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**SESSIONAL PAPER**

**ON**

**NATIONAL HOUSING POLICY FOR KENYA**

**MINISTRY OF ROADS AND PUBLIC WORKS  
P.O. BOX 30260  
NAIROBI**

**JULY 2002**

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## EXECUTIVE SUMMARY

This National Housing Policy is being proposed to address the deteriorating housing condition countrywide and the housing deficit arising from demand that far outstrips supply, particularly in urban areas. This situation has been aggravated by rapid urbanization, widespread poverty, and escalating costs of providing housing. The shortage of housing is manifested in overcrowding, proliferation of slum and informal settlements in peri-urban areas as well as poor quality housing in rural areas.

The policy aims at facilitating development of affordable housing, providing basic services and infrastructure necessary for a healthy living environment. It encourages increased investment by the formal and informal private sector, in the production of housing for low and middle income urban dwellers. For existing informal settlements, the policy encourages integrated, participatory approaches to upgrading, including income-generating activities that contribute towards poverty alleviation.

This Sessional Paper is prepared in response to the identified need by the Government to introduce a National Housing Policy to comprehensively address the shelter problem. It comprises four elements. Element one is on policy targets and highlights urban housing, rural housing and vulnerable groups; and proposes solutions which include poverty alleviation. Element two is on main housing inputs and addresses ways of managing the housing inputs namely land, infrastructure, building materials, building technology and finances. Element three covers estate management and maintenance necessary to ensure long lifespan for housing stock, disaster management, environmental impact assessment for major housing projects, human resource development, monitoring and evaluation. Element four deals with legislative and institutional framework and assigns specific roles to various stakeholders. The policy also proposes enactment of a Housing Act to strengthen the role of the Ministry in-charge of housing in regulating housing development.

# CHAPTER ONE

## HOUSING PROBLEMS AND CHALLENGES

### 1.1 INTRODUCTION

1. Improvement of housing for the country's population has been the concern of the Government since independence. This concern has been influenced by the fact that well planned housing and infrastructure of acceptable standards and affordable cost when combined with essential services affords dignity, security and privacy to the individual, the family and the community as a whole. Besides this social function, housing is also an investment good contributing both directly and indirectly to employment generation, raising of incomes, improved health and increased productivity of the labour force.

2. In recognition of these important functions of housing, the Government's long term objective has been to move towards a situation where every individual or family lives in decent affordable housing whether publicly or privately developed to meet the necessary requirements of security, health and privacy.

3. The development of housing and related facilities, however, entails the utilization of scarce resources such as land, building materials, labour and finance. Efficient utilization of these scarce resources requires the formulation of an effective housing policy that sets out goals and objectives for all the actors in the entire housing delivery system. However, such a policy must be continuously revised and monitored, as and when necessary to conform to the changing circumstances.

4. The first comprehensive Housing Policy for Kenya was enunciated in 1966/67 as Sessional Paper No.5. At that time Kenya's population was just over 9 million people growing at a rate of 3 percent for the whole country and 5-6 percent in the urban areas. The annual housing requirements then were 7,600 and 38,000 new units in both urban and rural areas respectively. The policy directed the Government "**to provide the maximum number of people with adequate shelter and a healthy environment at the lowest possible cost**".

5. The policy encouraged mobilization of resources for housing development through aided self-help and cooperative efforts. Enhanced co-ordination was also emphasized to increase efficiency in programmes and projects preparation. Other areas addressed by the 1966/67 paper were increased research in locally available building materials and construction techniques among others. In the case of civil servants housing, priority was

given to home ownership schemes in urban areas as well as institutional and pool housing schemes in remote stations.

## 1.2 PROBLEMS AND CHALLENGES

6. Although a considerable volume of housing construction has been realized since the 1966/67 Policy, the demand for housing still far outstrips supply. High rate of urbanization, increasing poverty and escalation of housing costs and prices have made the provision of housing, infrastructure and community facilities one of the daunting challenges in the socio-economic development of the country.

7. The problem in urban areas is mainly that of acute shortage in the number of habitable dwellings, inadequate infrastructure, community facilities and services, overcrowding and extensive slums and squatter settlements. The situation has been aggravated by recently initiated socio-economic reforms especially the Structural Adjustments Programmes (SAPs). On the other hand, the major problem in rural areas is mainly that of inadequate quality.

8. The estimated current urban housing needs are 112,100 units per year. This level of production is difficult to achieve given the scarcity of resources and implementing capacity in both public and private sectors. It is estimated that the current production of new housing in urban areas is only 20,000-30,000 units annually, giving a shortfall of over 80,000 units per annum. This shortfall in housing is met through proliferation of squatter and informal settlements and overcrowding.

9. A number of steps have been taken to come up with a policy document to alleviate the above situation. For instance following the *International Year of Shelter for the Homeless in 1987*, the Government formulated the *National Housing Strategy to the Year 2000* which advocated change of Government policy from direct provision of housing to creating an enabling environment to facilitate other actors to invest in shelter. In 1990, the process towards housing policy review was initiated and the same objective was pursued. It has therefore become necessary to have a critical look into present and future performance of the entire housing sector and formulate new policy and strategies that will guide the preparation and implementation of future housing programmes. The review of the housing policy is intended to provide a guide on this directive when Kenya, along with other members of the international community, is implementing the *Habitat Agenda* and the *National Plan of Action on Shelter and Human Settlements* to the year 2020. This policy has adopted

an enabling strategy, guided by the principles of partnership and participation by all partners.



# **CHAPTER TWO**

## **GOALS AND OBJECTIVES OF THE HOUSING POLICY**

### **2.1 THE GOAL**

10. The main goal of this Housing Policy is to facilitate provision of the maximum number of people with adequate shelter and a healthy living environment at the lowest possible cost. This will also minimize the number of citizens living in shelters that are below the habitable living conditions. It will also curtail the mushrooming of slums and informal settlements especially in the major towns.

### **2.2 OBJECTIVES**

11. The basic objectives of the policy are: -

- (a) To create an enabling environment for provision of housing by the private, public as well as the community sectors to reduce the shortfall.
- (b) To assist the low-income earners in housing production and improvement.
- (c) To improve the quality of existing stock of houses.
- (d) To encourage research and the use of locally available appropriate building materials and technologies to reduce the cost of housing.
- (e) To provide and improve infrastructural facilities in both the rural and urban areas hence improve human settlements and living environments.
- (f) To mobilise resources and strengthen capacity building in order to facilitate expansion of investment in housing.
- (g) To earmark and set aside land for housing development in urban areas.
- (h) To contribute in the alleviation of poverty by creating employment among the poor.

## **CHAPTER THREE**

### **ELEMENTS OF THE HOUSING POLICY**

12. The main elements of the Housing Policy are: policy targets, main housing inputs, management, legislative and institutional frameworks.

#### **3.1 POLICY TARGETS**

##### **3.1.1 URBAN HOUSING**

13. The high rate of urbanization being experienced world-wide has caused a myriad of problems the most critical being a general deterioration of the living standards of an increasing majority of urban dwellers. In Kenya the problem of urban housing is characterized by an acute shortage in the number of dwellings, overcrowding in the existing housing stock as well as the existence of sub-standard human settlements such as extensive slums and squatter settlements. The Government is committed to addressing this situation through the following strategies among others: poverty alleviation, upgrading slums and informal settlements, development of urban low-cost and middle-cost housing.

#### **Poverty Alleviation**

14. The Government recognises the ingenuity exhibited by poor people in their quest for shelter. In this connection therefore, the Government is continuously revising by-laws and regulations relating to building, planning and environmental management to ensure that the poor urban citizens will have access to their most basic needs i.e. access to shelter, food, infrastructure, water, health and other basic services; and being involved in income-generating activities. The poor people's pragmatic approach to housing will be harnessed and put to maximum utility by community based organisations through effective and well-defined popular participation approaches. Community involvement as a planning tool will be advocated in all housing programme targeting the poor.

15. The Government recognises that security of land tenure as well as availability of adequate quantities of land in suitable locations at affordable prices is a central requirement for clearing the backlog of housing demand for the urban poor. Housing programmes for the poor will be pursued at a scale which is commensurate with need and availability of resources. The

Government will facilitate the training and deployment of sufficient number of skilled personnel to implement and co-ordinate programme activities.

16. In recognition of successful programmes from other communities within and outside the country, the Government will adapt, where appropriate, concepts which have made a break-through in alleviating shelter problems of the poor. The Government will develop and support approaches which focus on community organisations and personal empowerment in ensuring access to credit through promoting creation of small scale economic activities and promoting innovative ways of mobilising finance.

### **Upgrading of Slums and Informal Settlements**

17. Upgrading of slum areas and informal settlements will be given high priority. It will be undertaken with minimal displacement to cater for proper planning and provision of necessary infrastructure and related services. Appropriate upgrading measures will be instituted for existing slum areas taking into account key upgrading components that cover security of land tenure, provision of basic infrastructural facilities and services, improvement of housing structure and the socio-economic status of the target community.

18. The Government will streamline acquisition of land for housing the poor, adopt appropriate tenure systems, planning standards to suit given slum settlements and prevent unwarranted destruction of existing housing stock and displacement of the residents. Upgrading will be integrated to take into account socio-economic activities that improve livelihoods of target communities. Employment and income-generating activities that address poverty alleviation will be enhanced.

19. The Government will also facilitate slum upgrading through integrated institutional framework that accommodates participatory approaches involving relevant stakeholders, particularly the benefiting communities while enhancing co-ordination at national level. Upgrading will take into account factors of ownership of structure, age of settlement and affordability, instituting compensation measures where necessary.

20. In order to improve the living conditions of a large proportion of the populations in urban areas, appropriate slum upgrading measures starting with Nairobi will be instituted for each slum/informal settlement, taking into account the above main components and factors.

### **Urban low-cost Housing:**

21. While considerable effort has been put to provision of housing in urban areas through increased public and private investment, the escalating housing cost has tended to push prices steadily beyond the reach of the majority of urban dwellers. Emphasis will continue to be placed on the provision of housing for low income earners who are the majority of urban dwellers. The Government will harness the people's resources through community participation and organization.

### **Urban Middle-cost Housing:**

22. Whereas the Government will continue to facilitate development of low cost housing, the need to provide middle-cost housing through the National Housing Corporation, Local Authorities and other agencies are also recognized. These agencies should work closely with the Ministry in-charge of housing in developing programmes that are appropriate and affordable to the target groups.

### **3.1.2 RURAL HOUSING**

23. Rural inhabitants have always provided their own shelter using locally available building materials. In this regard, the use of locally available building materials and the application of appropriate technologies will be aggressively disseminated. This implies publicizing the advantages of using these technologies, utilizing locally produced building materials and encouraging traditional methods of construction, which have been proved to be technologically sound. The enabling strategy, which advocates for the participation of a cross-section of actors in the shelter sector, will be combined with the use of appropriate technologies and programmes in advocating for rural shelter.

24. The Government will promote a sustainable process of shelter improvement and maintenance in the rural areas. The Government, together with other partners, will strive to alleviate rural poverty (a major bottleneck being access to credit) and increase rural incomes through the introduction of rural industry and through the establishment of non-agricultural small and medium scale enterprises (e.g. manufacturing of building materials). At the institutional level, the dependency of the rural poor on informal credit mechanisms will be supported by the introduction of innovative ways of mobilizing savings from the communities. This will be achieved by encouraging rural-based non-governmental organizations to work closely with community based-organizations.

### 3.1.3 VULNERABLE GROUPS

25. These groups cover the poor, women, children in difficult circumstances, the handicapped, the elderly and the displaced persons. The Government recognizes and appreciates the fact that housing programmes are much more effective when they take into account the different roles and needs of their targeted population consisting of men, women and youth. Therefore, the Government will endeavor to achieve the following:

- a) Involve all these groups at all levels of project planning processes. This will create ownership and, therefore, sustainability in the programmes/projects.
- b) Facilitate the creation of credit institutions and lending mechanisms that will be accessible to women, the handicapped and the displaced. Housing Co-operatives will be supported and encouraged to initiate community-based credit systems. The Government, therefore, anticipates that through the co-operative movement vulnerable groups both in rural and urban areas will be able to tackle their shelter problem more effectively and that they will be able to improve their bargaining power through collective effort.
- c) The Government will further encourage vulnerable groups to participate actively in housing by strengthening relations with Community-Based Organisations and by promoting the formation of self-help groups.
- d) In order to ensure a conducive environment for the physical and psychological growth of children, the Government will use housing as an entry point in breaking the vicious cycle of poverty which all too often forces poor children out on to streets. Through Community-Based Organizations and Non-governmental Organizations working in the poor neighbourhoods, home based activities will be upgraded and their operations expanded. In due course these activities will evolve into micro-enterprises. This will empower poor families financially and they will therefore not have to resort to street vending which in most cases involves withdrawing children from school in order to join their parents in lowly paying activities like street-hawking.
- e) In order to cater for the shelter needs of elderly persons, the Government will encourage the establishment and maintenance of

elderly people's homes. Currently, the few existing homes are inadequate and the private sector will be encouraged to establish more homes.

- f) New public building and facilities, public housing and transport systems will be required to put in place measures that ensure access by disabled persons. Similar measures will be encouraged during renovation of existing buildings whenever feasible.

### **3.2 MAIN HOUSING INPUTS**

#### **3.2.1 LAND USE PLANNING AND MANAGEMENT**

26. Effective land use planning and administration constitutes one of the essential components of the Housing Policy. Sustainable and cost-effective land-use management, proper utilization and administration would lead to well-planned and co-ordinated settlements. The enforcement of the Physical Planning Act will enhance housing development and ensure a sound human settlements environment.

27. The supply of serviced land at affordable prices in suitable locations is one of the critical inputs for housing development. The main factors that have created constraints for proper housing development such as the existing legal and regulatory framework, lack of infrastructure, lack of finance and serviced land for low income housing development, will be the subject of continuous evaluation and remedy if the current unacceptable housing situation is to be reversed. Being more of a facilitator than a provider of housing, the Government will continue facilitating the following for all key players:-

- a) Ensuring legislative and regulatory instruments governing land-use planning, administration and management are regularly reviewed and harmonized to promote housing development
- b) Encouraging innovative partnerships at local levels between the public sector agencies and private developers to provide infrastructure, land and finance for housing development. The Ministry in charge of Local Authorities should facilitate this initiative by drawing standard agreements for such partnerships.
- c) Formulating comprehensive plans in land administration in order to develop and institute appropriate mechanisms for land information

and land banking systems to facilitate land market operations for sustainable housing development programmes in future.

- d) Encouraging increased involvement of licensed private developers in land development, construction and infrastructure provision with adequate safeguards to protect consumers and increase the supply of developed land for lower-income groups, for example, by giving incentives to private developers to cross-subsidise them.
- e) A progressive tax over and above the current land rents and rates will be imposed on vacant urban land to help curb speculative activities and release land for development.
- f) Increasing the accessibility to affordable and serviceable land, while providing legal security of tenure to the poorer sections of society, women and vulnerable groups especially in areas located near their work place.
- g) Encouraging landowners to give first priority to squatters on the land to buy it at market rates for shelter development, for example, by waiving government fees on surveying, sub-division, change of user and transfer.
- h) Decentralising land management and land allocation responsibilities in urban areas and provide local capacity building programmes that encourage community participation in the decision-making processes of the central and local governments, where appropriate.
- i) Encouraging participatory planning by involving communities in part development plans preparation and implementation so that the public can be aware of intended new developments.
- j) Where possible encourage settlement patterns that minimize the cost of providing infrastructure and other services.

### 3.2.2 INFRASTRUCTURE

28. Infrastructural facilities form a major and vital component of shelter provision. Accessibility to adequate supply of basic facilities and services such as water, sewerage, roads, electricity, social services and security will greatly improve people's economic capacities, health and the quality of life in general. The Local Authorities will be basically responsible for the provision, delivery and management of these services, while being

supported by the Central Government, the Kenya Roads Board, Private-Sector, NGOs and the Community as a whole. The Housing Policy envisages action to expand and improve infrastructural facilities and services through the following:-

- a) Encouraging local authorities to enter into joint venture with land-owners in peri-urban areas and employing land re-adjustment models, which ensure that both parties gain from such partnerships; in principle landowners may surrender part of their land to the local authority in exchange for infrastructural services.
- b) Embracing the reforms in Local Government aimed at improving the financial capacity of local authorities and other local agencies; and enhancing their ability to maintain and extend infrastructural services.
- c) Facilitating community groups willing to contribute their labour and resources towards the improvement of on-site infrastructure, for example, by community labour contracting for small infrastructure development and maintenance works.
- d) Ensuring that private developers participate in developing infrastructure in rural and urban areas through their own initiative.
- e) Advocating use of construction technologies, which are cost effective, incrementally upgradable and environmentally sound with emphasis on labour intensive technologies.
- f) Establishing a Low-cost Housing Infrastructure Development Fund by the Ministry responsible for Housing Policy Development to fund shelter related infrastructure.
- g) Establishing framework for the coordination and harmonization of human settlement activities by various actors.

### 3.2.3 BUILDING MATERIALS AND TECHNOLOGY

29. Although some research findings have been achieved through the efforts of research institutions including Housing and Building Research Institute (HABRI) of the University of Nairobi and other organizations, dissemination and use have been minimal due to inadequate funding for research and dissemination. This policy aims at increasing the production of housing by utilizing such research findings, further promoting research



as well as utilization of cheaper conventional building materials and technology. The following measures will be supportive:

- a) To facilitate research on building materials and technology, the Government will increase allocation to research institutions and consider imposing a research levy on the building construction industry.
- b) All research actors will be required to harness and document existing locally available building materials and technology as well as disseminating this information to the users as appropriate.
- c) Research will be enhanced so as to develop and promote local building materials directed towards reduced construction cost for low-income settlements.
- d) Encourage the public, private and voluntary sectors to support research activities by promoting and implementing research findings.
- e) Formulate and adopt realistic and performance oriented building standards especially in low income settlements.
- f) Continue to select, disseminate and promote proven building materials and technology for housing development.
- g) Promote intensified training in requisite skills and construction technologies through Youth Polytechnics, Women and Youth Groups, Community-Based Organizations and individuals.
- h) Increase the production and application of research findings by encouraging and promoting small-scale enterprises. For sustainability of such small-scale enterprises public/private institutions, individuals and voluntary organizations will be urged to utilize the research materials in their housing and other development programmes.
- i) Production and availability of conventional building materials like cement, steel and stones, as part of the industrial policy will be stimulated.

- j) Since building materials constitute the large component of the housing construction cost, the Government will, from time to time, review the taxation levels on building materials so as to reduce construction cost.

#### 3.2.4: FINANCIAL RESOURCES FOR HOUSING

##### **Introduction:**

30. Until recently, the public sector played a major direct role in housing provision through National Housing Corporation, an approach which is becoming increasingly difficult. It is therefore doubtful that conventional public housing projects are sustainable hence the need to redefine the roles of public and private sectors in financing housing. This, therefore, calls for redirecting Government effort to creating enabling environment and regulation of development activities meant to improve the function of housing markets and the provision of infrastructure.

31. A sound housing programme must revolve around adequate resources. The Government will enhance the participation of the formal private sector in mobilization of housing resources and shelter production and delivery, while the Government's role essentially remains that of providing an enabling access to housing. The Government also calls for concentration of public resources on low income groups while embracing the concepts of affordability and cost recovery.

32. The Government's interventions will be concentrated on infrastructural development, slum upgrading programmes, rural housing improvements and land use planning while the private sector will promote housing for the low, medium and high cost housing segments.

##### **Mobilization of Resources**

33. In order to create an environment for stronger partnerships in the development of housing and improvement of human settlement conditions in the country, better and well formulated methods on how to mobilize resources are important.

34. The housing finance sector is complicated by the fact that it consists of a three-tier market that is served by an elaborate financial system. At the top of the hierarchy are households that can afford housing of high quality. The middle category consists of the middle income groups, which is predominantly composed of wage and salaried workers as well as the self-

employed. This category is not adequately catered for in the provision of housing and as a result they are relegated to housing targeted for low-income earners. The third category forms the majority of households, that is, the low-income earners who are the most affected by housing problems because of displacement brought about by inadequate housing facilities for the middle-income earners.

35. Currently, mortgage lending by formal financial institutions only benefits the high-income households besides being concentrated almost exclusively in the urban areas. The needs of the low-income earners and rural people with regard to borrowing have not been adequately addressed with the seriousness it deserves. The Commercial banks and non-banking financial institutions are restricted from investing in housing by the provisions in the "Banking Act". The policy recommends that the mortgage finance institutions adjust their strategies especially mobilization of more resources in order to contribute meaningfully to alleviation of housing shortages.

36. The budgetary allocation through the exchequer including the rural housing loans has not only been inadequate but also declining. In this connection, the amount of public funds allocated to housing will be increased to strengthen its capacity to effectively play its role in the field of shelter development.

37. The Government will harmonize the Banking Act, the Building Society Act, the Insurance Act and the various Acts relating to land and housing development and amend the sections in these Acts that have so far proved to be a hindrance to the sourcing of housing finance.

38. Due to constraints in the primary mortgage market, the Government will urgently facilitate the establishment of a secondary mortgage market in order to mobilize additional resources for housing development.

39. The maximum allowable interest for Income Tax Relief purposes will be increased to cover the interest payable on such an amount and will be subject to review every 4 years. This shall be extended to all institutions that provide loans for home ownership but which have the necessary administrative structures in place that are developed enough to ensure that such loans are applied to projects for which they are advanced.

40. In as far as sourcing funds for lending is concerned, the financiers have been forced to seek for funds to lend to housing buyers/builders. This means that they have had to go to the open market and source funds at high

market rates which in turn has resulted in very high house prices. Housing Development Bonds have been used by mortgage finance institutions to mobilize deposits for housing finance. Unfortunately these have been subject to taxation, hence making them less attractive to depositors. To make the Housing Development Bonds attractive and hence have more money directed to financing housing via housing finance institutions, the Government will review the current final interest of 10%, that is, a qualifying interest (lower rate) up to Kshs. 300,000.00.

41. The Government will in addition to the Low-cost Housing Infrastructure Development Fund referred to in section 3.2.2. (f), re-activate the statutory Housing Revolving Fund to broaden the base of housing finance sources.

42. To encourage development and financing of rural housing, the following steps will be taken: -

- a) The Government will set up a mortgage guarantee scheme through which guarantees may be given to financial institutions as an alternative security where lack of established track record or lack/inadequate security would otherwise have made the loan proposal unattractive to formal financial institutions. The major beneficiaries would be the low-income earners and those living in the rural areas.
- b) Borrowing criteria will be liberalized to take cognisance of the special constraints of borrowers in rural areas. In particular, the repayment terms set by lending institutions will be reviewed to allow for part lump-sum payments of loans by the borrowers which commensurate with their levels of incomes.
- c) Financial institutions advancing mortgage loans to rural borrowers will be encouraged to work out lending mechanism which will take into consideration the plight of the family where the value of the land exceeds the amount of loan in default, the family should be allowed to sub-divide the land so that only part of the land can be sold to clear the outstanding loan.

43. To assist the low income groups, the low - start mortgage scheme or the graduated payment mortgage will be encouraged. This method allows low initial repayments which rise at a fixed normal rate over the life of the loan. The loan repayments during the early years allow a wider band of low income households to qualify for loans than would be the case under the conventional mortgage.

44. Employers will be encouraged to facilitate acquisition of funds to their employees by way of loans either directly or indirectly through the existing network of mortgage finance institutions for the purpose of acquiring residential properties.

45. Offshore short-term borrowing finance for housing will be encouraged by the Government to check high rate of interest on mortgages.

### **3.3 MANAGEMENT**

#### **3.3.1 ESTATE MANAGEMENT AND MAINTENANCE**

46. Lack of proper management and maintenance reduces housing stock and adversely affects the built environment including infrastructural facilities and other services. To address this situation:-

- a) National guidelines on estate management and maintenance will be prepared and implemented. The guidelines will cover all modes of housing and will address such aspects as funds mobilization, design and construction materials, community participation, management committees, data collection, capacity building and the required standards for maintenance of houses and buildings. Organizations involved in housing development will be required to retain the services of estate management firms for advice on maintenance requirements.
- b) Standards will be formulated for acceptable maintenance status of the built environment in which planned preventive and corrective maintenance works will meet legally enforceable requirements.
- c) Preparation and submission of approved "as-built" drawings and maintenance manuals for each new building development will be made a pre-requisite for obtaining a "Certificate of Occupancy" by the Development Control organs.
- d) Public education and sensitization on the need to keep the built environment clean and in habitable condition will be undertaken and appropriate sanctions will be put in place for offenders.
- e) This policy aims at conserving and increasing the housing stock by encouraging upgrading activities as opposed to demolitions in unplanned settlements and initiating special schemes towards

improving housing units. Units which accommodate fewer households will be gradually replaced with more units which can accommodate more households.

### 3.3.2 DISASTER MANAGEMENT AND ENVIRONMENTAL IMPACT ASSESSMENT

#### **Disaster Management**

47. Disasters are events that seriously disrupt the functioning of a community, inflicting widespread human, property and environmental losses which exceed the ability of the affected community to cope using its own means. Disasters, natural or man-induced, and depending on causal factors, can be either slow or sudden.

48. Natural disasters resulting from geological events include earthquakes, landslides and volcanic eruptions; while those arising from a combination of geophysical, atmospheric and climatic factors are floods, lightning and droughts.

49. Human induced disasters related directly to human actions include fires, mining, industrial pollution and construction. The latter has generated a lot of concern owing to increasing incidents which lead to loss of human life and property.

50. The most devastating impacts of disasters are in human settlements, especially those of the poor and disadvantaged communities where the state of preparedness and relief are lowest. This policy notes the importance of the country's strengthened mechanism to manage disasters and urges that the policy paper on Disaster Management covers the following needs which are critical in the shelter sector:

- a) undertaking delineation of high-risk regions for different disasters for hazard mapping;
- b) developing procedures for safe development of hillsides and application of Environment Impact Assessment (EIA);
- c) promoting research in alternative, less flammable building materials;

- d) promoting hazard resistant building designs and construction in zones prone to earth movement and flooding by enforcing building specifications and regulations;
- e) promoting disaster prevention through timely and continuous maintenance of such services as storm drains, fire alarm systems etc. to reduce the impacts of disasters.
- f) establishing data banks and information systems on disasters and developing appropriate dissemination channels to enhance community preparedness;
- g) building capacity on disaster management by training planners, designers and engineers in human settlements to promote disaster-conscious land-use management in the development and implementation of land use plans;
- h) undertaking monitoring and evaluation as a means of response; and using lessons learnt from past disaster audits to take preventive measures that minimize negative impacts.

### **Environmental Impact Assessment**

51. Environmental Impact Assessment is a formal study whereby information on likely environmental impacts, possible alternatives, and mitigating measures of a given project are determined. Environmental Impact Assessment will be applied on sources of building materials, e.g. quarries on sites of major housing projects to reduce impacts of disaster and reduce maintenance costs among others. Developers will be required to submit an EIA report together with the development proposals. Where in the opinion of the approving authority, the development activity is likely to cause injurious impact on the environment, such a development will not be approved unless remedial measures are appropriately put into place.

#### **3.3.3 HUMAN RESOURCE DEVELOPMENT**

52. The Ministry in-charge of Housing recognizes the role of human resource development in shelter development and will therefore continue addressing the following issues appropriately: -

- a) Capacity building within the Housing Department, the public sector and other partner sectors so as to maintain a flow of activities; programmes and projects;

- b) Continuous and sustainable training and reorientation of architects, engineers, planners, administrators and other related professionals on recent approaches to Shelter and Human Settlements especially to adopt low-cost and cost effective approaches;
- c) Update facilities in training institutions involved in training professionals in shelter development;
- d) Promoting large-scale vocational courses at school and post-school levels;
- e) Formal and non-formal training facilities on a widely decentralized basis to upgrade social and managerial skills of construction workers, artisans and small-scale contractors;
- f) Improvement of the working conditions for construction workers and general working environment;
- h) Provision of non-formal training to facilitate maintenance and improvement of housing stock;
- i) Encourage greater involvement of NGO's and the private sector in the training of construction workers both in the formal and informal sectors; and assist urban self employed to organize themselves in order to upgrade their skills and get better access to working space, credit and marketing channels.

#### 3.3.4 MONITORING AND EVALUATION

53. The key actors, that is, Central Government, Local Authorities, Co-operatives, Private Sector and other Institutions will develop and implement Action Plans to suit local needs in consultation with the relevant stakeholders. The Action Plans will cover a time frame of one year for time bound implementation as well as incorporation into the National Development Plan.

54. Respective plans of actions and short-term plans will be formulated by taking into account the following factors:-

- a) Use of Shelter Sector Performance Indicators especially, Housing and Urban Indicators, Survey Statistics to guide the



construction of housing both by the private and public sector on the units to be offered in the rental market;

- b) Carrying out separate surveys and projections for rural and urban housing needs, including resources required for each sector.

55. For an effective monitoring and evaluation system, an appropriate management information system on housing and urban services will be developed at various levels of Government under the supervision of an Inter-Ministerial Group. Comprehensive Housing census will continue to be undertaken concurrently with the National Population Census.

56. Implementation of the National Housing Policy will always take into account other related national and global policies in order to ensure that complimentary multisectoral development takes place.

57. The National Housing Policy will be reviewed every 5 years in the light of emerging needs of different sections of the population and the demands of the changing socio-economic conditions in the country.

### **3.4 LEGISLATIVE AND INSTITUTIONAL FRAMEWORK**

#### **3.4.1 LEGISLATIVE FRAMEWORK**

58. The actions of the Ministry in-charge of housing development matters are limited due to absence of legal authority. The present Housing Act Cap 117 only covers the operations of National Housing Corporation. This Act will be renamed **The National Housing Corporation Act** and a separate all-encompassing **Housing Act** will be enacted to strengthen the role of the Director of Housing in facilitating various stakeholders to increase housing production.

59. The standards governing housing development will, where applicable, be performance oriented allowing enough flexibility to suit the various socio-cultural, economic and climatic situations of different local regions as stipulated in the Reviewed Building By-laws and Planning Regulations.

60. A permanent consultative body known as **Building By-laws Review Board** will be operationalised to review and update housing standards and regulations on a continuous basis, taking into consideration technological and socio-cultural values.

61. The Sectional Properties Act, which governs ownership of shared property to enhance security of tenure, will be popularized to facilitate investment in housing.

62. The Government will facilitate both public and private sectors to assist their employees to acquire housing. This is as stipulated in Employers Ordinance CAP 109 Sec 41 in recognition of the fact that adequately housed labour-force generates higher productivity.

63. The Government and the private sector will pay adequate, market responsive house allowance to employees to enable them secure their own accommodation. The Government will, in collaboration with housing finance institutions, establish low interest mortgage schemes, which will be open to all categories of civil servants. This scheme will enable civil servants to acquire houses at affordable repayment rates. Provision of institutional housing will be limited only to those institutions whose nature of service demands such housing. Pool housing will only continue to be developed in parts of the country where stocks of housing have not been presently constructed in adequate quantities. This arrangement will cease to operate progressively as the market economy flourishes when such housing can then be disposed off.

64. As expounded in the section on Land Use Planning and Management of this policy, the Government will facilitate access to serviced land for realization of the housing programmes outlined above.

#### 3.4.2 INSTITUTIONAL FRAMEWORK

65. This section redefines the roles of the actors in the shelter sector i.e. the Government, the private sector, professionals, the voluntary sector, cooperatives, communities and international organizations.

##### **The Government**

66. The Government's role in housing is shifting from that of direct provision to that of enablement by forging partnerships with the private sector, community and other key actors at different levels. The Government's role will be to:-

- a) Formulate and review the housing policy to cater for the diverse needs and resource endowments of different regions of the country;
- b) Motivate and support key actors seeking to improve shelter through upgrading, extension of basic services, income generation and environmental conservation;
- c) Create conditions favourable to both men and women in exercising their rights and responsibilities through effective participation in housing. These conditions should cater for all vulnerable groups;
- d) Rename the existing *Housing Act* the *National Housing Corporation Act* and enact a separate Act on housing to be known as the Housing Act, popularize various enabling Acts and review Acts which limit access to shelter;
- e) Encourage decentralised execution of housing schemes in urban and rural areas, under local bodies while directing housing agencies to act as promoters of housing activity rather than builders of houses. It will concentrate on the supply of developed land and infrastructure, assist people in construction and house upgrading, extension of appropriate technology and dissemination of information on housing schemes;
- f) Through a process of reviewing building by-laws and planning regulations, importance will be attached to promotion of socially acceptable local building materials and appropriate technologies. Decentralization of manufacturing of building materials, training and skill upgrading will be promoted;
- g) The Government will also forge partnerships with other governments and international agencies in the exchange of information on shelter and human settlements issues such as identification, documentation and dissemination of Best Practices on the one hand and evaluation of housing development activities on the other. This will help to build capacities through exchange of experiences;
- h) Undertake land-use planning and administration, provision of infrastructure and low-cost housing;
- i) Co-ordinate research and training as well as promote the development of the housing finance sub-sector;

- j) Undertake regular monitoring and evaluation in order to evaluate impacts of projects and identify bottlenecks;
- k) Undertake maintenance of public buildings including institutional and pool housing.

### **The Private Sector**

67. Private Sector will be an anchor to national development with the Government playing an enabling role.

68. The Government will ensure and support a competitive private sector to achieve the most cost effective and responsive means of implementing equitable settlements and shelter policies. It will institutionalize transparency and accountability, eliminating corrupt practices that result in the misappropriation of resources or misapplication of justice in both the public and private sectors..

69. The Government will, in collaboration with community based organizations, private sector and non-governmental organizations, encourage various shelter-related activities, especially for slum dwellers and the rural poor, through preferential allotment of land, promoting appropriate mechanism for access to finance and fiscal support.

### **Co-operatives**

70. Full advantage will be taken of established and upcoming co-operatives to serve as vehicles for mobilizing finance for housing.

### **Professionals**

71. Professionals in the building industry may have been an impediment to the development of affordable shelter due to their insistence on rather complex designs and costly specifications of construction materials and techniques. Professionals will be prevailed upon to facilitate shelter delivery process by:-

- a) Being sensitive to the people's limitations, especially the disadvantaged.
- b) Building on existing initiatives.

- c) Involving end-users in the design process to ensure that the end product incorporates their values.
- e) Upholding professional integrity, charge reasonable fees and instil unquestionable ethical standards.
- f) Playing a more active role in the formulation and review of legislation that affects housing delivery. Professionals also face competition from non-professional in service delivery. In order to curb this trend, it will be mandatory for every building construction to be associated with professionals.

### **The Voluntary Sector**

72. NGOs and CBOs can contribute to the development of housing through informing and mobilizing communities among whom they work with a view to improving their housing and living environment. The Government will support them in this endeavour.

### **International Co-operation**

73. The country has in the past benefited from international cooperation in development of housing. Important aspects of this policy which require support and collaboration with the international community are: research and dissemination of appropriate building materials and technologies; training and capacity building; exchange of experiences and Best Practices; partnerships and access to financial resources.

## CHAPTER FOUR

### CONCLUSION

74. It has now been established that Government alone cannot adequately provide shelter to its needy citizens. Future projections on housing needs indicate that this should be catered for by a proportionate increase in investments in housing and infrastructure based on current housing requirements of 112,000 units in urban areas and 300,000 units in the rural areas. For the country to realise the expected future output of housing stock the Government will rally all actors in both public and private sectors. The combination of all the factors of housing production as outlined in the review embracing finance, land, research and institutional arrangement will form a basis for the preparation of housing programmes. The Government, local authorities, NGOs, CBOs, Co-operatives, Banks, Building Societies, Regional Development Authorities and individuals are called upon to step up their efforts several folds to ensure that the present untenable housing situation is reversed. The Ministry in-charge of housing will prepare and publish national housing programmes based on information realized from surveys and analysis of data from the population and housing census. All the actors listed above will implement their components of the published programmes.







