.A. Obudho	University of Nairobi
121. Mr E.O. Abonyo	Architectural Association of Kenya
122. Mr Fred O. Odawo	Kenya Airports Authority
123. Mr Elijah Agevi	Research Triangle Africa
124. Mr Saleh Agil Salim	KIP
125. Mr Itaru Futura	UNCRD
126. Dr Isaac K. Mwangi	UNCRD Africa Office
127. Mr Albert Karakacha	Matatu Owners Association
128. Mr Timothy S.G. Makunda	KIP, TSG-Makunda & Associates
129. Prof. Peter M. Ngau	University of Nairobi
130. Mr. Stephen M. Manegene	Kenya Wildlife Service
131. Mr D.M.A. Nguyo	ISK
132. Mr Raphael Mwai	PPD Consultants
133. Dr Eric M. Aligula	KIPPRA
134. Dr Hezron O. Nyangito	KIPPRA
135. Mr Fred Owegi	KIPPRA
136. Mr John M. Mutua	KIPPRA
137. Mr David Muthaka	KIPPRA

2.2 Presentations on Ministerial Guidelines

2.2.1 Ministry of Lands and Housing

The Session Chair, Hon. Cabinet Colleagues present, Hon. Members of Parliament, Permanent Secretaries, Resource persons, Distinguished Participants,

Ladies and Gentlemen

It is with great pleasure and honor that I address this important conference on a vital area that touches almost every individual in this country, and which also happens to be a core activity in my Ministry.

I must first begin by acknowledging that planning is a basic and intuitive process that does not necessarily require scientific definitions. The lack of or presence of planning is often self-evident. In general, planning is a basic human activity concerned with allocation and utilization of scarce resources to maximize the welfare of an individual. Man has a natural urge to plan and this is part of his organizational set-up. Physical or spatial planning or urban and regional planning, which is the focus of this conference, is not different from general planning. The difference is in the area of application of context, which in this case is the physical space. This physical space is often defined as urban space and regional space. In practice, urban areas are planned in the context of their regional functions and relationships so that this type of planning is simply referred to as "Urban and Regional Planning".

Like many other developing countries, Kenya has embraced development planning as the best approach to raise the standards of living of her people in both the urban and rural areas. Indeed, in the first development plan blueprint *Sessional Paper No. 1 of 1965 on African Socialisms and its Application to Planning in Kenya*, it is stated that "rapid economic growth requires careful planning and firm discipline in implementing plans to ensure that Kenya's limited resources are increased as rapidly as possible and used wisely in the promotion of growth and to create the physical environment in which people can enjoy the fruits of their labor".

As an aspect of development planning, urban and regional planning was identified for designating adequate land for social and economic activities in both urban and rural areas. It is in this context that urban and regional planning developed in Kenya. However, urban and regional planning as an activity within my Ministry dates back to 1947 with the establishment of a Town Planning Department. The emphasis then was on urban planning, which saw this activity centralized in the major towns of Nairobi and Mombasa. In 1966, the mandate was expanded to include regional planning that triggered the decentralization of the functions as attested by the immediate production of provincial physical plans.

The basis for the initial planning of some of the urban centers in Kenya, such as Nairobi and Mombasa, was the Town Planning Act (Cap 134) of 1948 and Land Planning Act (Cap 303) of 1968. Both Acts have since been replaced because of inherent loopholes that saw stagnation in urban planning between 1976 and 1992 and the emergence of slums and informal settlements. Subsequently, the current Physical

Planning Act (Cap 286) of 1996 was enacted and is the basis for physical planning in Kenya. The Act requires that development applications in both rural and urban areas have to conform to approved physical development plans.

The aim of physical planning in Kenya is to:

- Provide a national framework or strategy for the location of capital investment.
- Design in detail, large and small towns so as to produce a coordinated economic land use for development projects within a satisfactory environment.
- Employ the economic use of scarce resources so as to achieve the highest degree of improvement.
- Guide and direct the provision of infrastructural services in an efficient and equitable manner.
- Ensure the proper execution and implementation of approved physical development plans.
- Carry out all development in a visually pleasant manner as is practicable.

Since independence, urban and regional planning has sought balanced growth between urban and rural areas. Other policies and initiatives that have reinforced the balanced growth approach include the Rural Trade and Production Centers, the Communication and Transport Policy and the District Focus for Rural Development Strategy. Urban and regional planning has been carried out basically as an exercise in land use planning and management. Land and its use is a cross cutting sectoral issue that requires coordinated multi-sectoral planning. The Department of Physical Planning in my Ministry is functionally linked with other government departments and plays a major role in coordination of various players in the development and maintenance of both urban and rural centers. Currently, the Department is involved in the following urban and regional planning activities:

- Preparation of regional plans for Kwale, Transmara and Kisumu.
- Preparation of physical development plans and environmental plans for major and small towns in collaboration with local authorities and local communities.
- Finalizing the physical planning manual.
- In collaboration with the Ewaso Nyiro Development Authority, preparing a regional plan for the area.

Effective urban and regional planning is hampered by various factors/challenges:

- Firstly, there is inadequate human resource planning capacity within the country. In Kenya, the planner population ratio stands at 1:300,000, which is far below the ideal ratio of 1:50,000. Currently, the Department of Physical Planning is present

in only 57 districts. Therefore, the staff shortfall explains the low proportion of planned urban centers, standing at 30%.

- Secondly, there are institutional complexities in urban and regional planning. Plan formulation is prepared at the Ministry while execution and enforcement of the plan lies with local authorities. Regional authorities plan for entire regions often without inputs from the Department of Physical Planning. This lack of synergy among actors in urban and regional planning does not augur well for effective planning.
- The third challenge is the representativeness of stakeholders in the emerging planning paradigm shift; that is, participatory planning as enshrined in the current Physical Planning Act. The focus should be on enabling and empowering rather than bringing all stakeholders on board.
- The fourth challenge is that of paucity or lack of data at departmental or national level. Data is a major planning tool and its availability in terms of quality statistics, aerial photography and physical mapping is key to planning output. This calls for a centralized database complete with new appropriate technology.
- The fifth factor is the extremely low funding to my Ministry, and in particular the Department of Physical Planning, to undertake urban and regional programmes and projects. The Department offers almost free services to local authorities in plan preparation, which compounds the problem of inadequate funding.

These factors, which militate against effective urban and regional planning, are indeed real. The conference needs to objectively analyze them and propose appropriate recommendations. Creation of a larger umbrella organization at national level to ensure a comprehensive formulation of a plan, its execution and enforcement, and which is financially sustainable is one such option. Modalities for sensitizing Kenyans to appreciate the role of urban and regional planning will be an important milestone. I expect one of the outcomes of this conference to be an immediate intervention in Nairobi, currently experiencing a planning vacuum and the fact that it is a pacesetter in national and regional issues.

Thanks you for your kind attention.

Hon. Orwa Ojodeh
Assistant Minister
Ministry of Lands and Housing

2.2.2 Ministry of Regional Development Authorities

The policy mandate of the Ministry of Regional Development Authorities is to provide policy guidance, and to enhance capacity building and support to six regional development authorities namely: Tana and Athi River Development Authority, Kerio Valley Development Authority, Lake Basin Development Authority, Ewaso Nyiro North Development Authority, Ewaso Nyiro South Development Authority, and Coast Development Authority.

Besides the Ministry mandates, regional development authorities have their own mandates that aim to promote catchment conservation; rehabilitation and protection of the natural resources; conduct studies and establish an inventory of unique resources and draw up to date long-range development plans; implement strategic viable projects for socio-economic and sustainable development; and enhance environmental conservation and management.

The vision of the Ministry is to attain sustainable and equitable regional development for enhanced quality of life while the mission is to formulate and coordinate regional development policies for sustainable and integrated development by ensuring that available resources are managed and conserved efficiently and effectively. To achieve the stated mandates, the main strategies adopted by the Ministry in the strategic plan include the development of a Regional Development Policy and review of legislation; strengthening of institutional capacity; preparation of integrated Regional Development Master Plans; and development and strengthening of monitoring and evaluation systems.

Despite the critical role that the Ministry plays towards enhancing regional development, it faces various constraints which include lack of institutional capacity and necessary infrastructural facilities; lack of a Regional Development Policy and legislative framework; and lack of monitoring and evaluation systems. As a step towards enhancing balanced regional development, the Ministry expects that this workshop will come up with clear indication on roles and responsibilities of all stakeholders with regard to urban and regional planning; coordination mechanisms between the various actors and especially line ministries; and clear policy and legislation that acknowledges regional planning in the planning process in Kenya.

In conclusion, the acceleration of rapid growth of agricultural, commercial, industrial development and other sectors of the economy in the urban and regional levels calls for efficient and effective planning and management of these sectors. No significant development can be realized without proper planning and coordination of activities, and therefore the need to coordinate all levels of planning.

Thank you

Hon. Peter Odoyo
Assistant Minister
Ministry of Regional Development Authorities

2.2.3 Ministry of Local Government

Kenya has been experiencing rapid urban population growth due to urbanization since independence. After 1963, the rate of urbanization accelerated as a result of natural population growth, rural-urban migration, boundary extensions, and creation and reclassification of local authorities.

The rapid creation, upgrading and expansion of boundaries of local authorities have contributed substantially towards increased urbanization and urban population growth. In 1969, there were 69 local authorities, 110 in 1989, while currently there are 175 local authorities. All municipalities except Nairobi and Mombasa have been extended since 1969, most of them incorporating large tracts of land which were predominantly rural in character and turning them into urban areas, legally but not functionally. Nyeri Municipal Council area, for instance, expanded from 72 sq km in 1971 to 176 sq km in 1999, having started as a Town covering 8 sq km. In 1969, Nairobi had more than 100,000 residents. In 1979, the other urban centers with that population size were Mombasa and Kisumu and in 1989 they had increased to include Nakuru, Machakos and Eldoret. By 1999, the number of towns with over 100,000 residents had increased to 20.

The urban challenge facing local authorities in Kenya is not how to stop or contain rapid urban growth, but how to marshal all available physical, financial, human and technical resources to manage the process of urbanization and utilize opportunities arising from urbanization. These challenges include inter-alia: inadequate shelter, environmental degradation, unemployment, delinquency, poverty, unavailability of clean water, inadequate drainage and sanitation, lack of adequate public transport, and poor planning and development control.

Urban development policies

The government is undertaking structural changes to gradually shift the economy from agrarian into a Newly Industrialized Country status by the year 2020, with agriculture and small scale manufacturing enterprises leading the way. This is to be achieved by strengthening rural-urban linkages, which promote the development of a well-planned and serviced urban sector. That in turn encourages industrial transformation, facilitates marketing of agricultural products, and provides inputs and support services to the agricultural and commercial sectors.

Development in urban areas has been characterized by implementation of individual projects by various agencies. Although National Development Plans have highlighted the problems of urbanization and the need to address them, there was for a long time no identifiable and effective machinery at central government level to formulate national urban development policies, strategies and guidelines and to coordinate identification and implementation of projects in the urban sector. Consequently, there were no proper mechanisms for monitoring and evaluation of existing sectoral urban and regional development policies, strategies and programmes to determine their weaknesses and effectiveness as a basis for feedback to improve subsequent programmes and projects.

Further, there was no integrated and comprehensive national urban development policy due to lack of an effective coordination mechanism. Even the *Sessional Paper No. 1 of 1986 on Economic Management for Renewed Growth* did not successfully resolve the problem of overcrowding and uneven distribution of the population through the Rural Urban Balance Strategy.

Mandate of local authorities in urban and regional planning

Local authorities in Kenya have a statutory mandate to plan and control development in their areas of jurisdiction. However, this crucial and critical role has, over the years fallen below expectations, leading to poor and unplanned urban and rural development, deterioration of economic performance and degradation of the environment. This notwithstanding, local authorities remain ineffective in managing rapid urbanization and planning at all levels. The mandate to plan and control development is expressly clear from many statutes, but basically, it is found in the Local Government Act (Cap 265) and the Physical Planning Act (Cap 286). The Public Health Act (Cap 242) and the Environment and Management Coordination Act of 2000 are also relevant.

Planning and development control is therefore a core function of local authorities. In particular, the Local Government Act (Cap 265, section 166) empowers each authority to guide and control the development and use of land, building and transport system in the interest of the proper and orderly development of their area. The Physical Planning Act (Cap 286) mandates local authorities to implement Local Physical Development Plans. Particularly, section 29 stipulates that, subject to the provision of the Act, each local authority shall have power:

- To prohibit or control the use and development of land and buildings in the interest of proper and orderly development of its area;
- To control or prohibit the sub-division of land or existing plots into smaller areas;
- To consider and approve all development permissions;
- To ensure the proper execution and implementation of approved physical development plans;
- To formulate by-laws to regulate zoning in respect of use and density of development; and
- To reserve and maintain all land planned for open spaces, parks, urban forest and green belt in accordance with the approved physical development plan.

Policies and strategies towards achieving the mandate

The Ministry of Local Government has recognized the need to establish viable urban and country planning departments in the local authorities. This is statutory and an important requirement. Currently, there are 175 local authorities classified as follows: City Councils (1), Municipal Councils (45), Town Councils (62), and County Councils (67).

In all these local authorities, only the Nairobi City Council has a full-fledged Urban (Town) Planning Department. Mombasa, Kisumu and Thika municipalities each have one urban planner. In total, there are only 20 urban regional planners in all local authorities. The Ministry envisages the formulation of an urban development policy in order to explore the mechanisms for the urban sector to respond to the challenges of urban development, economic recovery and wealth creation. The main features of this urban development policy would be to:

- Foster linkages between agricultural, rural and urban sectors;
- Establish efficient and effective urban management systems by local authorities and other agencies;
- Promote well-planned and supported small-scale micro-enterprises in urban areas to generate income and employment opportunities in the informal sector;
- Alleviate poverty by providing basic needs to the urban population with priority given to improving health and nutrition, education and training, housing, social services, water and sanitation, roads and public transportation;
- Promote effective development of urban centers through appropriate planning and development control measures;
- Conserve the environment by promoting environmentally friendly technologies; and
- Service urban land in order to promote industrialization and local economic growth.

To address the situation, the Government established the Department of Urban Development in the Ministry of Local Government as a focal point for coordinating urban development policies, strategies and programmes at the national level. To fulfill its mandate in addressing the problems of rapid urbanization in the country, the Department has been rationalized and strengthened.

In order to achieve the mandate of the Ministry, the core functions of the urban/regional department would be:

- Overall, comprehensive and continuous development planning in the local authority. The Department will ensure that Local/Regional Physical Development Plans are prepared and implemented. The Plans would, in turn, be prepared for all county council areas of jurisdiction. Such a plan would enable the integration of physical development with other facets of development. It will also provide a coherent spatial investment potential, framework, enhanced revenue potential, improved service delivery and overall efficiency of local development administration and management. The linkage between local and regional development plans and sound local economic planning development and efficient service delivery cannot therefore be overemphasized.

- Strategy monitoring and evaluation of development trends within local authority jurisdictions, including evaluation and auditing of the implementation of planning proposals and applications.
- Undertake research surveys on sectoral activities, including housing, manufacturing, industry, commerce, transportation, public facilities, recreation, natural/environmental resource utilization and other informal activities.
- Generate and prepare local public strategies, plans and policies and guidelines to integrate other sectors and actors within and without the local area in order to allow for sustainable and harmonious resource mobilization and utilization.
- Regulate and control development and change process and ensure environmental protection and sustenance.
- Promote functional, integrated and efficient land use management practices and services in the local authority.
- Liaise and coordinate with regional and national development planning departments and agencies on planning issues.

Constraints faced

- Inadequate (human and technical) capacity in urban and regional development planning.
- The slow pace of local authorities to embrace and nurture change.

Role of the Ministry in contributing effectively to wealth and employment creation

With proper urban and regional planning, we would expect an equitable urban and rural population balance. Currently, it is estimated that the urban-rural population ratio is 22:78%. However, it is the urban areas that are generating most employment. This phenomenon is concentrated in the major urban centers of Nairobi, Kisumu, Mombasa, Thika and Nakuru. These large urban areas have created urban primacy, which deprives the rural areas of investment opportunities. Therefore, there is urgency to appreciate the relationship between the urban and rural (regional) areas. The urban areas have been favored in terms of investment and industrialization while the rural areas have hitherto been seen as purely for material production, especially for agriculture production. In this connection, the Ministry has had to spearhead the planning area authority, the regulation of informal trading activities, and the development of an integrated transport infrastructure, including bypasses in Nairobi.

Urban and regional planning is potentially an effective tool for the prioritization of investment opportunities through location of industries and manufacturing plants in areas where the highest returns are reaped. Regional planning includes the investment planning of environmental and natural resources management, therefore enhancing tourism and its related economic spin-offs. For this to be realized, all local authorities in Kenya must have effective and efficient planning teams. Indeed, the urban and regional planning mandate must be fully vested in them.

Mr Zachary Ogongo
Permanent Secretary
Ministry of Local Government

2.2.4 Ministry of Transport

Goal:

To have an effective, efficient and modern transport system that will enhance development in terms of:

- Integrating production and population centers;
- Facilitating mobility to rural and urban areas;
- National and regional integration;
- Trade facilitation and promotion among countries in the region;
- Poverty reduction;
- Overall welfare improvement; and
- International competitiveness improvement.

The transport sector has powerful potential for addressing the issue of wealth and employment creation and poverty reduction. A critical governing factor for the exploitation of this potential effectively and efficiently is good sector policies and strategies that are responsive to the demands of the overall development agenda. This entails a transport system that is efficient, affordable and reliable and that will facilitate proper functioning of markets, improve competitiveness, impact on access to employment and wide-ranging social services including education and health, and generate a conducive environment for investment and private sector participation.

Sub-sectors:

- Aviation or air transport
- Railway transport
- Marine and inland waterways
- Pipeline

- Road transport
- Non-motorized and intermediate means of transport

Mandate of the Ministry with respect to urban and regional development:

- Transport policies
- East African School of Civil Aviation
- Kenya Ports Authority
- Motor Vehicle Inspection Unit
- Kenya Ferry Services
- National Road Safety Council
- National Shipping Line Co. Ltd
- Transport Licensing Board
- Kenya Airports Authority
- Registration and Insurance of Motor Vehicles
- Kenya Civil Aviation Authority (KCAA)
- Kenya Meteorological Department
- Kenya Railways Corporation
- Kenya Meteorological Training College
- Kenya Railways Training School
- Bandari College
- Merchant Shipping Superintendent

Place in the economic recovery strategy:

- Infrastructure is one of the three pillars for Kenya's economic recovery. Others are sound macro-economic framework and good governance.
- Growth target of 6.3% for the transport sector to stimulate economic growth to 6% per annum.

Performance of the transport sector:

The sector has faced inhibiting problems and challenges related to:

- Management
- Policy
- Structural, institutional and legal framework.

The sector's contribution to GDP has been about 6.4% over a long period, while sector expenditures have exhibited an increasingly rapid upward trend. The correlation (linkage) between sector's investment and levels of economic performance has not reflected clear improvement in sector output. Therefore, though investment in the

transport sector is low, it has not been adequately effective and efficient in improving economic performance. Other challenges include: poor quality of transport services; inappropriate modal split and fragmented transport system; lack of urban transport policy; poor institutional set-up; inadequate investment in research and information; and unexploited regional role of transport system. The result has been high transport costs of both goods and passenger traffic; decline in transport service delivery levels; and sector's contribution to GDP remaining constantly at 6.4% over the years. The task ahead remains one of revitalizing the transport sector, and of improving and modernizing systems and processes.

Policies and strategies to achieving the mandate:

The following are the priority strategic policy objectives:

Road transport sub-sector:

- To improve road transport safety and reduce accidents, giving direction to the industry.
- Crucial for transportation of both food and cash crops from farms to major urban and regional markets.
- Urban road transport is an important element in achieving high productivity in the manufacturing sector and other sectors of the economy. Urban road network is 7% or 10,000 km of total road network with 70% carrying capacity of all vehicles in Kenya. Major constraints have included traffic congestion, overloaded passengers and limited parking spaces.
- Recent reforms in public transport system now characterized by order and some semblance of sanity and discipline. Features of anarchy, disorder, total indiscipline characterized the sub-sector, as could be deduced from the frequent occurrence of numerous road accidents and deaths.

Changes in the Traffic Act and related laws (Legal Notice No. 161), including:

- Controlling the speed of PSVs
- Enhancing safety through use of safety belts
- Adherence to passenger capacity
- Ensuring only duly licensed and qualified persons undertake activities in the sector
- Becoming mandatory for drivers and conductors to wear uniforms and displaying their photos
- Removing cartels in the management of PSVs

Implementation of the reforms has involved all stakeholders, including Ministry of Transport, insurance industry, members of the public, business community, relevant areas of the government, especially the traffic police and security forces.

Benefits of the reforms:

- Disciplined behavior and restoration of order among operators
- Enormous reduction of motor vehicle accidents and motor vehicle-related deaths
- Increased entry in the PSV industry by new bus companies and *matatu* operators
- Increased investment on motor vehicle “body” building and other PSV-related activities
- Increased choice for consumers
- Reduction in insurance premiums

Lessons:

The benefits that accrue from proper implementation of rule of law can be amazing. Desired change in the economy, institutions, people and society in general and above all, restoration of order and discipline in the place of chaos is possible. With restoration of discipline and order, the Ministry expects crime rates, including carjacking to be reduced. The Ministry is fighting towards achieving this goal by implementing a computer programme in the transport sector that will facilitate tracking offenses and accidents committed by operators and other PSV players. The Ministry has also embarked on a road safety campaign focusing on publicity and education of the public and PSV operators about the benefits of transport reforms. Some of the emerging challenges being encountered include:

- Problem of tampering with some of the gadgets introduced on PSVs by some operators
- Problem of use of substandard materials, especially the safety belts
- The threat of the re-emergence of cartels and illegal touts contending that they are stage managers. The Traffic Act has empowered local authorities in the management of stages and bus terminus
- Inadequate human resources for implementation of the reforms to ensure 100% compliance

Potential road transport projects include:

- Road networks linking Kenya with Ethiopia and Sudan
- Provision of high passenger capacity vehicles in major urban towns
- Rehabilitation of the Northern Corridor road network

- Road safety improvement
- Provision of roadside amenities

Railway transport sub-sector:

To enhance operations and efficiency of railway transport.

- This transport mode is important for its high haulage capacity, especially in transportation of bulk goods over long distances.
- Comprises a total rail network of 2,765 km with annual capacity of 6 million tonnes.
- Promotes international trade and provides transit traffic to neighboring countries. Also supplements road transport in reducing road damage and traffic constraints.
- Emphasis is placed on intensifying block trains locally and across border, improving wagon and locomotive turn-around, enhancing rail-tracker system, and installing additional module through the COMESA regional programme.
- The long-term strategy is privatization of the Kenya Railways Corporation by unitary concession, which entails splitting the Corporation into three companies: Kenya Railways Company, Kenya Railways Asset Authority, and Kenya Railways Regulatory Board.

Potential projects:

- Concessioning of Kitale-Juba rail line (Government of Sudan, Germany, NEPAD are interested parties) connecting the Port of Mombasa and Southern Sudan.
- Commissioning of Nanyuki-Moyale rail line, which may be invaluable in opening up the landlocked Ethiopia, linking it to Kenya's Port of Mombasa.
- Establishing a light railway passenger network for Nairobi's Central Business District, and connecting it with its environs including Jomo Kenyatta International Airport, Athi River, Thika, Ngong and Kiserian.
- Provision of a combined rail and waterway service linking the Port of Mombasa on the Indian Ocean East Coast to the Port of Matadi on the Atlantic Ocean West Coast.

Air transport sub-sector:

To increase efficiency of air transport:

- The industry has three international airports, four major domestic airports, and more than 400 smaller aerodromes and airstrips.
- Dominates transportation of high value imports and perishable horticultural exports, and is significant in promoting tourism.

- Kenya has comparative advantage because of its strategic position to serve as the hub for Eastern, Central and Indian Ocean areas – offers transit and refueling facilities for the North/South and East/West air traffic.

The emphasis is:

- To facilitate renewal of facilities in the airports.
- To promote orderly and gradual transition to air transport management in the communication, navigation and surveillance (CNS-ATM) systems in accordance with ICAO and Africa and Indian Ocean regional development plans.
- To continue pursuing the strategy for “safe and open skies” to address air safety and airport security – target is for Kenya to achieve the requirement by the US Federal Aviation Authority of the Airport Category 1 status, making flights between Kenya and USA possible.
- To improve air transport regulation and service provision. For example, the Directorate of Civil Aviation has been de-linked from the Ministry, making it an autonomous parastatal, the Kenya Civil Aviation Authority (KCAA).

At regional level, efforts are advanced at:

- Creation of regional civil aviation institutions through a Tripartite Framework for Air Services Agreements by February 2005.
- Establishment of a unified Upper Flight Information Region.
- Implementation of ICAO Safety Audit with measures to enhance civil aviation safety and security, air navigation and capacity building.

Potential projects:

- Modernization and expansion programme of Jomo Kenyatta International Airport.
- Rehabilitation of the old airport making it a domestic flight terminal.
- Reconfiguration of the airport, allowing for separation of outgoing and incoming passengers.
- Creating a perimeter fence to improve security.
- Enhancing security and capacity in the operations of Kisumu and Wilson airports, upgrading of Garissa and Isiolo airstrips, and rehabilitation of all the 400 airstrips to promote tourism and other development activities and open up more areas in the country.

Marine transport sub-sector:

To provide safe shipping services and promote trade and tourism. The sub-sector:

- Provides important linkages between international markets to Kenya and hinterland countries within the Eastern and Central African region, including the Northern Corridor region.
- Comprises port facilities in Mombasa, minor ports along the Coast, inland water transport, inland container depots (ICDs) including Embakasi, Kisumu, Eldoret and Kampala.
- The government established the Maritime Authority in June 2004 in an effort to strengthen the country's maritime safety and security needs in accordance with international requirements of the International Maritime Organization (IMO).

KPA has embarked on:

- A Ksh 5 billion equipment modernization programme to enhance port efficiency and capacity. The equipment includes tug boats, pilot boats, reach stackers and new gantry cranes;
- A programme for container terminal modernization and dredging of the channel at the Port of Mombasa to enable the Port handle all sizes of modern vessels;
- Developing a cruise ship facility that will promote tourism;
- Establishing an Export Processing Zone on 3,000 acres of land at Dogo Kundu area;
- Working closely with both Kenya and Uganda Railway Corporations and related institutions to improve efficiency in transport services for the landlocked countries. The possibility of establishing linkages between Kenya, Sudan, Ethiopia and Somalia and for serving the Northern Corridor region more effectively are being explored; and
- Implementing, with Kenya Railways Corporation, a programme of direct cargo transportation from the port of Mombasa to the inland container depots at Embakasi, Kisumu and Kampala. This involves direct off-loading of container cargo from ship docks at the port to ICDs within a period of 20 hours to Embakasi ICD compared to three days in the past, a period of 3-4 days to Kisumu/Kampala ICDs compared to 7-10 days in the past.

This system of cargo transportation has great advantages including safety and minimization of bureaucracy and documentation time at the port. The system is also more reliable. The emphasis is to convert the Port of Mombasa into a landlord port and also develop new container handling berths on build-operate-transfer (BOT) schemes. The expansion and modernization programme envisaged in the marine sub-sector will raise capacity from the present level of 255,000 TUEs to 630,000 TUEs by 2015. It will also enable Kenya to tap the potential of the expansive hinterland of the landlocked countries and the lake region.

Expectations from conference given the role of the Ministry:

- Reduced urban congestion
- Reduced costs of transport and production
- Harmonized standards, policies and regulatory frameworks within the region
- Improved environment for doing business and attracting investment
- Expansion of urban transport infrastructure and services
- Increased contribution of the transport sector to GDP and improvement to the competitiveness of Kenya's economy
- Improved enforcement of transport laws
- Improved safety and security

*Gabriel Kirori
Deputy Chief Economist
Ministry of Transport*

2.2.5 Ministry of Energy

Energy is one of the critical prerequisites to the achievement of the government's target of attaining sustained economic growth, employment creation and poverty reduction.

The realization of these objectives is only feasible if quality energy services are made available in a sustainable, cost effective manner to all sectors of the economy. Energy is the principal causal factor to high incidence of poverty. One solution to this problem is access to affordable energy services. Similarly, lack of supply of clean water can be attributed to lack of electric energy supply, which is necessary for water purification. Consumption of modern energy services has, over the years, manifested declining trends. In 1999, for example, per capita consumption of modern energy was about 91 kilograms of oil equivalent and this dropped to 81 kilograms of oil equivalent in 2003. This situation is a reflection of a weak economy as manifested by negative growth rates in per capita income. For the country to make a transformation from a subsistence economy to a fairly developed economy, per capita consumption of modern energy should be at least 300 kilograms of oil equivalent.

In this regard, the need for an integrated approach to provision of reliable energy services infrastructure in urban and regional planning cannot be gainsaid. In Africa, rapid urbanization and unsustainable use of both renewable and non-renewable sources of energy is creating an urban management crisis due to the emerging environmental challenges. An analysis of the current energy production, distribution and consumption patterns indicates a close correlation between the provision of adequate urban energy services and sustainable socio-economic development.

Policies and strategies to achieving quality energy services:

The vision of the energy sector is to promote equitable access to quality energy services at least cost, while protecting the environment. The energy policy therefore elaborates this vision through the following objectives:

- Provision of sustainable energy services for development;
- Utilization of energy as a tool for accelerating economic empowerment for urban and rural development;
- Improving access to affordable energy services;
- Guaranteeing security of supply through diversification of sources on the basis of least cost criteria;
- Developing small scale indigenous energy resources to meet the needs of consumers and local communities;
- Promoting energy efficiency and conservation through both demand and supply side practices; and
- Promoting energy delivery systems, which are consistent with internationally acceptable standards on safety, health and environment.

Challenges:

The Sessional Paper No. 4, 2004 on energy, already passed by Parliament, presents the challenges currently facing the sector with special focus on critical issues impacting on access to quality energy services to all sectors of the economy, including households. Among the constraints that have bogged down the sector since the mid 1990s include:

- Low access to reliable, cost effective and affordable energy to electricity services at 15% national average and 4% for rural areas;
- Over-reliance on hydropower, which constitutes about 57.1% of the total installed generation capacity, followed by thermal at 29.5%, geothermal 10.8% and imports from Uganda 2.6%. In a situation of prolonged drought, therefore, this would lead to serious power shortages;
- Over dependence on biomass energy. Wood fuel accounts for about 70% of the total primary energy consumed in Kenya, with adverse effects on our forest resources. A study of household and small scale industrial and services sector's energy demand and supply revealed that 67% of households in Kenya depend on wood fuel to meet the bulk of their energy requirements;
- Low per capita consumption of LPG at 1.2kg per year compared to Africa's per capita at 8.3kg as a result of inadequate LPG import handling and storage facilities and distribution infrastructure. Only 8% of households in the country have access to LPG;

- Uncompetitive petroleum pricing and mushrooming of illegal and substandard petroleum retail outlets; and
- Lack of adequate institutional legal and regulatory framework.

To address these challenges, the Government has embarked on a programme of the energy reforms, including mobilization of resources. Salient issues of this initiative include:

- Revamping of the power distribution system to sharply improve the quality of supply. In this regard, funds amounting to US\$ 153 million have been mobilized largely from development partners for the distribution upgrade.
- Accelerated geothermal resource assessment for Olkaria IV appraisal and production drilling commencing in June 2005 at a cost of Ksh 3 billion, which will be largely financed by the Government. This is intended to develop a 70MW plant by 2008/09.
- Establishment of a single independent energy regulator with adequate mandate to regulate all the sector players. To this effect, a Bill has been submitted to the Attorney General for final drafting and tabling before Parliament for debate.
- Fast track standardization of LPG valves, regulators and cylinders in the short to medium term to de-bottleneck competition in the LPG business and trigger competitive pricing of the product.
- Construct LPG import handling, storage and bottling facilities to ensure security of supply and increased consumption in the country.
- Creation of a Rural Electrification Authority to accelerate the pace of rural electrification in Kenya, a function currently undertaken by the Ministry of Energy.
- Enhancing exploration for fossil fuels for coal in Kitui and Mwingi particularly hydrocarbons, commencing April 2005. In addition to power generation this resource will be used in substitution for oil in industries.
- Encouraging wider adoption of renewable energy technologies.
- Privatization or concessioning of isolated power stations to reduce operating costs and therefore release the resources for rural electrification.

Conclusion:

The Ministry of Energy recognizes the critical need to plan for the development of energy infrastructure in order to reverse the current trend where urban and regional developments are undertaken without consideration to the energy services required. In this regard, all urban development programmes will be encouraged to focus on efficient use of energy that is also environmentally friendly, and the provision of affordable energy to the rural and urban poor. Local authorities will be required to

amend their by-laws to ensure that any new buildings incorporate energy conservation and efficiency measures in their designs.

*Ms Bernadette Nzioki
Deputy Director
Ministry of Energy*

2.2.6 Office of the President, Provincial Administration and National Security

The mission statement for the Office of the President is: "To provide leadership, policy direction, a secure environment and to set the agenda for achieving social, economic and political development".

Provincial administration has remained the system of government that symbolizes and manifests nationhood and cascades government functions to grassroots levels. It is the first point of call for government services and assists to project the corporate image of the government as it provides the necessary inter-departmental and inter-sectoral linkages. Provincial administration provides the vehicle for quick interpretation, dissemination and implementation of government policies. It is currently the Executive arm of the Office of the President.

The functions of Provincial Administration include:

- Coordination of government functions in the field;
- Maintenance of law and order;
- Harmonizing and coordinating implementation of government programmes;
- Mobilization of local resources for development;
- Dissemination of government policies;
- Organizing state functions;
- Coordinating disaster and emergency response;
- Conflict resolution and peace building; and
- Registration of births and deaths.

The Office is also the key organ for community and resource mobilization, which ensures that peace, security, prosperity and tranquility prevail in Kenya so as to provide an enabling environment and creation of wealth and employment opportunities.

Factors hindering rapid response by security agents to complaints include:

- Unavailability or inaccessible roads, particularly in the slum areas.
- Poor lighting system that makes it difficult to track down criminals;

- Lack of numbering of streets and buildings, which hampers fast location of crime scenes; and
- Lack of connecting bridges mainly in slum areas, which hinders effective pursuit and consequent arrest of criminals.

Reform measures to enhance security surveillance include:

- Launching of community policing programmes that will enhance public private sector partnerships;
- Retraining and reorientation to create good image of the police force;
- Enhancement of police accountability to the public through prompt redress of complaints;
- Recruitment of additional police officers up to the required UN ratio of 1:450. Currently, this stands at 1:1,100, which is far off the mark;
- Legal reforms to advance public private partnership in administration of security. In this regard, pieces of law to facilitate collaboration with private security providers are being addressed with assistance from the Attorney General;
- Mainstreaming of ICT;
- Rapid Results Initiative (RRI), which has been piloted in the Central Business District (CBD) by police presence through patrols. However, while this initiative has been yielding outstanding results, the effort has been constrained by limited resources.

It is appreciated that this sector-wide approach to urban and regional planning will bring efficiency in tackling crosscutting issues and sharpen the focus in developing our cities and regional centers into engines of growth and development.

*Mr Leonard Kimani
Deputy Chief Economist
Office of the President*

2.3 Background Papers

2.3.1 *Urban and Regional Planning in Kenya: Past, Present, and Future*

Dr Eric Aligula
Analyst, KIPPRA

1. Kenya's Development Challenge

Kenya's development challenge in the context of urban and regional planning emanates from the low levels of economic growth, rampant poverty and inequality, unemployment, increasing concerns about the ecological footprint of development efforts, structural transformation of society, the failure to exploit the countries comparative advantage, and Kenya's apparent lack of preparedness to deal with the spin-offs from the Peace Dividend in the region.

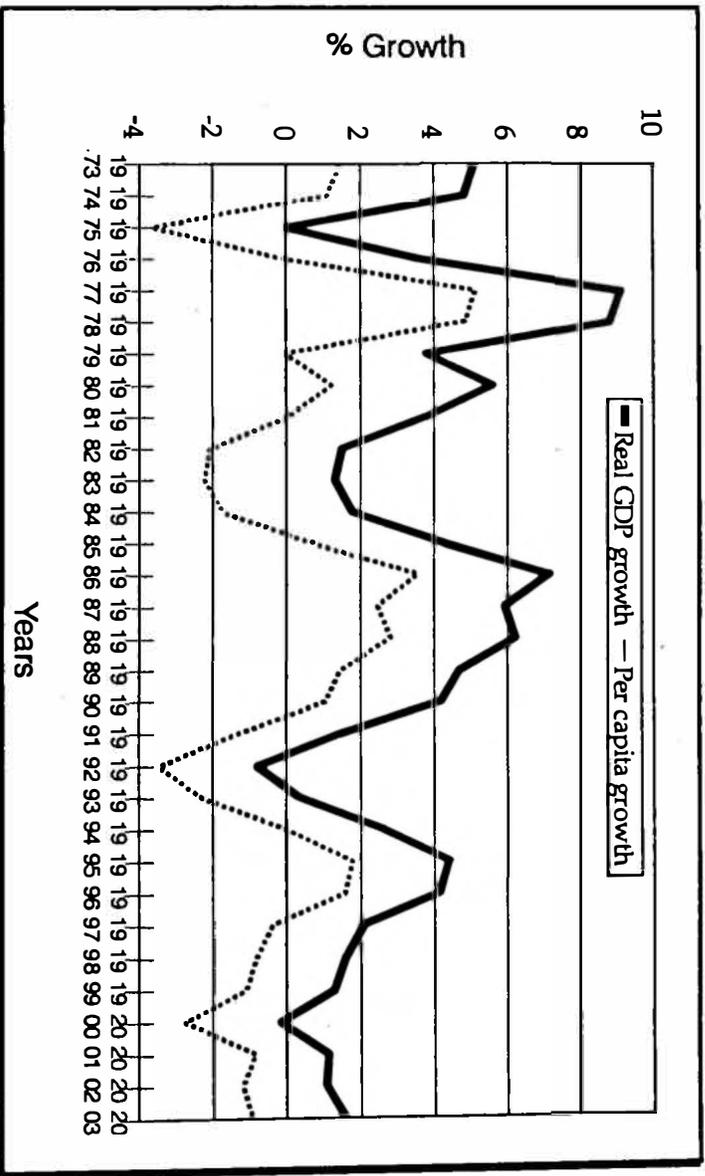
1.1 Economic growth patterns in Kenya

1.1.1 *Growth of Kenya's Gross Domestic Product (GDP)*

Analysis of Kenya's growth over the period 1972-2003 shows that real GDP grew at an annual average rate of about 3.3%. Over the same period, however, real per capita GDP grew at a rate of about 0.2% per annum. Further, growth has been slowing gradually and real per capita income in 2003 (at Ksh 3,347) was way below the levels registered in the late 1970s and during the 1990s.

During the first decade after independence, Kenya registered impressive growth in real GDP of about 7%, while per capita income increased at about 4% per annum. Over a period of 40 years, Kenya moved from one of the most promising developing countries in sub-Saharan Africa, both in terms of growth and social development, to a stagnated economy struggling to find a new path for sustained growth.

Evolution of real GDP growth and per capita income growth



In 2003, the economy continued with the gradual but slow economic recovery by posting a real economic growth rate of 1.8% up from 1.2% in 2002, although this was much lower than the target set in the Economic Recovery Strategy for Wealth and Employment Creation. The pattern of economic growth shows that recoveries have always tended to be weaker than declines.

1.1.2 Population growth patterns

Kenya's population has been growing rapidly over the years and is projected to reach 62.6 million people by the year 2030. Of this, 23.3 million persons will reside in urban areas. Nairobi, on its own and within existing boundaries, will contain over 8 million persons by the year 2030. Further, available data shows that this is going to be a relatively young and educated population.

The population growth patterns mean that Kenya has to plan how to provide infrastructure services and also the requisite means of livelihood for its rapidly urbanizing population. In this context, the role of urban and regional planning should revolve around providing avenues through which urbanization could be redirected to mitigate over-concentration of population in a few areas.

1.1.4 Poverty patterns

Past poor economic performance has led to rising poverty levels. The richest 10% of Kenyan's control 42.7% of income. This pattern is evident in all the provinces of Kenya.

Income distribution patterns in Kenya

Province	Gini Coefficient ¹ (Income)	% of Income accruing to top 10%	% of Income accruing to bottom 10%	% of Income accruing to top 20%	% of Income accruing to bottom 20%
Nairobi	0.586	45.2	1.61	63.5	3.94
Central	0.516	39.47	1.07	55.51	3.35
Coast	0.511	33.77	1.34	50.16	4.33
Eastern	0.57	42.34	0.94	58.86	3.04
N. Eastern	0.438 ²	26.57	1.48	47.08	4.7
Nyanza	0.563	42.81	0.63	60.69	2.15
Rift Valley	0.575	42.58	0.76	59.76	2.46
Western	0.586	41.08	0.66	59.07	2.27
Kenya	0.571	42.72	0.76	59.17	2.51

Source: Central Bureau of Statistics Integrated Labour Force Survey, 1999

Even as the economy shows signs of renewed growth, it is evident that the greater challenge is that of ensuring that growth that occurs is distributed equitably. Urban and regional planning can play a key role in focusing on the locations of economic infrastructure, social capital, information and knowledge, and environmental management in the redistributive process.

1.1.5 Comparing Kenya with her competitors

In assessing Kenya's relative economic performance with respect to competitor nations such as South Africa, Egypt, Malaysia and Singapore, per capita Gross Domestic Product (GDP)³ or Gross National Income (GNI) provides a good estimate of the market size. It is reflective of the population's purchasing power. As the figure below shows, Kenya's effective demand has been declining when compared with her competitors.

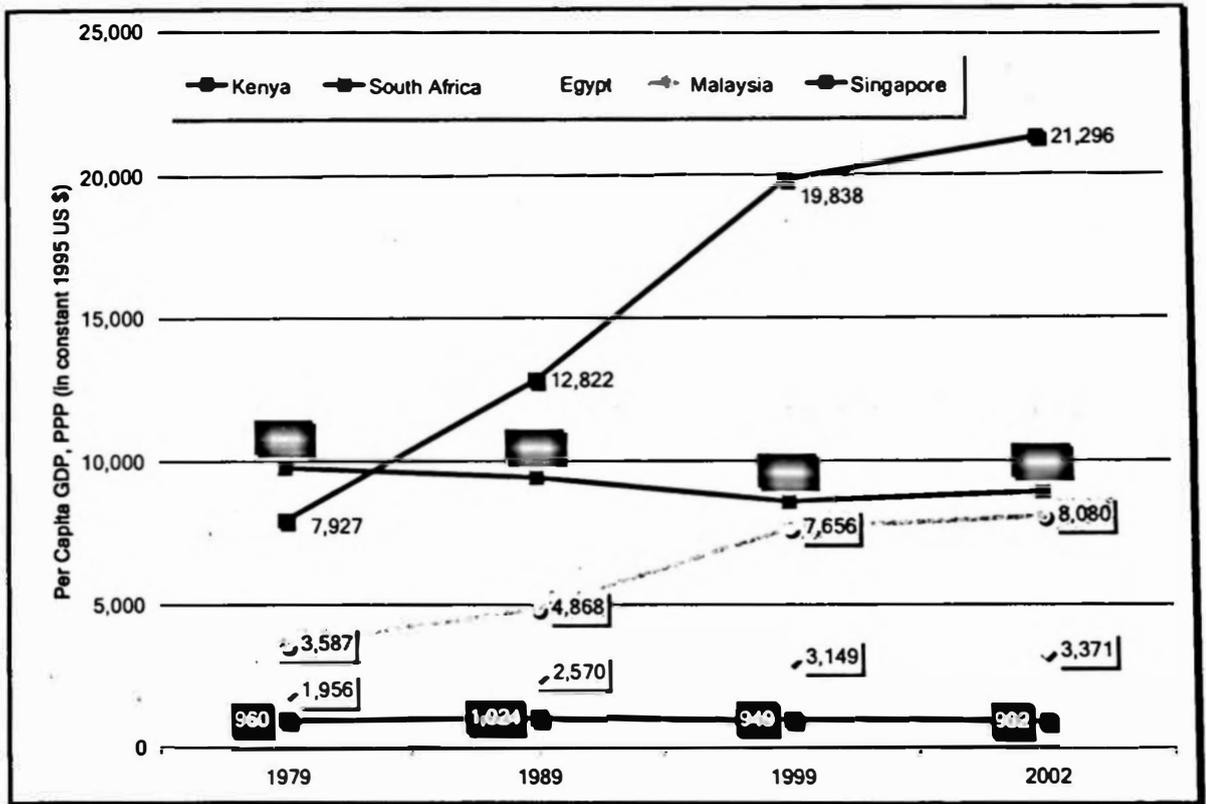
¹ The Gini coefficient, which is the most widely used measure of inequality, is based on the Lorenz curve. The Lorenz curve is a cumulative frequency curve that compares the distribution of a specified variable (e.g. income) with a uniform distribution that represents equality. If the Gini coefficient is 0, then it denotes perfect equality. Likewise if the Gini coefficient becomes 1, it refers to situation of inequality (Society for International Development, 2004:3).

² The Gini coefficient for North Eastern Province is apparently low. This is primarily because data in the Province is collected in urban centers, largely because the rural areas lack adequate infrastructure.

³ GDP per capita based on purchasing power parity (PPP) is gross domestic product converted to international dollars using purchasing power parity rates. This simply means that an international dollar has the same purchasing power over GDP as the US dollar has in the United States. GDP at purchaser's prices is the sum of gross value added by all resident producers in the economy plus any product taxes and minus any subsidies not included in the value of the products. It is calculated without making deductions for depreciation of fabricated assets or for depletion and degradation of natural resources (World Development Indicators Database, 2004).

Given the context of a poor economic performance and rampant poverty, and since effective demand is one of the key determinants of investment, it is apparent that Kenya's attractiveness as a destination for investment has been weakening.

Comparative per capita GDP, PPP (in constant 1995 US\$), 1979-2002



Source: World Bank, International Comparison Programme Database, 2004

Kenya's competitors look for new and innovative development platforms to maintain and sustain their growth efforts. For instance, Malaysia recognized it was losing its comparative advantage in its traditional economic sectors and consequently shifted its focus to Information and Communication Technologies (ICTs) as the best opportunities for socio-economic transformation to sustain growth. The results can be seen in the jump in PPP adjusted GDP from US\$ 4,868 in 1989 to US\$ 7,656 in 1999 as illustrated in the figure above. Castells (1998) notes that the Asian Tigers, and particularly Hong Kong, Taiwan, Singapore, Malaysia and South Korea, in spite of the 1998/9 financial crises applied ICTs to leapfrog economic growth by modernizing production systems and increasing competitiveness. South Africa's ICT Policy aims to achieve exactly the same.

At each stage in their development, the Asian Tigers identified new platforms to trigger sustained economic growth. There is need for such a structural shock to the Kenyan economy in order to spur it to higher and sustained levels of economic growth.

1.2 Ecological footprint⁴ of Kenya's development efforts

The state of environment and natural resources impacts on the enabling environment for business in a number of ways (Ikiara, 2005). First, access to land and other natural resources, transparency and certainty of access requirements, security of tenure and clarity of use rights affect the enabling environment through the risks and costs they impose on businesses. The risks and costs further influence the ability or otherwise of applying the assets as collateral. Second, the price of environmental goods and services directly impacts on the cost of doing business. This is particularly true for the cost of land, water, and timber in urban areas. Third, compliance to increasingly stringent environmental legislation can add significantly to the cost of doing business.

As Kenya's population grows and the demand on the environment increases, the country clearly needs to be concerned about whether the current patterns in development efforts are extracting and applying resources in a sustainable manner. There is also need to focus on whether the waste generated is being effectively dealt with.

1.2.1 State of Kenya's environment⁵

- Water resources and catchments have been degraded or destroyed.
- Extreme weather changes such as droughts and floods, disasters and emergencies have become more frequent, with adverse consequences on the business environment.
- Resource use conflicts are becoming severe and frequent. This has been witnessed in the recent land clashes in Mau-Narok. There has been a strong media attention about the growing land crisis in Kenya. Squatters have invaded private sisal estates in Taita-Taveta and there is agitation about Maasai land rights in Laikipia. In the year 2000, moreover, hundreds of people were estimated to have been killed during conflicts over water access in Tana River District.
- Human-wildlife conflicts, in which wild animals have killed people and destroyed crops, are prevalent and serious. Besides, the local people in the wildlife areas at times kill stray wild animals such as lions.
- Natural habitats in the wildlife sector have been lost due to changes in land use, inadequate wildlife conservation policies, poaching and encroachment of conservation areas.
- Water pollution has increased with emissions of organic water pollutants having risen by about 100% between 1980 and 2000 to reach 53,029kg per day. The resultant effect is high water treatment costs by service providers and businesses that require clean water for operations. There is, moreover, health risk in some areas of Nairobi, where vegetables are grown using water from the heavily

⁴ The term 'ecological footprint' is based on the understanding that all life-forms consume resources from the Earth and at the same time produce wastes through their activities, which have to be assimilated by the Earth.

⁵ Source: Ikiara (2005).

polluted Nairobi River. Domestic animals, too, consume this water. It is estimated that rivers in Nairobi have Biological Oxygen Demand (BOD) ranging from 40 to 4,000 mg/l, which is way above the limit of 10mg/l.

- Air pollution has increased. Carbon dioxide emissions rose from 5.8 million metric tons (0.2 metric tons per capita) in 1990 to 9.4 million metric tons (0.3 metric tons per capita) in 2000. Not surprisingly, as a result, acute respiratory infections account for about 50 per cent of hospital visits and 22 per cent of the medical cases in Kenya.
- Deforestation is also high. Between the year 1990 and 2000, Kenya lost, on average, 931 square kilometers of forest, equivalent to 0.5% of the forest area, per year. Between the year 1995 and 2001 the private forest plantation area in the country declined from 160,000 hectares to about 135,000 hectares and to 80,000 hectares by 2003. A total of 67,184.6 hectares of forest were excised in 2001 alone. As a result, protected forests cover only about 2% of Kenya's total land surface area, against a global benchmark of 10%.
- Biodiversity loss is high due to overexploitation, conversion of ecosystems for alternative uses, and weak mechanisms for regulating the introduction of alien species.
- Solid waste pile-ups are a common feature in many urban centers, and in some cases, considerable amounts of raw sewage wastes enter the nation's rivers, lakes and coastal waters without first undergoing treatment. Besides, there are also high concentrations of heavy metals such as lead, mercury, zinc and cadmium.

1.3 Need for structural transformation of society

Over the years, poor economic growth and the emerging inequality challenge have given rise to a society that is individualistic and rife with governance problems. There is need to facilitate a shift in the values that bind the Kenyan society in terms of how we make the connection between societal concerns and individual rights. This is most manifest in the way in which we handle environmental issues. The "Not in My Backyard" syndrome that pervades Kenyan society needs to be dealt with if societal concerns are to supplant the overriding individual concerns displayed in society.

1.4 Regional peace dividend

Kenya continues to play a significant part in the emerging peace within the region. However, its development efforts appear to dither in respect of exploiting opportunities presented, principally because our infrastructure and the organization of our manufacturing efforts are not well developed to secure the business opportunities generated. Piecemeal initiatives yield individual benefits but will not secure lasting benefits to the country.

1.5 Kenya's comparative advantages

Kenya sits on a massive resource in terms of geographic location, which could be the largest ingredient in its economic revival. However, it will require a massive injection

of money, skills and technology in the infrastructure for the country to be able to tap this huge potential.

- In terms of air transport, Kenya lies at most 4½ hrs to any destination in Africa;
- Kenya's Indian Ocean provides the gateway to Uganda, Eastern Democratic Republic of Congo, Southern Sudan, Southern Ethiopia, parts of Somalia, and Northern Tanzania;
- Kenya is the land of the Safari, with a diverse scenery ranging from the pristine white sandy beaches, the savannah, bird watching to the desert in the north;
- The United Nations office in Nairobi and other international bodies are located in Kenya;
- A workforce amenable to rapid training to meet changing needs of global industry;
- English, an international language, is the official language of communication;
- The country enjoys relative political stability; and
- Kenya has a hospitable populace.

2. Urban and Regional Planning Challenge: Problem and Context

2.1 Background

The vision of the Government of Kenya is to drive the country towards being a service and knowledge economy that supports local efforts and those of neighboring countries. This requires creation of space that facilitates productive enterprises to locate and flourish. This vision is, however, hampered by the economy, which has performed poorly over the last two decades leading to deterioration in the quality of life of Kenyans. Among the reasons for this poor performance include poor implementation of economic policies and mismanagement, and weak institutions of governance. After making initial gains soon after independence, the economy started a downward trend during the late 1970s and this deteriorated by late 1990s. Reforms of the 1980s and 1990s that sought to deal with structural problems appear to have had limited success in stimulating economic growth. This is particularly so because little progress was made in improving economic governance. Poor economic performance has led to increased poverty, unemployment, high domestic and foreign debt, crime, deterioration in health status, declining school enrolments and generally a marked decline in the quality of life.

In this context, urban and regional planning offers significant and diverse opportunities to solve the problems of communities and to shape their built environments. In spite of efforts made towards planning of urban and regional development, the impact is negative and discouraging. There is no evidence of effective development change or improvement. Ineffective application of urban and regional planning to deliberately steer and guide development has led to proliferation

of informal settlements, insecurity and violence, environmental degradation, deteriorating public health standards, and poor development control.

To deal with these and other challenges, it is important to realize that issues of workspace planning, housing, transport, security and other infrastructure provision are inextricably linked. A well-prepared plan for an urban area or a region is necessary to provide a framework to guide location and development of all activities in that particular area over a given period of time. As a tool for guiding national development, urban and regional planning can only work properly if it is effectively and efficiently or competently operated. In seeking to find a way forward in respect of Kenya's development challenges and the role that urban and regional planning can play, a number of questions arise, namely:

- What is the nature of the urban and regional planning system and planning practice in Kenya?
- Who are the main actors and their capacities, and what is the nature of their interactions in urban and regional planning?
- What is the legal, institutional, and regulatory framework for urban and regional planning in Kenya?
- What is the nature and efficacy of economic, planning and regulatory instruments for urban and regional planning in Kenya?
- What are the major challenges facing urban and regional planning in Kenya?
- What can be done to establish a more effective and proactive urban and regional planning system for Kenya?

2.2 Objectives of the paper

The objective of this paper is to provide an overall understanding of the general role of urban and regional planning as an instrument for wealth and employment creation. The paper looks at the evolution and practice of urban and regional planning in Kenya, focusing on the emerging challenges in enabling the country deal with its developmental challenges. Specifically, the paper:

- Reviews the urban and regional planning system and planning practice in Kenya;
- Identifies the challenges facing urban and regional planning in Kenya; and
- Provokes discussion on strategies for urban and regional planning in Kenya and the need for balanced development, wealth and employment creation and poverty reduction.

The public policy relevance of this lies in the need to develop a framework that will allow optimal exploitation of the resources available to Kenya in meeting the totality of its development needs and the critical role of urban and regional planning in this regard. This is especially important in an era where there is increased focus on the

needs for sustainable development, enhanced economic growth and wealth creation, and poverty reduction. It is hoped that this paper will help generate policy options that will address the divide between individual projects and wider societal goals.

3. Conceptual Framework of Urban and Regional Planning

3.1 Planning in general

Broadly speaking, planning refers to decisions made about what to do, before doing it. It is a general human activity, which works as a process for making an orderly sequence of decisions and actions leading to the achievement of a stated goal or goals. Planning is used as a deliberate process of decision-making to guide human action. At the societal level, planning is conceived as a deliberate social or organizational activity of developing an optimal strategy of future actions to achieve a desired set of goals, and for solving novel problems in complex contexts. There is therefore a strong relationship between principles of management and principles of planning. Indeed, planning forms an essential aspect of the management process.

The need to plan arises from recognition that:

- Planning is a basic "societal social drive" upon whose satisfaction rests the survival of society.
- Resources are limited against increasing demand, as evidenced by rapid population growth outstripping the available resources, and therefore the need to make choices between competing needs.
- Market mechanisms have failed to provide socially optimal outcomes and that patterns of benefits and costs to an individual do not match patterns of costs and benefits to society as a whole. There is therefore need to balance situations.
- There are inequalities in distribution of resources, incomes, opportunities and service distribution between groups, and regions as evidenced by income gaps between social groups and regional communities.

Planning is therefore applied to virtually all human activities. The essence of planning is to advance thought before action. The reason for planned action is related to the increased complexity of society today, technically and socially than before. Essentially all planning involves a methodological sequential and iterative process of actions involving problem identification, formulation of general goals and specific and measurable objectives relating to the problem, identification of possible constraints, projection of the future situation, generation and evaluation of alternative courses of action (strategies), production of a preferred plan (which may include any policy statement or strategy or a definitive plan), implementation of the planned actions and programmes, and monitoring and evaluation of implementation performance.

3.2 Defining urban and regional planning

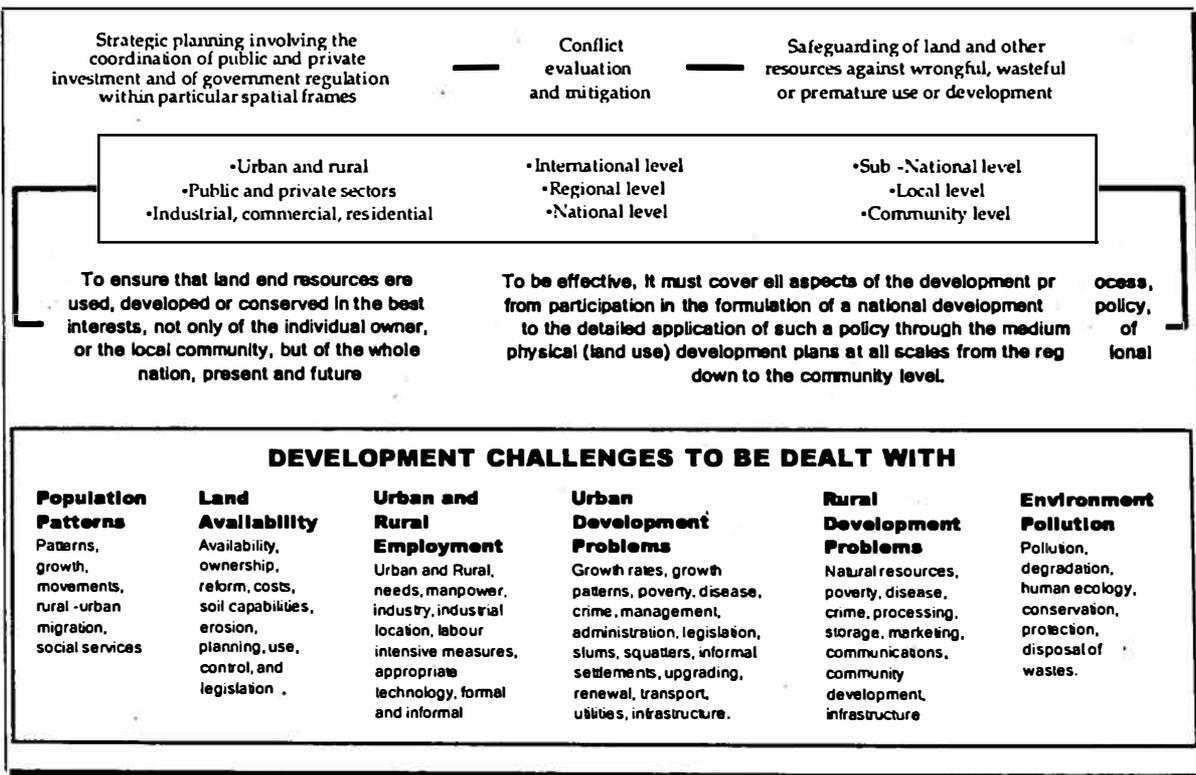
Urban and regional planning is a particular type of public or societal planning, which involves decision-making within a wider urban and regional scale. It is about land use,

the environment, design, economics, law, the needs of people and communities, and communities and communication. Urban and regional planning is complex in nature because it works with many objectives, interests, dimensions, at multi-levels, at multi-scales and within multiple sectors. Urban and regional planning anticipates and manages the spatial consequences of economic and social activity and environmental change. It takes three forms:

- Development control, focusing on regulation of land use and built environments at the local scale;
- Assessment of environmental and social impacts of proposed development activity, at the local and regional scales; and
- Strategic planning involving coordination of public and private investment and of government regulation within particular spatial frames.

Most of the processes which have to be controlled by urban and regional planning are human processes, which are less well understood and work with much less certainty. The tendency is therefore to work with laws of statistical tendency more familiar to social scientists. Urban and regional planning requires a highly complex multi-disciplinary approach in its operation. Further, it is also important to note that the effects of planning or lack thereof have long-term implications that need full consideration.

3.3 Urban and Regional Planning and the Development Process



In general practice, urban and regional planning is mostly associated with physical planning as a profession. Effective performance of urban and regional planning requires close coordination and partnership with economic planners, social planners and other relevant professionals and specialists concerned with development in the urban and regional context. Physical planning in this regard is essentially concerned with the spatial location, design, growth and management of the physical environment of settlements, infrastructure facilities, housing areas, and industrial estates. It is also concerned with control of development in the larger and more important urban regional and rural areas in accordance with pre-determined and agreed policies, where balanced social and economic objectives may be achieved.

This is effected by making provision for, and co-ordination of all forms of development activity and making most appropriate and effective use of available human and natural resources, bearing in mind both present-day needs and those of future generations.

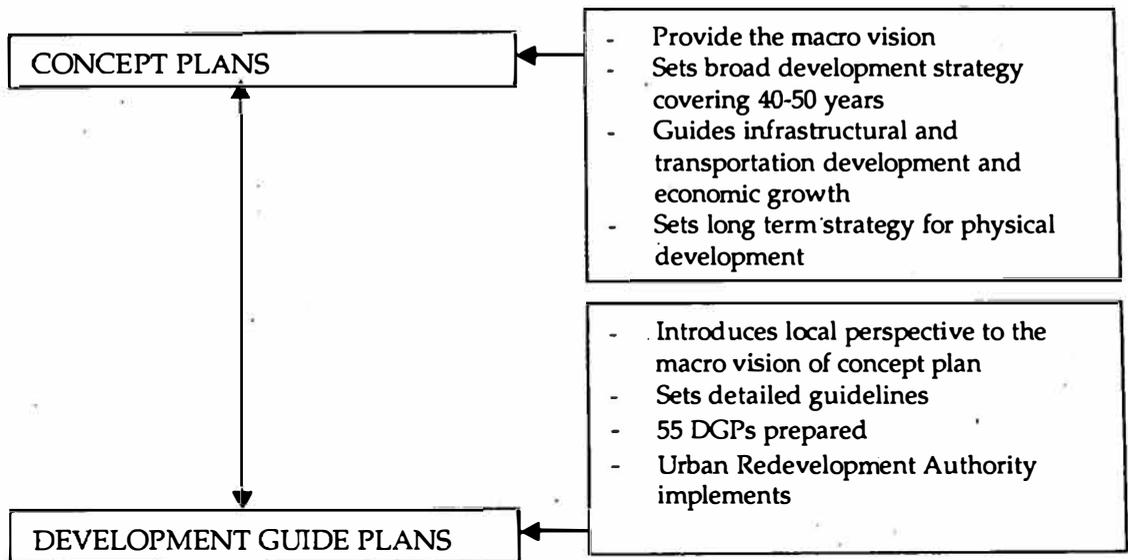
Urban and regional planning supports and facilitates development by creation of an enabling environment for business, supporting wealth creation, enhancing security, health, effective land utilization; and supporting disaster management efforts.

3.4 Case Studies in Planning and Development Processes

In this section, we relate case studies of country planning and development processes in an effort to learn from their successes and failures.

The Case of Singapore

In Singapore, planning means more than just safeguarding land for the future. It involves having a strategic focus of where the country wants to be in the future and aligning the use of land and other resources to meet these objectives. It involves the development of blueprints (Concept Plans and Development Guide Plans) with the specific aim of stimulating economic growth and improving the quality of life for all. Private sector teams develop the plans through a consultative and open approach, which ensures ownership of the resultant plans. The developed plans are implemented through the Urban Redevelopment Authority, which is responsible for the sale of land to the private sector, development coordination, development control, conservation programmes and charting future directions for development.



The Case of Malaysia

In Malaysia, four planning tools are used, each with different planning horizon:

- Outline perspective plan
- Five year development plan
- Mid-term review of the five year plan
- Annual budget

These tools are all guided by Vision 2020, which stipulates that Malaysia plans to be a developed nation by the year 2020. It therefore serves as the basis or the planning of Malaysia’s future, by adding a sense of urgency to the tasks that lie ahead, requiring a re-appraisal of the current situation and a prospective assessment of the needs of the future. It demands a new approach to planning and requires alignment of socio-political objectives to growth targets. It brings into play all the major factors of production.

Types of plans and levels of government administration

Level of Government Administration	Type of Plans	Legislation Empowering
Federal Level	<ul style="list-style-type: none"> • National Development Plan • National Spatial Plan • National Urban Policy 	Article 92 Federal Constitution Town and Country Planning Act (Amendment) A1129
State Level - State Planning Committee/State Director of Town Planning	<ul style="list-style-type: none"> • State Development Plan • State Structure Plans • State Regional Planning 	Non Statutory Town and Country Planning Act (Amendment) A1129
Local Level - Local Authority	<ul style="list-style-type: none"> • District Local Plans • Action Area Plans • Special Area Plans 	Town and Country Planning Act (Amendment) A1129

These development plans are supported by spatial, structure, regional or local plans. In addition, the country has a national urban policy to guide urban development.

4. Urban and Regional Planning in Kenya

Kenya's experience with urban and regional planning policies can be traced from the early colonial period when it was practiced on a more piecemeal basis. The period after independence in 1963, however, witnessed the development of urban and regional planning on a more formal basis as a deliberate policy instrument for achieving national development goals.

The earliest urban and regional planning policy efforts in Kenya began with the establishment of coastal urban settlements, the construction of the Railway from Mombasa to Kisumu and then Kampala in Uganda, and also the early colonial policies that alienated the high potential land found in the interior highlands for the exclusive settlement and commercial use by European settlers (popularly known as the "White Highlands"). Markets and towns were set up in the interior as both administrative centers and trading centers to support the settler economy in the highlands and associated establishment of appropriate local authorities. These were complimented with appropriate legislation to facilitate the alienation, use and administration of land and land use. Development and investment in infrastructure facilities and other social services and amenities were concentrated in the "White Highlands" and urban settlements were mainly located in the same zone at the expense of the needs of the larger population in the Native Reserves. This created the first major regional imbalances in development in Kenya.

Initially, the establishment of towns and markets and their subsequent development guidance was informal and based on essentially indicative decisions. Later, towns and markets would be gazetted to give them legal status. The first formal plan prepared was a scheme in Mombasa Municipal Council in 1926, followed by a similar scheme in Nairobi involving a land pooling exercise in the Ronald Ngala Street area. To institutionalize these planning initiatives, the government passed the 1931 Town Planning Ordinance. The Ordinance was, however, not comprehensive, did not clarify the content of planning schemes, and did not treat a town in its totality. However, Sections 23 and 24 of this Ordinance have continued to find application in modern planning and development control of urban land use.

Planning of towns took a more formal pattern when the First Nairobi Master Plan was prepared in 1948. The procedure of preparation of the Master Plan, its scope, content and its approval directly followed the 1947 Town and Country Planning Act of Great Britain. The second master plan was prepared in 1962 for Mombasa Municipal Council. This planning approach became the standard planning method in the major townships, councils and municipal councils in Kenya until the mid 1960's. This planning method had a number of features and shortcomings.

- The plans were very comprehensive in covering urban land use development issues.

- The plans divided the town area into specific land use zones: Residential; Commercial; Industrial; Public purpose; Public utilities; Transportation; Open spaces; Recreation; and differed on areas for future development expansion. This formed the main basis for land use and development control and guidance.
- The preparation process took too long.
- Implementation of the plans was limited by shortage of qualified town planning staff.
- The plans were centrally prepared and approved by the central government agencies, i.e. Town Planning Department (preparation) and Commissioner of Lands (approval of the Ministry of Lands and Settlements).
- The plans mainly emphasized "product" above "process" and the physical (spatial) land use objectives above economic and social objectives.
- They were not concerned with implementation. This was left to the local authorities.
- The plans lacked coordination and were very rigid, time consuming and costly.
- The local authorities mainly played the role of implementing authorities through development control regulations.

At the regional and rural planning level, the County Councils in the "White Highlands" had semi-autonomous planning powers focused on the provision of infrastructure, social services and amenities for the settler communities. Individual farmers were responsible for the detailed planning of their farm layout and its management. They were, however, facilitated as necessary by the government with regard to surveying services and valuation.

In the Native Reserves, the Local Native Councils or African District Councils as they were sometimes called, had limited resources, lacked skilled personnel and therefore could not provide all their services and functions satisfactorily. They were generally weak, and this situation is reflected in today's local authorities.

The first regional plan prepared for these areas was the Swynerton Plan of 1955 covering the Agricultural Policy for Nyanza and Central Province Native Reserves. These two Native Reserves had the highest population concentration and were highly underdeveloped owing to population pressure. The plan focused on increased agricultural productivity and environmental and resource conservation to raise the living standards of the communities. The methodology used emphasized the relationship between the natural ecological resource base of the provinces, their capacity and potential for greater agricultural production and population carrying capacity of each area.

This policy mainly targeted the peasant smallholder farmers. However, they had no say in the formulation of the plan, but were required by the government to implement the policy measures enunciated in the plans. The local administration was used to

enforce these measures. Farmers were selected according to previous farming experience to create a cadre of "model farmers" to become role models to their neighbors. It introduced useful environmental conservation measures, improved crop-farming methods and cash crop farming programmes, which helped increase productivity and gross income levels. Nonetheless, the policy was negatively received owing to the prevailing political circumstances and was seen merely as just another oppressive policy of the European colonial authorities. It had limited immediate impact.

Other major policy initiatives during this period affecting the African population included the Resettlement Schemes Programme, which targeted the landless; the Land Consolidation Programme, which mainly worked in Central Province Native Reserve; and the Extension of Cash Crop Farming for the African areas, which involved introduction of coffee and tea farming on smallholder basis.

The main features of development during the colonial period included the following:

- An unbalanced regional development pattern composed of the relatively well-established modern commercial agricultural production area of the former "White Highlands"; mainly well served with infrastructure, urban centers, industrial processing facilities, employment opportunities and high standards of social services.
- The African Native Reserves⁶ characterized by poor agricultural production methods, low agricultural production, lack of employment opportunities, poor marketing facilities, and no cash crop farming.
- Poor urban and rural infrastructure services.
- The difference in development between the high potential areas of the country and the low potential arid and semi-arid regions.
- The duality of economic development with a distinct modern-commercial, and industrial sector verses the traditional farming sector.
- Duality of the largely rural sector verses the urban sector.
- Regional plans only addressed sectoral interests and local regional issues rather than the national developmental deeds.
- All national, regional, and rural and urban planning activities during this period did not involve the local community in the planning process.
- The institutional structure of both the public and the private development activities was weak in capacity and uncoordinated in operation.

⁶ These had problems of overpopulation, underdevelopment, poor living standards, poor infrastructure, low urbanization, and high population growth rates & densities.

During this period, there was a clear focus on the development of agriculture as the main basis for national wealth creation, industrialization and employment. In addition, urban and regional planning efforts were geared towards supporting governance initiatives of the colonial authorities. This was a significant policy choice as there were no significant mineral resource potentials that would provide an alternative basis for economic growth. Salt and soda ash mining at Magadi and the gold rush at the Kakamega and Macalder mines in South Nyanza were insufficient.

4.2 Post-independence period: 1963 to 1975

In response to the problems and issues of urban and regional development planning, Government efforts after independence were consistently focused on the objectives of economic growth; alleviation of poverty; distribution of resources; development of facilities such as industries, infrastructure and social services and amenities; and decentralization and devolution of planning and decision making process.

To realize these objectives, the Government developed, among other policy documents, the Sessional Paper No. 10 of 1965 on *African Socialism and its Application to Planning in Kenya*. It provided the main policy framework for development in all sectors and at all levels through out the country. It articulated the critical development issues, problems and challenges of independent Kenya and clearly defined the policy options open to Kenya. The Sessional Paper spelt out the need to correct development imbalances inherited from colonial policies. Emphasis was placed on the need to recognize the role of urban, regional, local and rural levels of development in the national economy and to decentralize and redistribute development and planning. This formed the policy framework for subsequent policy dimensions articulated by other policy commissions, sessional papers, and national development plans.

Based on these policy papers and commissions referred to above, comprehensive five year development plans have since been prepared, addressing development needs of all sectors and regions since 1966. These development plans reflected changes in policy focus and strategy in response to changing development circumstances and recommendations of the policy papers, reports, and commissions from time to time. For example, the 1966-1970 National Development Plan established the basic administrative structure for urban and regional planning at the provincial and district levels. Development committees and technical personnel were established and provided for planning, coordination, and administration of development and extension. Key among the policy initiatives from the period were: Integrated Rural Development Programmes; Area-based Integrated Development Planning, the framework of urbanization and spatial redistribution of infrastructure and other development facilities and services through a hierarchical Growth Centers Policy; District Planning; the Rural Urban Balance Strategy; and the District Focus for Rural Development Strategy. These initiatives utilized the district as a basic unit for planning at the local and regional levels. They emphasized integrated area-based development and planning and the active involvement of the local community in planning, project identification, prioritization and implementation.

District Development Committees were established with powers in planning, project identification, prioritization, budgeting, and implementation and managing resources

of finance and personnel for local development. The local authority development programme was also introduced for investment priorities for each local authority within each district area incorporated into the District Development Plan.

Preparation of Provincial Physical Development Plans, Special Rural Development Programme, the District Development Plans, and the Human Settlements Strategy for Rural and Urban Development Policy reports at the national level, the District Focus for Rural Development, and the establishment of regional development authorities have all been important means of providing a policy framework for urban and regional planning and development throughout the economy. Most of these were first carried out as detailed studies and provided policy guidelines for planning and development at each level for decentralized decision-making and rural development planning and management.

Parallel to these policy initiatives in the rural, regional and national context, there were similar initiatives regarding the urban planning and development process. These, however, directly benefited from area wide, rural, district, provincial, regional and national policy frameworks and guidelines provided by the studies carried out at the other levels. The urban planning and development plans and programmes therefore served essentially as the means of local level spatial implementation of the regional and national policy studies and recommendations.

In 1968, the Kenyan Government passed the Land Planning Act, Cap 303. It merely re-enacted and amended the Development and Use of Land (Planning) Regulations of 1964. The main objective was to control the development of the urban land. Its use in rural areas was severely limited. The Act provided for the preparation of town plans, area plans and other plans. Such plans prepared by local authorities were subject to approval by the minister. The owner of the land must be consulted before the plan was submitted to the minister for approval. On approval, the plan should be published and an opportunity offered for its inspection. The content of the plans was not spelt out clearly and the machinery for plan preparation was not clear.

However, enactment of the 1968 Land Planning Act in Kenya coincided with the British Town and Country Planning Act of 1968. The Act in the United Kingdom abolished the Master Planning Approach in preference for the more flexible New Structure Planning System. This new system was immediately adopted in Kenya and became the basis for making Physical Development Plans for all urban centers from 1968. The Structure Plans in Kenya were called Long Term Plans covering periods of 15 to 20 years and Local Plans were called Short Term Plans covering detailed land use plans for the immediate five-year period. Between 1968 and 1975 long term (structure) plans were prepared for the major towns including Mombasa, Nakuru, Kisumu, Thika, Eldoret, Kakamega, Nyeri, Embu, Meru, Nairobi and Kitale. The best examples of these long-term (structure) plans can be found in the Mombasa Draft Long-Term Plan of 1971 and the Nairobi Metropolitan Growth Strategy of 1973. The plans were supposed to embrace flexibility and greater participation of the public in plan preparation and implementation. The minister was supposed to approve the broad-based policy strategies and policy guidelines for the long term (structure) plans while the detailed short term (local) plans were supposed to be approved by the Commissioner of Lands in consultation with the relevant local authority.

The main purpose of the short-term plans was to guide the local authorities and private developers in the possible development of the land concerned.

4.3 Post-independence period, 1976 to date

Between 1976 and 1992, the system of planning in Kenya either retrogressed or remained stagnant without any new innovative improvements. The use of the informal part development plan (PDP) addressed only the needs of a particular site⁷. More emphasis shifted to project-oriented planning approaches and the development control machinery virtually collapsed in the face of political interference.

Beginning 1982, the Local Authority Development Programme (LADP) was introduced to enable local authorities to draw out implementable investment programmes in line with national development goals. Since then, the process of preparing these LADPs and their content has significantly improved. This was made possible through the USAID Small Town Shelter Community Development Project in the Ministry of Local Government. It also benefited from the GTZ Small Towns Development Project (STDP) and the Environment and the Urban Development Training Project (UEDTP) of the Green Towns Project (GTP) of Netherlands. Together, these projects have developed the LADP to a more reliable strategic planning process. It emphasizes identification of action programmes and projects and implementation by the community action.

The idea of strategic planning was introduced from the early 1990s. This was associated with the Nakuru Strategic Structure Plan. The exercise was centred around implementation of the Agenda 21 Programme focusing on issues strategic to the development of the town in relation to the national, regional and citywide context of growth. This was expected to draw out broad base strategic policy guidelines for growth and expansion of the town. In the same process, the structural and spatial organization of the community level was to be addressed in relation to the city wide and regional or national forces to determine the detailed spatial patterns of community organization and operation for detailed local actions and projects. The two systems of policy proposals, however, were to be carried out in a single planning process to avoid the two plan making levels of the structure planning system. Emphasis was given to community participation, environmental compatibility and implementation. This new planning approach promises to facilitate more efficient and sustainable planning and urban development. It has, however, not yet been applied in practice extensively and requires further refinement in detail.

The Sessional Paper No. 1 of 1986 on *Economic Management for Renewed Growth* strengthened the involvement of the private sector, the community and the informal sector in the process of economic development and planning. The introduction of the Rural Trade and Production Centers (RTPCs) helped to strengthen the implementation of the rural-urban balance strategy by emphasizing the strengthening of rural-urban linkage relationships in the rural areas and the resource hinterlands. This helped to strengthen the spread effects of growth investments in rural growth and service centers in their surrounding rural resource hinterlands. These efforts have formed important benchmarks in urban and regional planning and development in Kenya.

⁷ Plot or area of the town.

The institutional context of urban planning and development has however not realized much improvement. The capacity of local authorities to effectively plan and manage urban development, and the legal instruments so far available to facilitate effective planning and control and guidance of urban planning and development are inadequate. The Local Government Act of 1963 is inadequate for this purpose and the recent enactment of the Physical Planning Act of 1996 has introduced far-reaching changes in the types and levels of plans to be prepared. Its operation needs to be properly coordinated with the Local Government Act, and other pertinent Acts that directly deal with planning and administration and control of land and development in towns and rural areas. There exists a wide range of conflicts in operation of the planning legislation. This creates a big gap in the capacity to effectively plan and guide and control development at the local level.

The training of professional physical planning has also been slow and inadequate to match the demand for physical planning service. Lack of adequate numbers of qualified planners is one of the critical constraints to effective planning and guidance and control of urban development. Local authorities have mainly relied on the Physical Planning Department to provide physical planning service.

5. Emerging Challenges

5.1 Lack of vision

The lack of vision regarding where the country wants to be in 20, 30 years is a major impediment in the development process. It clearly hinders the ability of being able to apply the processes of urban and regional planning to full effect. It prevents the country from answering the following questions, in respect of urban and regional planning, namely:

- Economic contribution: how does planning increase efficiencies and innovation?
- Environmental contribution: how does planning improve the natural environment?
- Social contribution: how does planning improve the social environment?
- Cultural contribution: how does planning strengthen cultural qualities?
- Democratic contribution: how does planning enhance participation?
- Governance contribution: how does planning enhance the coordination and effectiveness of institutions that shape the development of social, economic and environmental processes?

Further, there is a need to agree on what the building blocks for future growth will be.

5.2 Need for stronger political will and commitment

There is need for a stronger and focused political will and commitment on the part of the political elite and the government. Nowhere is this more necessary than in

revisiting the Nairobi Metropolitan Growth Strategy of 1973, which expired and there seems to be no clear and concerted effort to address the long term development framework for Nairobi.

Closely related to this is the apparent impatience in the manner in which we approach the process of planning and its implementation. The country seems to be in a hurry to achieve positive results in the shortest possible time period. At the first sign of failure, a well thought out strategy is abandoned in favour of new trends. This reflects lack of appreciation and understanding of the degree of uncertainty involved in both planning for the future and the working of the development process. The country, in most planning cases, is not keen to discover the causes of the failure and whether they may be resolvable. There is also no will to experiment with new ideas and strategies for long enough to see if they might succeed.

Development and planning are slow and extremely unpredictable processes. The information base used to determine policy options is highly incomplete and the tools of analysis available are highly ineffective and inaccurate. It may not be quite certain of the validity and viability of the first possible option derived from analysis until the option has been tried. It may also be necessary to give sufficient time to try any one development idea or strategy before abandoning it.

5.3 Lack of a clear policy and institutional framework

One of the weaknesses of urban and regional planning in Kenya has been the failure to secure professionalism by insulating planners from undue political influence. Although a well-defined institutional framework exists with development committees, and local authorities at the provincial and district levels, their dependence on resources from the central Treasury tends to weaken these institutions and agencies. These field-based authorities and committees rely mainly on technical guidance and management of their development operations on sectoral officers over whom they have no control. This leads to delays in operations and lack of commitment.

There is also a tendency to isolate the planning function from the development function so that planners still assume their responsibility ends with the preparation of plans and that the development function is for the local authorities and private developers. Therefore, the professional or technical guidance of the development goals is either weak or completely lacking.

The process of plan making is taken for granted in many incidences. The mere suggestion of broad possibilities is taken to be sufficient in plan making. This leads to policy options that are not sufficiently rational, conceptually weak and not related to real critical issues of development, therefore impossible to implement.

Community participation promises to improve the validity and impact of planning actions to society. This therefore must be strengthened in practice. Further, there is need for clear definition or coordination of the role of the private and public sectors in planning and the implementation of development.

5.4 Sectoral orientation of planning efforts

The strongly sectoral orientation of our institutions for planning and development inhibits cross-sectoral operation and coordination in development and planning. There is need for an integrated and coordinated approach in planning development.

An overemphasis on the incremental approach to planning in both the urban and regional and the rural contexts assumes that all development problems at the local, regional and urban level can be resolved by use of simple incremental measures and changes from the status quo.

Complex physical, environmental, economic or social and political issues of development call for more detailed analysis, more long term policy strategies or strategic policy measures that must be applied over longer periods over larger areas encompassing the totality of ecosystems and communities all at the same time. Some of these issues may be so significant in their influence and/or impact on the development of a region or a city that until appropriate policy strategies are found to control them or their effects no effective development may be realized in the area.

5.5 Disconnect between economic and physical planning

During the mid 1960s to early 1980s when application of urban and regional planning seemed to work, there was a very close working integration and coordination between the various arms of government planners: physical planners, economic planners, and social planners as recommended by the Sessional Paper No. 10 of 1965. As decline set in, this collaboration disintegrated.

For instance, national development plans are hardly supported by commensurate spatial plans. Some of the consequences are evidenced in the "informalisation" of the economy, with most Kenyan's seeing tax payments as something to be avoided, in the absence of services in respect of taxes already paid. In the transport system for instance, there is a very weak link between the tax regime and achieving wider transport objectives such as promoting public transport at the expense of the private car. An evaluation of the expenditure incidence in Kenya shows a progressive shift to recurrent expenditure at the expense of development expenditure. Given our state of inequality, such an expenditure pattern, mostly concentrated in urban areas, is not pro-poor.

5.6 Poor plan implementation

Good and rational policies, strategies and programmes have failed because they were not effectively implemented or enforced as required in the interest of the community. This may also be associated with poor institutional capacity due to management inefficiency, lack of appropriate skills, resources, etc. Policy failure could also arise when public institutions assume so much power that they may not wish to work in collaboration with the private or community-based organizations.

5.7 Lack of an effective urban development policy

It is unfortunate that Kenya has not established a clear approach to urban planning despite a long history of urban development and planning. The projects related to LADP process should be studied carefully with a view to rationalize and consolidate them into a workable process with appropriate modifications as necessary to fit our local development situations.

There is also a gross lack of evidence of any active evaluative studies on critical factors and forces in our systems of development that seem to significantly affect planning. Considering the amount of uncertainty in our planning and development environment, such critical studies can help address with confidence issues of methodology in planning, standards of planning performance, the role of public interests and how we can address the problems of planning.

5.8 Human resource capacity

Kenya virtually had no professional physical planners by 1966. The country was short of many other technical skills in other important areas, and the few that were available formed the Architectural Association of Kenya, jointly with architects, engineers, and quantity surveyors, who were key actors in the building industry. Recently, the number of physical planners has increased and they have formed their own association, Kenya Institute of Planners (KIP).

6. Urban and Regional Planning as an Instrument for Wealth and Employment Creation

For urban and regional planning in Kenya to be effective as an instrument for wealth and employment creation, there is need to focus on key building blocks revolving around vision, policy, laws and institutions; and practice.

6.1 Vision for urban and regional planning in national development

Given the scarcity of resources and competing needs there is need for Kenya to develop a vision of where to be within specified time frames. The vision should pursue economic, physical and social well being of the citizenry; focus on enabling environmental sustainability; foresee the type of values that development policy being pursued will engender; and facilitate national, regional and global integration.

6.2 Policy, laws and institutions

In order to articulate the vision for implementation, it is proposed that a Sessional paper akin to Sessional Paper No. 10 of 196 on *African Socialism and its Application to Planning in Kenya* be developed expeditiously. The vision articulated should be supported by a policy, legal and institutional framework. The policies and laws should articulate the policy goals in pursuit of the national vision.

There will then be a need to develop laws that are in consonance with the vision and policy articulated in respect of urban and regional planning. Whatever the case, the legal framework should be promulgated in a manner that will ensure:

- It is comprehensive, addressing all the aspects of urban and regional planning;
- It secures the independence of the planning system, by for instance securing constitutional guarantees for the planning system in Kenya;
- The urban and regional planning function is well resourced;
- There is coordination of all the actors in the urban and regional planning process; and
- The citizens' rights to effectively participate in urban and regional planning process are secured.

In terms of the institutions, two options could be pursued in respect of the institutional framework. Whichever of these options must ensure that the institutions have authority and resources and focus on research, marketing, customizing and providing information based on client needs; and focus on coordination of the multitude of actors in the urban and regional planning process.

For either of these options to work effectively, the Local Government Act and the Physical Planning Act need to be reviewed immediately to facilitate such a devolution.

Institutional Option One

A more effective operation of a fully decentralized urban and regional planning policy requires approval at the highest political authority. This would imply approval by parliament and incorporation in the national constitution. If possible, such a policy decision should be supported by appropriate legislative instruments to institutionalize all the structures that will carry out the required functions and responsibilities for urban and regional planning and development implementation at national to regional, local, urban and rural community levels.

The need for an apex organization that will coordinate all these efforts might be necessary. Such an organization would ensure that all development initiatives and interests by the local government agencies, sectoral ministries, parastatals, the private sector, the non-governmental organizations, etc are effectively accommodated in urban and regional planning and development implementation.

A decentralized urban and regional planning policy should establish clear procedural guidelines and regulations governing the making and implementation of regional development plans, programmes and projects. The procedures should in particular provide for effective participation of the community at each stage from initiation to final implementation. There must further be mechanisms for ensuring effective operation and adherence to the set procedures and effective enforcement of decisions at all levels of the system. Mechanisms for resolving conflicts that may arise as a result of mass participation should also be provided.

To ensure effective technical operation of the urban and regional planning systems, effort should be made to train professionals to manage the implementation of development initiatives at every level, including refresher or in-service training courses

for serving officers to make them more effective in performance of their responsibilities.

Institutional Option Two

As a second option, either by use of the above proposal of an apex organization or by use of the existing institutional set up, Kenya may consider redeploying the available planners to the local level. They would work in the local authorities as a way of strengthening their planning capacities. The physical planners and other technical personnel involved should deal with the regular day to day planning and development control matters directly under the councils. A small core team of senior and experienced officers would then be left at the ministry headquarters to monitor, evaluate and coordinate policy. They would therefore remain in constant contact with the field officers as a means of keeping up-to-date with the developments and changes and be responsible for reviewing national policy guidelines and regulations from time to time. For this to succeed, however, local authorities should be created as autonomous planning authorities in their areas of jurisdiction. They should be allocated the necessary legal powers and financial resources to plan, approve and implement development at the local level of operation. Ministries should only deal with research supervision and coordination with minimal staff.

6.3 Regional planning authorities

The cities of Nairobi, Mombasa, Kisumu, Eldoret and Nakuru require fully-fledged planning departments for effective management. The city of Nairobi, by virtue of its widespread metropolitan extent, may require serious consideration for a regional authority so that it can work in collaboration with the neighboring local authorities to coordinate the development control of the peri-urban areas.

The regional authority set up would need to embrace its collaborative function so that it is not given excessive powers to become unmanageable. At the regional level, it should work jointly with other local authorities but the process of planning and development control should be coordinated within the metropolitan region.

The idea of breaking the city of Nairobi into smaller and more manageable authorities should be speeded up. For operational purposes, the city should be broken into viable municipal authority units with normal municipal powers to plan, approve plans and control development in their respective units and provide normal municipal services. It is unnecessary to adopt the "borough" name as this will sound alien to the Kenyan society - after all the term simply means "municipal" but is traditionally used in Great Britain. The Kenyan society is more familiar with the term "municipality" and should adapt to it easily. District councils or town councils of appropriate size should be created under the municipality. Neighborhoods or "mitaa" could then come in as the lowest level. Each level should have its powers and functions spelt out, but it would be better for coordination if every lower authority were represented at the higher authority level.

Institutional options for urban and regional planning

Type	Advantages	Disadvantages
Government agency organizations	<ul style="list-style-type: none"> • Direct connections to the local political system • Overseen by local government, so oriented to good of the city • Access to government resources 	<ul style="list-style-type: none"> • Expensive to maintain and staff • Subject to the delays of government bureaucracy (and speed is often crucial to local development efforts) • Often only part of a larger department and Executive Director's efforts can receive little attention and funding
Private development associations	<ul style="list-style-type: none"> • Can act quickly, without public intervention • Tireless and active civic boosters • Very effective in fast-moving, marketing-oriented sectors like tourism and technology 	<ul style="list-style-type: none"> • Bound by their limited interests (their membership comes first) • Limited concept of economic development (generally focused upon promoting existing businesses and real estate, investment opportunities associated with new firms) • Limited funding opportunities
Local development corporations	<ul style="list-style-type: none"> • Organized as a public-private partnerships • Often enjoys support (money and power) from both sectors • Can levy taxes to raise funds for redevelopment projects • Can do all tasks given to it by the public sector, yet remain a private body 	<ul style="list-style-type: none"> • Sometimes given no authority to implement proposals • Occasional misuse of public funds and power for limited purposes • Often a bricks and mortar orientation • Not directly accountable (a "shadow government")
Community development organizations	<ul style="list-style-type: none"> • Well connected within a local community (trust, legitimacy) • Better understanding of local strengths/weaknesses of communities • Oriented towards human and community development outcomes • Able to mobilize local human resources 	<ul style="list-style-type: none"> • Undercapitalized • Often have little technical and political capacity • Often have little authority

The table above provides a typology of institutional arrangements as applied to urban and regional planning, giving their advantages and disadvantages. In respect of these key local authorities, and based on what Kenya wants to see the local authorities achieve, this typology provides a guide as to the structure to select or combine.

6.4 Training of planners

Training of planners needs to be increased by even doubling the present rate of training. Uganda is training planners at an extremely high rate by producing an average of over 100 graduates per year. Tanzania had already trained at diploma level and postgraduate level. They are currently training mainly at undergraduate level. Unless Kenya significantly steps up the rate of training, the country will be

disadvantaged within East Africa. If the economy can pick up growth momentum, the country may require even three times the current of 30 planners a year.

While the universities focus on training of physical planners and environmental planners at the degree level, it would be necessary that an appropriate diploma programme be started at the polytechnic level to supplement and complement the professional cadre. Site supervision, inspection and guidance and control are the most important services required for effective control of development. This therefore requires numbers to match the demand.

6.5 Research and marketing

Consistent research on various issues in respect of development and planning environment is necessary for improvement of the planning response mechanisms of policy strategies. There is need to urgently initiate a broad base research programme that will allow planners to collect information that will facilitate focused urban and regional planning in pursuit of wealth and employment creation.

6.6 Nairobi metropolitan region

The Nairobi Metropolitan Growth Strategy of 1973 has expired. Currently the city lacks any strategy for future development. Therefore, development of a future growth strategy for the City is critical. In developing this strategy, the government needs to take into account the following:

- The need to develop Nairobi as the regions commercial, financial, transportation and diplomatic hub;
- The need for a policy for diverting and redistributing office space and businesses away from the Central Business District (CBD) by limiting development approvals in the CBD to minimize future traffic growth; considering relocation of administrative functions of government to other areas of the metropolitan region or to other parts of the country; and by reorganizing the provision of environmental services;
- Focus on redevelopment of rundown areas such the Nairobi River Basin, the Nairobi Dam, the Industrial Area, and Eastlands. Industrial area, including the central railway station, should be redeveloped to science and industrial parks to facilitate location of knowledge industry. The central railway station should be redeveloped as a major transport interchange within the urban transport network. There is also need to shift to mass transport systems as the mode of choice for transport within the city and in other major urban areas. Also, there is need to effectively link the central railway station to the Jomo Kenyatta International Airport.
- The need to take into account the satellite areas functionally related to Nairobi.

To facilitate better execution of this endeavor, there is need to consider setting up a special purpose vehicle to facilitate planning, implementation and monitoring and evaluation of interventions focusing on an agreed vision for the city. It is proposed that

a Nairobi Metropolitan Area Development Corporation be constituted to deal with these matters.

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2.3.2 *Emphasis on Nairobi as a Special Planning Area*

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1. Introduction

The objectives of this paper are to review the relationship between urbanization and economic development, urban and regional planning and urban-rural linkage; examine the role of cities as engines of economic development; analyze the role and potential of integrated urban-regional planning in order to achieve rural-urban regional planning objectives; outline strategies for achieving sustainable urbanization and economic development; examine the institutional and administrative frameworks in urban development, planning and management; and make recommendations on improvements in urban planning and development systems for sustainable urban development. Emphasis will be laid on Nairobi City as a special planning area.

One of the key challenges in the achievement of the Millennium Development Goals (MDGs) is the ability to manage growth and change in a sustainable manner. This has necessitated the re-conceptualization of the role of the urban sector and the significance of urbanization in the development agenda. Cities and towns have been perceived as hubs of opportunities and they are increasingly acting as engines of economic growth. They form the cradle of specialized services needed by the population and spur urban and regional economic development. By virtue of locational advantages, they form focal points for economic development and provide markets for goods and services, employment and homes for growing populations. The paradigm shift arising from new approaches in urban management on concerns like good governance, accountability and transparency has occasioned the need to change planning policies, strategies and instruments as well as the institutional and governmental structures engaged in development work.

Once again, the concept of sustainability is challenged. This paper is a response to that challenge. The sustainability of cities is dependent on access to natural resources for raw materials in the production and manufacturing sector. This requires efficient and adequate infrastructure regulations and management capacities.

How then are cities to be planned, governed and managed to ensure sustainability? The desire to attract finance capital and markets for goods and services internationally has put great pressure on the demand for spatial structure and physical infrastructure of cities.

There is an international consensus gained from UN-guided World Summits, from Stockholm (1972) to Rio de Janeiro (1992) to Johannesburg (2002), with the message to the world focusing on the promotion of sustainable development. In Stockholm, the conference centered on environmental deterioration. In Rio de Janeiro, at UNCED, the summit agreed on the protection of the environment and social-economic development

and set a new agenda for sustainable development. Localization of Agenda 21, the global programme, was adopted.

The Johannesburg's World Summit was a further recommitment to sustainable development. These conferences act as benchmarks for charting the right course for humanity's welfare and direction in terms of socio-economic development and environmental protection. In 2000, the UN General Assembly adopted the MDGs and recognized the collective responsibility to uphold principles of human dignity, equality and equity. They also set the eight development and poverty eradication goals to be achieved by 2015.

Sustainability of the urban sector, urban policy, built environment and urban governance has gained momentum in the past few years and become a central theme in economic development globally. Sustainable urbanization and development is a wake-up call to all actors and partners in development at all levels. Sustainable urbanization and development is based mainly on the partnerships between the public sector, the private sector and the city residents as autonomous decision-makers. It entails mutual relationships between all human settlements, small and large, between towns and cities and their environs. However, the key responsibility for achieving sustainable urbanization lies with the local government and their partners at grass-root level.

Building local capacity will promote improved urban management and change. Sustainable urban development will require the right mixture of the following ingredients: socio-economic stability, good governance and equity, community empowerment and participatory planning to engender ownership of projects and other actions, recognition of individual and community well-being, quality of life reflecting human values, equitable distribution of costs and benefits on resource use, and environmental protection and assessment of long-term programme impacts without endangering the needs of future generations. The question of gender should be given special attention through the realization of the special needs of women and children.

The experiences gained in different regions of the world and different sectors indicate some factors to consider in achieving sustainable urban development. These include, among others: credibility and ownership in local government-initiated investment projects, capacity building with a built-in long-term perspective to manage the process of change, and undertaking institutional and administrative reforms, including devolution of power anchored on local authorities acting as the lead and governments playing a supportive role. Demonstration projects are effective in testing innovative project implementation approaches while information sharing and awareness creation is a key element of the public awareness process.

2. Early Development of Nairobi

The City of Nairobi started as a railway camp in 1899 and soon became a center of communication, administration and commerce. In time, the town grew in size and function to become the major metropolis in Eastern Africa. Nairobi's current population is about three million (2005). The past population growth averaged 4.5

percent per annum. It is estimated that Nairobi will have a population of five (5) to six (6) million people by the year 2010.

This large population continues to pose serious problems for the Nairobi City Council. The problem is compounded by the rapid parallel increase in population in the outskirts of the City in both the designated urban/trading centers and in surrounding "shamba" areas of Kiambu, Kajiado and Machakos. The new peri-urban areas of Dagoretti and Kangemi are developing rapidly, often without any plan.

Areas such as Ngong, Kiserian, Ongata Rongai and Karuri have also developed into major population centers, which depend largely on the City of Nairobi for services and employment, a fact usually ignored when planning for City services. It is imperative, therefore, that Nairobi plans for a Greater Metropolitan Area and not just for the area within the administrative boundary of the City of Nairobi. The Director of Planning in the Ministry of Lands and Housing should be in the forefront of this initiative.

3. Planning Experience

The early planning of Nairobi was on a somewhat *ad hoc* basis and it was not until 1926 that an attempt was made to prepare a plan for the town. In 1948, however, a "Nairobi Master Plan for a Colonial Capital" was completed. The plan laid down guidelines for the City's development for the next 20 years. With independence in 1963, however, the Master Plan became obsolete because:

- City boundaries were extended from an area of 90 square kilometres to embrace an area of 690 square kilometres by 1964.
- Population growth increased beyond 1948 planned targets.
- With the change of government and orientation, a new set of policies was needed to guide the development of the City along non-colonial lines.

3.1 Metropolitan Growth Strategy (1973)

The period immediately after independence was characterized by rapid growth, creating pressures in housing, community services and physical infrastructure. The City had to commission a new, comprehensive, urban study to layout its growth strategy up to the turn of the century. The outcome of this was the *Nairobi Metropolitan Growth Strategy, 1973*, which consisted of a series of policies related to the major aspects of urban development and the broad physical structure within which these policies could be realized. This included projections on services such as roads, water and housing.⁸ It was hoped then that the City would maintain continuous review of policies and structures and adjust them to suit the changing circumstances but, clearly, this has not happened.

At the time of its publication, the Metropolitan Growth Strategy of 1973 was considered a sound-planning framework for the City's development in the foreseeable

⁸ Source: Contribution by the Planning Working Group at the Nairobi We Want Conference (1993) in which the author of this paper was the Chairman.

future. It was flexible and, with appropriate interventions, the strategy could have seen the City through to the year 2000. However, the City Council failed to follow up with detailed area studies as recommended and worse still, never instituted the periodic reviews of the findings and recommendations as circumstances changed over time.

The effectiveness of the plan was short-lived. It seems that its implementation was hampered by political developments where government pressures favoring individual interest took precedence over the public good. Between 1983 and 1993, major planning decisions were made with little or no regard to the study's recommendations. The interventions by the City Council were not backed by in-depth studies; planning has therefore continued to be a very haphazard affair. The land available to Nairobi City Council for its future planning needs was re-allocated to individuals for monetary gains. Today, it is difficult to get any land for Nairobi municipal services such as schools, hospitals, clinics as well as facilitation of roads extension, including bypasses, under-passes and inter-connecting highway linkages.

3.2 Planning legislation

There is urgent need for uniform, integrated legislation to deal with city planning. The main agencies remain the City Council and the Physical Planning Department of the Ministry of Lands. However, these agents do not have an integrated policy; their operations are often in conflict with no means available to resolve this. The administration of planning is covered by several Acts of Parliament, which are operated by several different authorities within the government. In addition, there is little in the planning legislation that is comprehensive and much is left to the operator's discretion.

The efforts of the Ministry of Lands and Housing, within the Physical Planning Department in that Ministry, and the Ministry of Local Government to come up with a comprehensive policy paper on regional and urban planning, including the requisite by-laws, has not been operational because of private interests.

In addition to these legal aspects, Nairobi has to contend with the following problems, which arise from the failure of the planning function:

- Development has been disorderly, which accounts for the unplanned, haphazard distribution of human settlements with their incongruous mixed activities. Unplanned and unserviced human settlements have expanded enormously. About 55 percent of Nairobi's population now lives in the areas with no adequate healthcare, which has encouraged dangerous sanitation problems.
- Too much employment is concentrated in the city center and the industrial area, out of all proportion to elsewhere. This has grave strategic implications.
- Congestion in the city center and the industrial area has created gigantic problems of traffic congestion and environmental pollution.

3.3 Projects planned by the Nairobi City Council in the past

The successful projects reviewed indicate that strategic urban planning techniques, and total quality management principles and discipline will substantially reduce the risks associated with many years of neglect of the slum areas.

During the period 1965 and 1976 (a period of 11 years) the City Council of Nairobi built the following housing estates:

- Ofata Jericho
- Kariakor - built with the help of the Commonwealth Development Corporation (CDC)
- Kariobangi South and Kariobangi North – self financed by Nairobi City Council
- Kimathi – with assistance from USAID
- Uhuru – Financed by the City Council
- Jamhuri – with assistance from the CDC
- Buru Buru - The scheme was built as a joint venture between the CDC and the Council.
- Harambee - Phase 1 built with some assistance from USAID
- Huruma
- Dandora - Phase 1
- Madaraka
- Mariakani

All together, 15 new housing estates were built within a period of 11 years. All the estates had primary schools built within a short distance from the houses where the school-going children lived. There were also some clinics, dispensaries (preventive and curative) and health centers, which provided both curative, preventive and promotional health services (some with maternity wings). Pumwani Maternity Hospital had some extensions effected during this time. These projects were planned and accomplished with full guidance of the City Council engineers, planners, quantity surveyors, etc. It is to be noted that the private sector concentrates on middle income and upper income housing, leaving low cost housing to the Government and the City Council.

During this time, the City Council also extended the Wakulima Wholesale Market as well as low cost markets at Eastleigh, Kenyatta, Gikomba and Jogoo Road. The City Council also developed Chania II water scheme, with the financial assistance of the World Bank. The World Bank also financed Ndakaini Dam (1983/86).

This conference should delve into the reasons why no housing, schools, markets or clinics, dispensaries and health centers are built by the City Council these days. Without this understanding, our efforts will be futile. The major reasons for these shortfalls are poor governance and a weak financial administrative system.

One of the major reasons why the Nairobi City Council has not managed to put up many low cost houses since 1970's is the reluctance of the City Councilors to have rents reviewed and adjusted according to the market forces. Even when recommendations have been made to increase rent, there have been attempts to stop this by politicizing the issue. Some of the City Council houses were constructed with loans either from the Government of Kenya or the development partners.

This explains the wrangling between the Council and the National Housing Corporation because the Council has not serviced these loans. Development partners such as the World Bank had stopped lending on housing for some time now. It is also unfortunate that the City Council and the National Housing Corporation are at such loggerheads and that they have been to court on non-payment of dues owed by the Council to National Housing Corporation. In the past, the Government through the National Housing Corporation worked together for the common goal of providing houses to the Nairobi people, who could not afford high-income houses. This cooperation and consultations should be re-introduced. Development partners appear to be keen to assist the Kenya Government and the urban areas to tackle the problems of shelter and environment. The UN Habitat together with other development partners are, for example, involved with Kibera low cost housing scheme. The goodwill of these donors should be encouraged.

Spatial planning will streamline delivery of infrastructure and services. Participation of local communities as partners and recognition of their abilities will ensure their support. Capacity building, namely the transfer of technical, commercial, administrative and managerial skills to the community, and engagement of the private sector especially in the provision of urban infrastructure will provide cost-savings, efficiency, timely project completion and accountability.

The culture of urban planning appears to have disappeared from the City Council books. Regional and urban planning interventions are perceived as a nuisance that hinders developers from maximizing their investment returns. In this regard, innovative tools in urban management must emerge to cope with the growth of slums and haphazard settlements. Local authority capacity to plan and implement development projects should be greatly improved through decentralization and devolution of powers. But more support is needed in terms of financial and technical support. Local authorities should set development controls and building standards in accordance with the existing regulations and capacities of local institutions to guide and finance developments.

In Nairobi and many other urban centers in Kenya, poor people tend to pay much more than the rich for almost all the services. It is also noted that the Government of Kenya has in the past concentrated its efforts on rural areas, based on the assumption that the poor in cities are comparatively privileged when it comes to the provision of

basic services. However, it is becoming increasingly clear that the number of inadequately served urban dwellers in Nairobi is higher than officially acknowledged.

Increased investment is critical, whether for the small-scale projects at the local level or national efforts to build up essential infrastructure. Good governance, accountability and transparency will enhance public-private partnerships.

Good urban planning for the City of Nairobi and the metropolitan areas is vitally necessary if Nairobi is to continue as a hub of future investments, both direct foreign investments and local investments. The Government of Kenya owes it to Kenyans to see to it that the deterioration of the capital city is halted: The recommended strategies for sustainable urbanization and economic development in Nairobi, the capital city, include the following:

- Adoption of spatial planning strategies
- Reforms in institutional and administrative structures
- Local capacity building
- Provision of basic infrastructure and services (roads, water, markets, etc)
- Creation of public-private sector partnerships

The above strategies will attract investments at local and international levels, promote better management, increase efficiency, improve the maintenance and delivery of services and raise the incomes of the residents of Nairobi.

In a recent visit to China in October/November, 2003 to address a conference organized by the Chinese government in collaboration with the UN Habitat on issues of "the Cities as Engines of Economic Growth", I noted the great strides made by the Chinese government on the planning of their cities. The road linkages between the cities such as Shanghai, Peking, Weihai and Hong Kong are very well planned with good bypasses, under-passes and ring roads. Commercial operations by small and large-scale entrepreneurs (including industries) are properly located through good planning. I witnessed similar improvements in South Asian cities such as Bangkok in Thailand and Singapore during a previous visit.

I also noted that the Chinese government is keen to establish linkages with our towns and cities in the planning field with the support of the Kenya government. I recommend that our government explore these overtures.

The City of Nairobi should be marketed as a product. Nairobi has the potential of becoming a financial center as predicted by the International Monetary Fund in their report entitled "*The emerging financial centers (legal and institutional framework), Bahamas, Hong Kong, Ivory Coast, Kenya, Kuwait, Panama and Singapore.*"⁹ This is achievable. The Central Business District and the skyline one sees from the Uhuru Park on the road

⁹ Source: International Monetary Fund Report, Washington DC (1982), edited by Robert C. Effros.

passing by the Ministry of Health headquarters indicate some well forethought planned city. This did not happen accidentally. It was planned. The plan should be improved to match the aspirations of making Nairobi an important financial center as new areas are developed. The Upper Hill rezoning and the development taking place now is a good pointer to what the future holds.

4. Proposed Action Plan

City planning should serve the following objectives:

- Provision of a series of policies and a spatial framework within which social and economic activities can take place in an orderly and efficient manner.
- Coordination and integration of development activities within a given area.
- Mobilization and involvement of the community in the planning and development process to create a viable living environment.

It should be noted that there are some actions which have been taken by the Government of Kenya to improve the functions of the Nairobi City Council including its planning. The following actions need to be noted:

- With the introduction of Kenya Roads Fuel Levy the City has been a beneficiary of financial allocation from the fuel level for some of its roads. This is channeled through the Ministry of Local Government. Some roads have had a face-lift, but more needs to be done. The Ministry of Roads and Public Works in collaboration with the City Council and the Kenya Roads Board are assisting in the opening up of both the Northern Corridor and the Southern Corridor, which will assist in easing the transit vehicles onwards towards the Western part of the country.
- The decision by the Kenya government to allocate funds from the exchequer to the Local Authority Transfer Fund (LATF) is highly commendable. However, the allocation should be higher than the current 5% of the income tax, which is inadequate for the local authorities' needs. The action by the Ministry of Transport to bring some order in the operations of the "Matatus" is commendable. However, the City of Nairobi will require rapid transit system in future, including a light underground rail system. Abidjan in West Africa has such a system. The recent move by the Ministry of Local Government to have the small traders relocated away from the city's Central Business District (CBD) is commendable. It is important that the new area has the necessary basic services such as toilets, and interconnecting roads. If possible there should be a simple market similar to the Kenyatta Market. Similarly, there should be other low cost markets in other parts of the city. This is an area where the government should give maximum assistance to the Council, including financial assistance.
- The interest shown by development partners in urbanization in Kenya is commendable. The World Bank, which assisted with the construction of Ndakaini Dam and the necessary water reticulation in the city is noted. The World Bank also assisted in Dandora and Kayole low cost housing before they discontinued this assistance due to financial mismanagement.

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- The World Bank had also assisted with the Kenya Urban Transport Programme (KUTIP), which unfortunately was suspended because of mismanagement.
- Other development partners such as the UN Habitat, the Department for International Development (DFID), the USAID, the French, the Germans and the European Union are showing keen interest in collaborating with the Government of Kenya to ensure that urban problems in Kenya are given the priority they deserve. This is particularly noticeable in funding public health programmes, especially in combating HIV/AIDS. The European Union has promised notable assistance in roads network.
- The efforts made by the Interim Oversight Board to introduce the Mid-Term Expenditure Framework (MTEF) into the financial budgetary system of the City Council were commendable. Unfortunately, the Board was scuttled before it could make inroads into the financial and administrative reforms in the City Council of Nairobi. It is hoped that the proposed Financial Oversight Board will come into being in not very far distant future.
- The effort to deal with the street-children in Nairobi has not yielded satisfactory results. There are still well over 30,000 (estimated) children roaming the streets of Nairobi without food or shelter. The past efforts appear to have been hurried and could not yield lasting results. More need to be done in this area.
- The recent decision by the government to establish water authorities in the urban and periurban areas under the supervision of the Ministry of Water is yielding commendable results. Some municipalities such Nyeri, Kericho, Kisumu and Edoret have performed well. It is hoped that Nairobi Water Authority will improve the water supply to Nairobi residents.
- Nairobi City contributes an average of 60% of Kenya's GDP. It is necessary that the capital city continue to be attractive to foreign investors and to Kenyans who reside therein. Good city planning will provide the residents with a healthy environment for investments.

The following plan of action is recommended:

- Take into account and protect various community interests, i.e. the proposed measures should by and large be supported by the community they affect.
- Be cost-effective and feasible within the existing legal framework and the current resource base of the City.
- Be sensitive to the environment.
- Be consistent with the broad national objectives of urbanization in Kenya.
- The City Council should be designated as the main planning agency for the City of Nairobi.

- The functional relationship between the City Council and the Central Government in the planning of the City needs to be strengthened and harmonized through a Town Planning Liaison Committee. This Committee would vet all major applications and new planning proposals for development in Nairobi.
- The coordinating role of the City Planning Department in planning and development control within the City should be strengthened and the process of approving plans made more efficient.
- An urgent review of the existing planning areas is needed to identify accurately the problems and deficiencies. Proposals must be prepared for the necessary remedial actions, and we need re-planning of newly zoned areas to eliminate potential problems.
- Only qualified personnel should be involved in the preparation and submission of development plans for approval in accordance with the by-laws. In particular, no subdivisions should be allowed unless they are prepared by qualified and certified planners.
- The whole process of planning approval and its conditions must be reviewed to streamline and speed it up. In particular, part development plans for building extensions must be scrutinized by professional persons who are not influenced by personal gains.
- The status of the Building Inspectorate in the City Council should be improved and its role strengthened.
- The City Council should make a commitment to implement plans that it has approved and adopted to safeguard against any outside interference in the implementation of such plans.
- Arbitration machinery to resolve disputes between the local authorities and developers should be instituted. In the meantime, this role may be assigned jointly to the Town Planning Liaison Committee and the Architectural Association of Kenya.
- The City Council should encourage the participation of community groups such as neighborhood associations, consumers and women's groups, in all stages of the planning process.
- The administration of planning is covered by several Acts, which are currently operated by different authorities and, as already remarked, there are certain provisions that tend to be in conflict. There is a great need, therefore, to harmonize legislation dealing with planning through the proposed new and comprehensive Planning Act.

2.3.3 Making Kenya a Planning Society: Role of Urban and Regional Planning

*Lan W. Situma
Projects Manager
Ministry of Transport, Pretoria, South Africa*

"There is always something rather terrifying about using public transport in Kenya, and particularly in Nairobi"¹⁰

1. Introduction

Transport is a prerequisite, although not a guarantee of the socio-economic development of a nation. Transport is the fabric of the nation. Therefore, an efficient transportation network underlies a healthy economic development for all. On the other hand, an inefficient transportation network is not only a recipe for socio-economic disaster but also an eventual weapon of mass disaster.

For instance, if people in rural areas cannot access employment and markets in urban areas, it is very likely that there will be an economic deterioration, and underutilization of natural resources with devastating impacts. At the same time, unsustainable traffic congestion in urban areas is a time bomb that not a single nation, particularly a developing nation, can afford. To this effect, a healthy public passenger traveling environment is no longer a privilege but a mandatory requirement for workers' economic output. It is a well-known axiom that framework conditions for the success of any industrial nation in international competition are characterized by reliable, fast and consumer-friendly transportation systems. According to the World Bank, "Transport is central to development. Without physical access to jobs, health, education and other amenities, the quality of life suffers, without access to resources and markets, economic growth stagnates and poverty reduction cannot be sustained"¹¹

"The Roman Empire at the height of its power controlled a reliable road network of 90,000km - long enough to circle the Earth twice. It allowed trade on a vast scale and helped usher in the Renaissance in Europe centuries later. By contrast, South Africa's transport networks - only two-thirds the size of ancient Rome's - is in shambles. And its decline is severely hampering a national economic recovery"¹²

Kenya, like South Africa and many other developing countries, has two intertwined legacies of inherited colonial transportation network, and poor post-independence transportation network development.

"The most critical impact has been felt in the rail network. Here, we have seen a steep decline in the reliability of the ageing rolling stock fleet and the emergence of serious safety issues resulting from poor condition and technical obsolescence. Resources allocated have been insufficient either to address these safety issues or to effectively control wide spread fare evasion and criminal activities at stations... We have not built

¹⁰ Veronicah Kinyanjui, Features Editor, *Nation* - Letter from *Africa's Sunday Times*

¹¹ World Bank, *Development in Practice: Sustainable transport (priorities for policy reform)*, 1995.

¹² *Financial Mail*, 19 January 2001, pp32.

a single new section of commuter rail line for a long time...I therefore see it as a pressing priority that we first of all arrest the decline in commuter rail services and then begin a process of dramatically extending their reach."¹³

Our roads in both rural and urban areas have gone to ruins. The roads have become congested. The road maintenance bill has skyrocketed over the last three decades. The road network is grossly under funded while the existing infrastructure facilities are continuously deteriorating. At the same time, most road accident studies indicate that the road accident rate is in some cases more than the HIV/AIDS rate.

While all these issues are not new to most of us, the fundamental question is where have we gone wrong and what remedial measures are we prepared to take to either arrest and/or reverse current nightmares in our various modes of transport. The late USA President L.B. Johnson once said, "we know where we are coming from; we know where we are now; the problem is we do not know where we are going." I definitely know where I am coming from; and where I am but after 40 years in land use/transportation systems integrated planning I cannot tell you where we are going unless there is a drastic mental shift from current attitudes, perceptions, and misconceptions that have generated and perverted planning, maintenance, and operations disorder in all modes of transport in this country. There is an urgent need for all the stakeholders, policy makers, transportation scholars, service providers, and consumers to accept that we need cost effective and demand responsive multimodal transportation systems if we have to face the socio-economic challenges of this century.

Although I do not have a ready-made take away recipe to share with you, I would like to simply point out umbrella areas where I believe things have terribly gone wrong and where we need total transformation. These include but are not limited to: political challenges-legacies and transformation; transportation policies and regulations; land use/transportation systems integrated planning; institutional constraints; stakeholders participation; and funding of infrastructure facilities.

2. Political Challenges-legacies and Transformation

As already stated, Kenya, South Africa, and many other developing countries, especially former colonies, have their former colonial masters' transportation plans, and post-independence transportation plans with political undertones of transformation as a breakaway from colonial statues and memories. For example, in Kenya, Nairobi was planned and developed on 'A Master Plan for a Colonial Capital' that was prepared in 1949. In 1973 and 10 years after independence, Nairobi City Council produced a comprehensive 'Nairobi Metropolitan Growth Strategy' outlining development plans for the next 27-30 years until 2003. At the same time the Kenya government always produced comprehensive five (5) year Development Plans. The implementation of the 1973 Nairobi Development Plan collapsed along the way, therefore creating the current chaotic and turbulent environment. I stand corrected on the emphasis, relevance, and impacts of subsequent Development Plans. While there is a perception that the people's Government of South Africa, in 1994 inherited the best

¹³ The late Hon. Minister Dr Abdulah M. Omar, Department of Transport, South Africa – opening speech, *Africa Rail*, 26 June 2001.

transportation systems in Africa, the realities (especially in the former homelands areas) indicate extreme disparities between the former white man's enclaves and areas predominantly occupied by historically disadvantaged communities. The current government also, and inadvertently, inherited irritating transportation planning, management, and operational problems. Nowhere in the new South Africa are the legacies of transportation systems underdevelopment more pronounced than in the Province of the Eastern Cape. Ten years after the democratic elections, there is still a rupturing backlog of unsurfaced roads in very poor conditions. A field trip in the Province of the Eastern Cape will bring you face to face with budding symptoms of deterioration and mismanagement that are threatening to cripple existing infrastructure facilities and rail rolling stocks just like in other African countries, which got independence many years before South Africa.

Given a background of increasing demographic/spatial demands versus decreasing financial resources, there is a creeping turbulent environment in which planning, management, and functional performance of various transportation modes in the Province, especially in the major urban areas, are going to be stretched beyond elasticity points. In other words, the provincial transportation systems face a gloomy future unless cost effective remedial measures are urgently undertaken to reverse the deteriorating trends of the existing good quality infrastructure facilities back, to say the 1994 base year standards. Easier said than done is why the Province cannot first prioritize to maximize utilization of existing good quality infrastructure facilities before embarking on grandiose capital-intensive projects.

The good news is that the democratic Government of South Africa has vigorously undertaken sustainable transformation measures and funded several studies, and at the same time promulgated several policies aimed at transforming the inherited systems. For example, the Integrated Sustainable Rural Development Programme (ISRDP), and the Extended Public Works Programme are but a few of transformation measures currently being implemented to improve the socio-economic welfare, and generate employment for all but with special focus on rural areas. At the same time, the politicians have been placed under increasing pressure to deliver on their pre-elections promises. In order to deliver, politicians are increasingly advocating for equitable use of the land, access to economic markets, and increased community participation in the transportation issues to ensure socio-economic development. Consequently, the current mood of political and technical concerns over uncontrolled urban development and purely reactive transportation planning along with demands for open and community participatory decision-making have combined to strain the normal planning process beyond its technical tolerance.

All in all, the problem of choice among synoptic regional plans has increasingly become a matter of concern to transportation planners. Occasionally, it is accepted as a challenge without solutions in sight. The mere aggressive strategic intervention into various land use activities that the politicians are seeking calls for higher levels of both analytical knowledge and decision making wisdom than the current crop of planners are accustomed to deliver. In the frustrating struggle with political challenges, there is a hidden tendency for transport planners to simply dump some developmental projects on the communities and their political representatives on the assumption that elected Parliament or Council member and the community at large will come up with

demand responsive and cost effective solutions. To this effect, the community involvement reflects a desire to open up the planning process, strip it of its mysticism and encourage greater community participation, although in reality this political approach represents a deliberate abandonment of data organization, analysis, and evaluation. It also detracts planners not only from good planning but also from any productive results that a more open process of government is capable of achieving. Some of the problems experienced in the increased community participation approach can be readily identified even if their resolutions are not clear. For example, the simplest approach of addressing problems in South Africa is to politicize the inherited Apartheid ills. In Kenya, it is simply to politicize the anti-government approach. The difficult part in both cases is to find and own the solutions. Because the problem of choice is itself inherently complicated, there is no simple resolution. However, a start can be made if the planners and model builders would recognize that individuals and political bodies will continue to operate through vague goals and pre-emptory policy decisions, and that a strong case can be made for the efficiency of this approach. Planners must, therefore, accept and interpret political activities and then organize technical studies and solutions in a manner that most efficiently uses the information on values and goals that come from political activities, while providing to the public cost effective planning alternative solutions to the existing environment of nation building. To attempt otherwise, to mold the political decisions to technical needs is dangerous; and have lead to current reversed roles where politicians do the planning while the planners are doing the politics. In other words, it is dangerous to try finding political solutions to technical problems.

3. Transportation Policies and Regulations

The impacts of previous and current legislations and policies (national and local) in the provision, operation, maintenance of transportation infrastructure and services are important and critical to both public and/or private sectors in any venture to provide transportation infrastructure facilities and services. In South Africa, the pre and post 1994 transportation policies are best described as cumbersome and counterproductive. The pre-1994 policies and legislations simply favored the White population and provided sub-standard planning controls in the former homelands. The post-1994 policies and legislations, in an effort to bridge the gap, are over ambitious, unrealistic and to an extent very expensive. Furthermore, the national policies and legislation are not easily understood by all especially in the provinces. For example, the vision of the national government vision is:

"As part of the overall long-term vision for the South African transport system, transport infrastructure will:

- Be promoting sustainable economic development by removing constraints on latent demand in development corridors at local, provincial, national, and regional level and be providing the catalyst for private investment;
- Be financed through a combination of user charges and private/public sector investments"

While the vision for the enabling policy is:

"A more sustainable approach to the provision of transport infrastructure is required shifting from accommodative, supply-focused transport approaches to a more balanced approach including pro-active land-use and transport demand management as part of the policy package...In some cases, where transport is able to act as a leading sector in the stimulation of economic development, the government will take the lead in establishing necessary transport infrastructure and promoting the participation of other public and private sector institutions in order to facilitate and accelerate the development process. The development corridor approach, which involves national, provincial, and local activities will be adopted wherever possible but in a rational manner to ensure efficient and sustainable agglomeration of activities"¹⁴

The role of rural public passenger transportation in the development of the country's rural areas and the consequent rural transport policies are in most cases responsive to different circumstances of rural economic growth and development. Not only do the rural passenger policy needs vary according to different stages of rural development, but also does the process through which the national policies are planned and implemented. The policy solutions to existing and potential public transport difficulties are complex and are more than matters of engineering and finance. They involve decisions and activities in areas of jurisdiction, planning, finance, institutions and operational management, and last but not least politics. Public transport policies for rural areas are, therefore, affected by specific legal, financial, and institutional frameworks, which together constitute the policy making process for rural passenger transport services. These frameworks are dynamic. While they affect public transport policies, they can also be changed in response to particular policy demands, which are a function of different circumstances of rural areas' growth and development. It is a long time since I used rural public passenger services in Kenya. However, if the system operates as I have been reading from the Kenya daily newspapers on the Internet, then there is an urgent need to overhaul the rural public passenger transport policies in order to make it a safe, reliable, cost effective, and efficient mode of transport.

4. Land use/transportation Systems Integrated Planning

The land use/transportation integrated planning envisaged in the 1973 Nairobi Metropolitan Growth Strategy (Plan) collapsed long ago with devastating results of unplanned and/or mismanaged urban development up to now.

"For planning to be effective, there is a necessity to understand how an urban area works in terms of land use, traffic and transport before attempting to devise solutions. The preparation of alternative land use and transport plans must be based therefore on a sound understanding of the way that the urban area functions, how it might evolve over time, if left to develop alone, or most importantly, how it might react to different policies. An important aspect of the systems planning approach is to predict what would happen if there was no forward planning - sometimes referred to as the 'do nothing' solution. The consequences of doing nothing are well worth investigating

¹⁴ Department of Constitutional Development: Guidelines for private sector participation in municipal service delivery.

because what is likely to happen in the ordinary course of events provides a yardstick against which to assess the advantages or otherwise of any deliberate planned interventions involving changes to land use and transport. The spatial pattern or distribution of traffic is explained by two factors: (a) the disposition of land use; and (b) the restraints on movement - distance acts as a friction to movement. Interaction between two complementary but spatially separated land uses involves a movement of people, goods or information. The spatial separation represents a 'barrier' to interaction, and there is a general preference for short distance movements rather than long-distance movements. The amount of traffic measured between any two places depends on the land-use intensity in both places and the frictional effect of distance."¹⁵

In order to remedy our present urban planning chaos and to alleviate future demise of our urban areas it is now paramount that the land use/transportation integrated planning process must be a more open exercise, allowing all stakeholders affected by any development to make tangible inputs. There is a continuing desire on the population for effective participation in the planning process, and an effective coordination and integration between land use planning and transport planning. It is then hoped that increased community participation in the planning process will resolve various land use conflicts and mis-management in both urban and rural areas. To this effect, planners must identify those areas of the City that are capable of supporting new developments without destroying valuable catchments' protection systems, or other land uses.

5. Institutional Constraints

Institutional constraints in South Africa's public sector are primarily twofold. First, institutional constraint is the jurisdiction overlap among several government institutions. The second constraint is the lack of qualified and experienced personnel capable of understanding the demands and complexities of land use transportation planning process in the public sector institutions. A factor in overcoming poor land management and consequently poor land use is the institutional set up and its administration mechanisms. Land use planning and management methods are activities various institutions have always been very cautious about because of their political sensitivity. In case of the Eastern Cape Province of South Africa, land use/transport planning is carried out at anyone or more of several institutional levels including different levels of local authorities, and in different departments. The liaison and political cooperation required when dealing with these different levels is not only cumbersome but time consuming. Institutionally, land use/transportation systems integrated planning requires the commitment and cooperation of many government agencies and departments. More often than not, this is proving difficult to achieve because of different interests and goals of the various stakeholders. The biggest problem, however, is the one of common understanding of the need for a comprehensive and integrated land use/transport systems planning. In the last few years, the government has lost the majority of qualified and experienced transportation professionals to the private sector.

¹⁵ John Black (1981): *Urban transport planning*. Croom, London, pp25 and 42

The current crop of transport planners is composed of relatively young and inexperienced professionals holding strategic positions in the Government. Unfortunately, because of their various academic backgrounds, different planners attach different meanings to different critical components or parameters of integrated land use/transport systems planning. In the end, it takes a long time to achieve a consensus on relatively straightforward transport planning issues. In brief, land use/transportation planning and management is simmering with a host of institutional problems, and will likely continue to do so for a few years to come. It is critical for various land use conflicts to be recognized, and for the planners to appreciate the various social and economic consequences that arise or might arise from non-professional remedial measures that may be applied to sensitive land use conflicts by non-qualified or inexperienced professionals. However, the greatest difficulty lies within establishing a good and homogenous jurisdictional framework for land use/transportation systems integrated planning with highly qualified and experienced professionals. The entire concept of integrated planning must be related to decision makers in real and meaningful terms. Commitment must be made and qualified personnel must be available at all levels of planning and implementation of major land use plans. In my opinion, Kenya still suffers from the same institutional problems 40 years after independence.

6. Funding of Infrastructure Facilities

"Capital pursues likely success and not vice versa. There is a large supply of funds (not least our own pension funds) looking for safe and profitable long term placing. All that supply of capital sees dearth of is worthwhile opportunity. People - individual people - are often the key to success and certainly to comparative success. How to infuse public sector enterprises with these people factor is, in most cases, a complex issue, given our society's deep inhibitions. Nonetheless, for projects like those under the Private Finance Initiative (PFI) at least one serious champion is essential, namely the entrepreneur, and success is made more achievable if the public side has an equivalent champion arranging the concession... In summary, private finance for public projects is a "how" issue and not a "what" issue... There are lots of issues that should be politicized, but we should all see PFI as a process and as a principle. The public sector retains the roles, beyond private financing, of defining what is required and of regulating the operation of the chosen financiers. Then, as the private sector gets more competent at running these para-utilities, as technologies change, as demand changes, and as alternatives emerge, our governments should feel able to revisit each item periodically and adjust the framework and the franchises to match the new optimum interface for the public and private parts of the nations"¹⁶

In 1996 the World Bank noted that:

"The high rate of urban growth continues to put tremendous strain on basic social infrastructure, local authority finances and administrative capacity. The government recognizes that improved infrastructure is critical to attract and disperse private

¹⁶ Tolpalm (Pty) Ltd (1997). Discussion documents on strategic options and policy implications for Toll Roads in South Africa. Department of Transport, Chief Directorate Roads, Pretoria, February 1997.

domestic and foreign investment to support Kenya's economic growth. However, weak local administrative, financial and operational capacity are adversely affecting the quality of service and maintenance of all basic municipal infrastructure... Local authorities in Kenya were financially sound in the 1960's and early 1970's when they used to collect a Graduated Personal Tax (GPT) and there was little demand for basic urban services. Population in urban centers was low and councils needed little manpower resources to implement basic infrastructure programmes. During the mid-1970's, the government decided that some services could be potentially provided by the central government more efficiently and consequently these services were transferred from local authorities to the central agencies. Between 1969 and 1973, the government also gradually abolished the GPT. In the 1980s, there was rapid urbanization exerting pressure on the existing urban services. The local authorities were unable to expand or maintain existing urban services due to lack of adequate financial, manpower and administrative capacity."¹⁷

The above statements reflect two dimensions of funding the provision of transport infrastructure facilities. In South Africa, we believe the way to go is through Public Private Partnerships (PPP) which include concessioning of certain transport infrastructure on 'build operate and transfer (BOT) basis. The underlying philosophy is, 'private finance for public projects is a "how" issue and not a "what" issue'. In Kenya, we know where we come from, we know where we are, we know where we want to go but the problem is we do not know how and when to get there. In my opinion, we continue making the same funding mistakes that were identified many years ago. I strongly believe that time has come to accept our mistakes and take drastic measures to generate revenue required to: refurbish existing infrastructure facilities; reinforce overload controls; and increase user charges. For example, one should not be afraid to revisit and re-introduce road tolls. After all, the failure of toll charges in the eighties were manmade. All in all, one cannot expect to develop quality multi-modal infrastructure facilities without a strong funding base.

7. Conclusion

I started off by trying to find mistakes, and offering answers for the future if we have to have a meaningful and demand responsive urban and regional planning with pragmatic and sustainable remedial measures. At this point, I am not sure whether I have managed to give any solution. However, I strongly believe that for urban and regional planning to play a major role in our socio-economic development there is a need to transform our current mindset. We are walking into the future backwards and need to turn round our minds and face the future. I would like to ask myself, 'what is our vision?' Is our vision to ruin our country? My Tanzanian friends and relatives have repeatedly reminded of a political joke allegedly said by the late President Mwalimu Julius Nyerere when he told the Tanzanians why go to London when you can do all your shopping in Nairobi? I wonder whether he can say the same words now.

I have also tried to say that there are political challenges that must be refocused if we can promulgate futuristic policies and legislations. Our politicians have traveled

¹⁷ The World Bank Report 13848-KE Staff Appraisal Report, Kenya Urban Transport Infrastructure Project, January 3, 1996.

extensively to London, Washington, Paris, Munich, Singapore, Rome, and brought back fond memories of how beautiful and developed these cities are. Unfortunately, none of them realizes that Rome was not built in one day and that charity begins at home. Nairobi was properly planned in 1949 and 1973. Lack of political power to maintain the standards was a written eulogy of planned development for the urban and peri-urban Nairobi centered region. Our future demands a total transformation of politicians. Politicians must focus on providing an enabling environment for proper urban and regional planning and leave the actual land use planning to the planners. At the same time, I have said that one cannot achieve quality planning without qualified and experienced institutional capacity. I cannot be a heart specialist just because my son/daughter is a qualified heart specialist. Our central and local institutions must have the professional capacities to understand the complexities of urban and regional planning in order to provide cost effective remedial measures on both short term and long term basis. The institutions must be proactive and not reactive. My Tanzanian in-laws have always told me that '*hakuna cha bure siku hizi*'. I am sure that without a strong financial base, no amount of urban and regional planning will solve our current land use/transportation problems and therefore we will remain doomed to fail. Integrated planning and project implementation can effectively stimulate the socio-economic of the very poor people in our communities. To this effect, critical stakeholders must participate fully for any planning to achieve meaningful impacts.

Last but not least, I must apologize for any deficiencies and confusion that this paper might cause you. I have no excuse other than to say that this is all I could produce within the time at my disposal. I only received my invitation at 13:51 on Friday 28 January 2005. However, I would like to sincerely thank Dr. Eric Aligula and his team, the organizers of this Conference, for their sterling efforts and hope that this is the beginning and not the end of a new chapter in the urban and regional planning of our country. To the organizers and all those who have made it possible for me to attend this Conference, I say '*alluta continua*'.