



## **KENYA INSTITUTE OF PLANNERS**

### ***Proceedings of the 2<sup>nd</sup> Annual National Conference on Planning Under a Devolved System of Government in Kenya***



**Held on 27<sup>th</sup> - 28<sup>th</sup> November 2013, Imperial Hotel, Kisumu City, Kisumu County**

## TABLE OF CONTENTS

Acknowledgement .....	iii
Forward .....	iv
Statement of review.....	v
<b>PART I: OPENING SPEECHES AND REMARKS .....</b>	<b>1</b>
KIP Chairman’s message: <b>Dr. Isaac K. Mwangi</b> .....	1
Speech by the Cabinet Secretary for Land, Housing and Urban Development: <b>Hon. Charity Kaluki Ngilu, EGH.</b> .....	3
Speech by the Chairman National Land Commission: <b>Dr. Muhammad Swazuri</b> .....	7
Speech by Vice President of Common Wealth Association of Planner: <b>Plan. Bosire Ogero</b> .....	9
Remarks by Kisumu County Executive for Physical Planning, Roads and Public Works: <b>Vincent Kodera</b> .....	9
Remarks by Deputy Governor, Kisumu County: <b>Hon. Ruth Odinga</b> .....	11
<b>PART II: ORIGINAL PAPERS PRESENTED AT THE 2<sup>ND</sup> ANNUAL NATIONAL CONFERENCE .....</b>	<b>12</b>
An Appraisal of Spatial Planning Functions under Kenya Constitution 2010: <b>Plan. Dr Herbert Musoga, MKIP</b> .....	12
Appraisal of Financing Planning Functions of the National and County Governments - Mechanisms of Financing Planning Functions: <b>Plan. Dan K. Kiara MKIP</b> .....	26
Role of Spatial Planning in Budgeting and Revenue Allocation: <b>Plan Disterius O. Nyandika, MKIP</b> .....	39
Trans-County Regional Planning, National Planning and Planning Under Devolved System: <b>Plan. Charles Otieno Konyango MKIP</b> .....	53
Nature and Scope of Integrated, Sectoral and Spatial Planning under County Government Act No. 17 of 2012: <b>Plan Dr Isaac K. Mwangi, MKIP FKIP</b> .....	64
<b>PART III: HIGH LEVEL PLENARY SUMMARY &amp; SELECTED FEEDBACK</b>	<b>83</b>
Selected Feedback.....	83
Closing Speech by Governor, Homabay County <b>H.E Hon, Cyprian Awiti,</b> .....	85
Summaries and Pathways .....	88
<b>ANNEXES .....</b>	<b>95</b>
Annex 1: Conference Programme .....	95
Annex 2: Conference Speakers .....	98
Annex 3: List of participants.....	100
Annex 4: Conference Sponsors .....	104
Annex 5: Field Excursions.....	105
Annex 6: Conference Photo gallery.....	106
Annex 7: KIP Governing Council.....	108

## **Acknowledgement**

Appreciation goes to the KIP governing council and the Organizing Committee, for working tirelessly to develop conference theme and subthemes that attracted quality papers in spatial planning.

We would like to thank all the authors who prepared and submitted their respective papers on time for the conference. A warm thank you goes also to the editorial team who despite their time constraints were highly committed to put their expertise into the reviewing and finalizing on the proceedings. In particular, I would like to acknowledge the contribution made by Plan. Disterius Nyandika who ably assisted in completing final edits of the papers and these proceedings.

Special appreciation to conference sponsors namely: Crown Paints, Matrix Development Consultants, Athi River Mining, Geo –Spatial Systems Ltd, International Project Planning & Management, Simu Plan Consultants, Two EMS Associate and Maseno University. We value your generous contributions that contributed to the success of the conference.

Finally, we would like to thank all participants for their support and contribution during the conference which indeed made the conference meet its objectives.

## **Forward**

The decision by the Governing Council (GC) of the Kenya Institute of Planners (KIP) to organize the 2013 National Conference in the City of Kisumu is in line with KIP's overall policy of organizing major activities of the Institute in different counties of our Country as part of our outreach programme to popularize the role of planning in the development of our Counties. In line with the foregoing policy, the 2012 planning conference was held (2012) in Nairobi whereas the in 2010, it was held in Mombasa.

The 2013 Conference has come at a time when Kenya is in her first year of transition to devolved system of government. Planning under this new system is provided for under the Kenya Constitution 2010 and other laws that include: the County Government Act No. 17 of 2013, The Land Act No. 6 of 2012, The National Land Commission Act No. 5 of 2012 and Urban Areas and Cities Act of 2011. In addition, planning practice is still under the Physical Planners Registration Act (PPRA) and the Physical Planning Act, CAP 286 which are yet to be aligned to the new framework.

The choice of the conference theme, i.e. **“Second Conference on Planning under Devolved System of Government in Kenya”** was therefore deliberate and significant as it was aimed at capturing the spirit of the unfolding transition towards a devolved system of governance as provided for in the Constitution of Kenya 2010. It was chosen to highlight the opportunities and challenges that have come to the fore touching on the built environment and particularly planning. During the 2012 National Planning conference held in Nairobi, the Nation was gearing towards embracing a new dispensation brought about by Kenya Constitution 2010. This phase has come to pass and we are reeling under the effects of what this re-organization has meant to the National and County governments and hence the need to debate the emerging issues so as to create a better and livable environment.

The conference overall had well researched presentations by experienced planners in Urban and Regional Planning. Each paper and insights represents a substantial contribution to the discourse on the role of planning under the devolved system of government. Enjoy reading these proceedings and I hope that they contribute further to the advancement of ideas and knowledge and the challenges under devolved system of government going forward.

DR. ISAAC K. MWANGI, MKIP, FKIP  
CHAIRMAN, KENYA INSTITUTE OF PLANNERS

## **Statement of review**

All papers reproduced in these proceedings were presented at the 2<sup>nd</sup> Annual National Conference on Planning under a Devolved System of Government in Kenya held on 27<sup>th</sup> - 28<sup>th</sup> November 2013 at Imperial Hotel, Kisumu County.

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## **PART I: OPENING SPEECHES AND REMARKS**

### **KIP Chairman's message: Dr. Isaac K. Mwangi**

I welcome you all to this the 2013 KIP conference which is the Second National Conference on "Planning under Devolved System of Government in Kenya". In doing this I also take this opportunity to sincerely thank H.E. Hon Jack Ranguma, Governor Of Kisumu County for kindly hosting this Conference at Kenya's great lake side City of Kisumu, and also accepting to officially open it. In the same breadth of appreciation as Chairman of the Kenya Institute of Planners, I appreciate the presence of Hon. Charity K. Ngilu, The Cabinet Secretary, in the Ministry of Lands, Housing and Urban Development, (MLHUD) who out of her busy schedule has been kind enough to spare some of her precious work time to be with us to deliver a Key note address at conference.

This conference is also graced by the presence Dr Mohamed Swazuri, Chairman, National Land Commission (NLC) who will also address conference participants. Dr Swazuri is a professional in the land sector of long standing. He also was a Commissioner in the Constitutional Review Commission of Kenya (CRCK) which spearheaded the writing of the new Constitution. Participants stand to learn from his wealth of past experience and what he has for the future of the organization he now heads.

As we all know, the new constitution of Kenya has created new impetus for planners to evaluate the role we have played in planning for change and development in our cities, towns and rural areas in the past.

The new constitution caters for planning under devolved government at county level. It has also provides for planning functions at the national level. I believe too that planning for special regions such as natural resource areas that cut across two or more Counties as well as metropolitan fields of similar magnitude has also a place in planning under the new constitution through appropriate legislation. Most importantly, the constitution has given planners the opportunity to align delivery of professional planning services with needs of County Governments without neglecting planning needs at national level and special regions.

This conference provides the right opportunity for members of the Institute, professionals in other sectors, policy makers from County and National Governments and investors, civil society as well as academia to meet and discuss pertinent constitutional, legal and organizational issues that touch on planning under devolved system of government.

This is the first conference being held after all County Governments and the new look National Government are in place as stipulated in the Kenya Constitution 2010. It appears now as “*wahenga walinena*” what remains for Kenya is “*kulea mwana*”, .i.e. to nurture and make devolved system of government work as Kenyans envisioned in the new Constitution. While those whose destiny have placed in positions of leadership, whether elected or appointed, have to do what it will take to ensure planning under devolved system of government works, goodwill and trust among all players is also necessary. The role of the institute in this will be to spearhead advancement of professional planning in Kenya. In this regard, I take this early opportunity to state a renewed commitment by the Institute to the Kenyan society on this matter.

As Chairman of the Institute, I am happy to note that the Governing Council of the institute has initiated several activities to support devolution generally and planning under devolved system of government. For example, the Council is preparing a corporate strategic plan that will spells out the direction the institute and its membership will take in order to be more proactive in working with County and National Government to make planning of rural development and cities serve the economy, social needs of Kenya and the environment better.

This initiative is meant to make the Institute more effective in advancing the growth of relevant theory in the practice of planning in Kenya. It will also seek to deepen and embed sustainability of investment environment in the rural areas of Counties, Cities and Towns; and promote regional economic growth to arrest spatial inequality in development across Kenya. Overall, the general welfare and interests of the Kenyan society with respect to the livable built environment is an underlying goal in the Institute's quest to play a role in steering change and transformation of society and in supporting market economy in the Country. However, I am aware the institute can only realize this goal by working with partners.

The Institute will therefore collaborate with the National and County Governments, the private sectors and other players in the Institute's partnership program in order to synergize and strengthen our professional body with respective policy making, planning and implementation functions of the two levels of government.

With these remarks, I wish you all fruitful deliberations during this important “Second National Conference on Planning under Devolved System of Government in Kenya”.

On its part the Institute is committed to play its role to champion institutionalization of planning under the new system by upholding the tenets of its enduring motto of: **MAKING KENYA A PLANNING SOCIETY**

### **Speech of HE Hon. Jackton Ranguma, Governor Kisumu County**

Ladies and Gentlemen,

I am indeed pleased to join you all on this occasion of the official opening of the planners' second national conference on planning under devolved system of government in Kenya.

This event marks an important milestone in our endeavors to effectively address the challenges of county planning across the country. In this respect, I believe that the deliberations from the two day conference will hence provide a framework for improving utilization of the counties' land and provide for proper physical development. The benefits of such a framework will be the realization of the implementation of the Kenyan Constitution, The Kenya Vision 2030, Urban Areas and Cities Act and the County Government Act. All of us are aware that embracing spatial planning at all levels will result to the realization of economic and social growth and political stability.

I am aware that planning employs a holistic approach in identifying various strategies for solving different development challenges. This is only possible through partnerships between various stakeholders like Kenya Institute of Planners who have a common goal. I urge the leadership of the Planners' Institute to enhance capacity building in all the 47 county governments in Kenya and lobby attention to ensure that planning supersedes all forms of development. I am sure that it's only through such efforts that our well trained and experienced brains like yours will not be washed down the drains but rather be absorbed in the various planning structures established at the county levels.

Ladies and Gentlemen,

We all appreciate that our Country's development policies aspire to transform the nation into an industrialized middle income country providing a high quality of life for its citizens by the year 2030. This will happen only if there is preparedness in terms of formulating long term plans for counties across the country. The first priority is to re-orient the thinking of our citizens to see beyond the immediate and to focus more on how we want our counties to look like in twenty or more years from today. This again fits perfectly in the new political dispensation of devolved government where Counties are obligated to have planning framework that integrates economic, physical, social, environmental and spatial planning. It is from such a framework that resources will be committed towards Counties' development.

Furthermore ladies and gentlemen, the positioning of Kisumu County at the epicenter of a six hundred million market makes it very strategic and

appetizing to investors locally, regionally and globally. This calls for a lot closer cooperation with KIP so that we have a properly planned county that will not pose challenges in future as has been witnessed before.

I want to take this opportunity to express my heartfelt gratitude to the Institute of Planners for bestowing Kisumu the honor of hosting the second KIP National conference and the very first under the devolved system of governance. This shows the value the Institute has put on the geo positioning of Kisumu. We can only repay this level of confidence by making sure that we are at the forefront of delivering the best physically and spatially planned county of all the 47 counties. This will only be achieved by engaging you at every turn of the way.

Ladies and gentlemen, on this note, I want to heartily welcome all of you to Kisumu, enjoy the magnificent beauty of this city and at the end of this conference, I want to challenge you to come up with policy issues that will help drive the devolved system of government to the next level.

Ladies and gentlemen, I therefore declare this KIP second national conference under the devolved system of government officially open.

**Speech by the Cabinet Secretary for Land, Housing and Urban Development: Hon. Charity Kaluki Ngilu, EGH.**

**Ladies and Gentlemen,**

It is my pleasure to join you in this important conference. It is encouraging to find professionals setting aside time and other resources to gather and deliberate on issues affecting their profession and chart the way forward. Constant meetings are important as they give you time to reflect and do an assessment on progress in your professional field. It is my wish that you will have a good time as you deliberate on various issues regarding your profession of planning and that the outcome of the conference will propel the Kenya Institute of Planners (KIP) to greater heights in the days to come especially in light of the newly devolved governance structure.

I have been made aware of the Institute's overall objective, that is, promotion of sustainable development. In deed there has been a lot of exploitation of the earth's resources without replenishment of the same due to selfish use of the meagre resources available to mankind. We must carry out the exploitations in a manner that the future generations will find the same resources to live on. As our late sister, Nobel Laureate Professor Wangari Maathai (God rest her soul in internal peace) once said, "*nature is very unforgiving*". We cannot expect to exploit the natural resources 'ruthlessly' and expect nature to continue being so kind to us. We need to plan to succeed.

As you are all aware, Kenya is implementing a number of development blueprints, the Constitution of Kenya, the Jubilee Manifesto, the Vision 2030 and the Sessional Paper No. 3 of 2009 on the National Land Policy.

We all need to put efforts to ensure total realization of the inherent benefits; in land service delivery, environment, infrastructure, information technology and Agriculture as outlined in the National Development Agenda blueprints.

The Constitution of Kenya has resulted in various transformations in the organization of the Government structures and functions. There is now a devolved system of Government running alongside the National Government. The former Ministries of Lands was re-structured to the Ministry of Land, Housing and Urban Development. We also have the National Land Commission.

My ministry is committed to see to it that devolution of services in the ministry succeeds so that all counties can be served equitably. With the rise in population there is pressure on facilities countrywide. For example, recently a whopping 850,000 pupils sat for their Kenya Certificate of Primary Education. This is more than 5 times the number (150,000) that sat for the same exam 28 years ago. We must plan on how these pupils will be accorded places in secondary schools.

With the devolved government in place I challenge you to propose measures of making the counties stable and economically productive units through proper land use planning. We need to create jobs that can ensure our counties are sustainable. On this I call upon all stakeholders in the counties to work together in consultations amongst themselves to make devolution a success. We look forward to a situation whereby it will not matter in which county one is living and working in as he/she will access relevant services and facilities with ease. This will suppress the ever pressing issue of rural-urban migration and will therefore relieve the much pressure that big cities and towns are sighing under.

**On Sustainable land use planning;** to date the Ministry has prepared a draft National Spatial Plan which accounts to about 60% of the entire process. In the 2013/2014 financial year, the Ministry will complete the Draft National Spatial Plan.

This will include, among others; Engaging with sectoral players and experts and harmonizing views and proposals from thematic groups, Conducting a number of regional/county workshops and a National Workshop for validation leading Publication of the Plan.

The Ministry is preparing regulations / subsidiary legislation as required in the Land Statutes (Land Act, 2012 and Land Registration Act, 2012), Review the Urban Areas and Cities Act, 2011 as well as the Physical Planning Act Cap 286. There is also a task force on the formulation of the Community Land and Eviction and Resettlement Bills and I do hope KIP members are participating in these tasks.

Shelter as a basic need, and which is so recognized in the Bill of Rights in the Constitution, is among the top agenda of my ministry. It is the wish of every person to live in a decent house.

The ministry together with other stakeholders in housing sector is keen to provide affordable housing to the Kenyan citizenry. We are working on a target of providing 300,000 housing units and we will soon be launching this program.

My ministry has a target of registering three (3) million land parcels in the country by the year 2017 throughout the country and planning is essential for the success of the programme. Without having the rights of land registered in your name, you may not have the boldness to put up permanent and decent houses due to uncertainty that is connected with unregistered land. We need cooperation among all landed professionals to succeed in this task.

Land disputes are major impediments towards development of individual land parcels. It has been noted that many such disputes concern general boundaries. To tame these boundaries strives, the new Land Registration Act 2012 has recommended geo-referencing of all land parcels and we look forward to a situation where people will not spend so much time solving land disputes.

May I also add that my ministry is working hard to align its operations with the provisions of the Constitution of Kenya 2010. In this regard, the ministry is in the process of operationalizing the new land legislations namely: The Land Act 2012, The Land Registration Act 2012, and The National Land Commission Act 2012. Other Acts relating to land need to be harmonized with the Constitution.

Towards this end the ministry is spearheading the revision of the relevant Acts including those governing the planning profession. As planners you must take the opportunity and view development from a broad perspective.

Looking beyond our borders, Kenya needs to be linked with the neighbouring countries and indeed the Lamu Port South Sudan Ethiopia Transport (LAPSSET) Corridor, for example, is a joint venture project involving Kenya and some of our neighbours. Internally there will be many projects that will cut across several counties and there has to be harmony amongst all parties for such projects to succeed. We look forward to the coordination between various professions and other stakeholders for a Kenya that is kept on course towards realization of the Kenya Vision 2030. I urge you to embrace the modern technologies such as the Geographical Information Systems (GIS) in your discipline of physical planning.

As I conclude, let this question linger in the mind of each one of us, *‘what kind of Kenya will I hand over to the future Kenya?’*

It is now my pleasant duty to declare this Kenya Institute of Planners (KIP) Annual National Conference officially opened. I wish you fruitful discussions in this conference

**Speech by the Chairman National Land Commission: Dr. Muhammad Swazuri**

I am glad to be part of this very important function. It is indeed a privilege to address this gathering of professionals and policy makers responsible for the management of our towns and cities.

Gathered here are professionals in the built environment and I have no doubt that these discussions will provide practical solutions of how effective/proper city and regional planning can be achieved in our new devolved systems.

I am extremely happy to see the commitment the professional in the built environment are making to ensure that our devolved governments achieve great success.

The proceedings of this conference have been very enlightening. The selection of the theme for the Conference **“Planning under devolved system of Government in Kenya** “is very relevant and timely, considering the fact that the country is going through a transition.

The cost of planning has escalated over the years and we need to institute proper planning procedures all over the country. All of us here have encountered the problems which our towns are facing such as the sprawling slums, lack of inadequate clean water and the illegal power connections. All these can be corrected by proper planning in our towns and cities.

Professionals need to take their rightful place as guides and advisors to the society, by doing so they will improve their quality of life.

One of the key responsibilities and functions of the National Land Commission is to monitor and ensure land use planning in the country is carried out as stated in the law. We are also required to develop and prepare an effective and efficient system for coordinating monitoring and overseeing the Commission's land use planning functions in the national government, county governments and any other agents. The National Land Commission will liaise with national government in the preparation of the National Land Use Policy (NLUP), National Land Use Spatial Planning Policy (NLUSPP) and general principles and guidelines on land use planning.

We will also identify and advice on the types and content of various land use plans at different levels – national, regional (county) and local levels. The Commission will also oversee the preparation of Land Use Plans as a framework for managing public land both at the national and county levels through liaison with national, county and local planning agencies in the preparation, implementation and monitoring of land use plans.

The National Land Commission is in the process of establishing databases that will enable the commission know the suitability of land to be acquired for public purposes. The commission will also create land banks and land for other uses such as public housing, industry and land for investment. We will also establish and maintain comprehensive record of plans for all public land.

Currently we have formed mechanisms that will help coordinate the processing of applications for plot allocations, extension of leases, extension of user, change of user and subdivisions at the County Land Management Boards.

The National Lands Commission is ready and willing to network with other partners and stakeholder in order to achieve great success with respect to land use planning and development.

Your presence here today is a sure commitment that you, in your own way, would like this country to get onto the path of implementing meaningful land reforms.

May I, at this juncture, thank the organizers of the Conference for organizing such a great forum. I have been enriched by the discussions and wish to thank you greatly.

**Speech by Vice President of Common Wealth Association of Planner: Plan. Bosire Ogero**

Plan. Bosire conveyed good will messages from Common Wealth Association of planners (CAP) representatives from around the world. H brought to the attention of participants that CAP had a network of young professionals from which one local planner; Plan. Jeremiah Ougo had won an award for writing an essay on planning issues. Young planners were encouraged to join this network. He observed that Cities across the world contribute more than 70% of World’s GDP while in Kenya 55% of GDP is contributed by Urban areas. The key observation therefore is that urban areas are engines of economic growth and development.

There can be no growth without urbanization; however no sustainable urbanization can be achieved without sound planning. Planners were reminded of the Post 2015 agenda issues of effective planning and sustainable development.

Plan Bosire informed members about a planned visit by planners to Singapore and Malaysia for benchmarking. He challenged the planners associated to champion discourse on the National Urban Development Policy and the new Planning legislation as quick wins to anchor the planning profession in a devolved system of government.

**Remarks by Kisumu County Executive for Physical Planning, Roads and Public Works: Vincent Kodera**



***Eng Vincent Kodera***  
***(Insert Photo)***

It’s my pleasure to join this congregation of planners on this very important day as you hold your second national conference under the new system of governance which you have aptly themed “planning under the devolved system of government in Kenya”.

Ladies and gentlemen, planners are going to play a very integral in the new devolved system of government. As you might already be aware, section 4 of the Physical Planning act mandates you the planners to be the chief advisors of government (and now the county governments) on all matters relating to physical planning.

Any government that is not well thought out in terms of physical planning is the epitome of chaos. Ladies and gentlemen we all have seen what unplanned or poorly planned development has caused in the past.

To this end, you must play religious attention to section 5 of the act which outlines your mandate and functions. Abdication of the outlined functions in this section will result in chaos that will have profound effect on the desired economic trajectory of the devolved system of government.

Physical planning is the foundation on which development agenda of the county governments will be hinged. Section 5(2) of the act clarifies your function by mandating you to prepare the National Spatial Plan in which the National Physical Development Policies, guidelines and Strategies and formulated and also prepare the Local Development Plans in the County and at the Sub-County levels.

Ladies and gentlemen, in Kisumu County, since the coming into office of this administration, we have made it our priority to continue with the good work that the planners had been doing.

Besides the budgetary allocation for the planning our growing urban centres, we have engaged with partners to realize the best planned county. A total replanning of the City of Kisumu and the county as whole has been done and the plans will be presented to the County Assembly in due course for approval. These plans will for the bedrock of all the future developments and policy formulations.

Ladies and gentlemen, in Kisumu County, we are grappling with numerous challenges. Key among the challenges are:

1. Understaffing
2. Inadequate budgetary allocation
3. Trans-boundary planning challenges: Sondu, Maseno, Muhoroni etc
4. Uncoordinated land subdivision into small uneconomical units.

Ladies and gentlemen, today is your day and I would be doing you a great injustice by going on forever. As I beg to end my otherwise lengthy speech, may I have the pleasure of inviting H.E the Deputy Governor to say a word and welcome you to Kisumu.

**Remarks by Deputy Governor, Kisumu County: Hon. Ruth Odinga**



***HE Hon Ruth Odinga, Deputy Governor, Kisumu County  
(Insert Photo)***

Hon. Ruth Odinga welcomed participants to the County of Kisumu and invited them to sample its hospitality. She highlighted some key issues to consider during the conference such as: the difference between Kisumu County versus Kisumu Town; the need to address rural-urban migration; the lack of planning capacity; land fragmentation and the fact that the Kisumu has its back to the Lake as opposed to looking towards the lake for economic opportunities and prosperity.

Kisumu has developed with its back facing the lake instead of the lake being the face of town. The pioneer planners were therefore unfair to Kisumu city as this scenario is contrary to Cities with similar features across the world.

The county government is currently putting measures in place to address some these challenges. We would be looking to partner with the institute to address issues of capacity building and create linkages.

We will also be looking to the Institute to come up with policies that are responsive to the current planning trends.

The importance of planning cannot be over emphasized and we shall endeavor to lobby for spatial planning. Indeed planning can solve the problems of rural-urban migration since people prefer to live in urban areas.

## **PART II: ORIGINAL PAPERS PRESENTED AT THE 2<sup>ND</sup> ANNUAL NATIONAL CONFERENCE**

### **An Appraisal of Spatial Planning Functions under Kenya Constitution 2010: *Plan. Dr Herbert Musoga, MKIP***

**Abstract:** *The Kenya Constitution 2010 presents immense opportunities for planning. These opportunities are tangential to: creation of two levels of government, (National and County); collective principles and values to inform all public and individual actions and endeavors; Social and Economic Rights to be enjoyed by all citizens; and a framework for resource allocation to realize the constitutional promises. It is incumbent upon the planners to harness and ride on these opportunities in order to realize the dream of “a planning society” and quality living environment.*

*A certain minimum level of preparedness is required for the planning fraternity in terms of: policy framework to provide a collective agenda and vision for planning; legislative scaffold to establish institutions to direct, regulate and administer the planning service to society; tools and instruments to enhance and standardize delivery of the planning service; and an appropriate frame for regulating planning practice both in public and private sector. This paper identifies the planning opportunities presented by the Kenya constitution 2010 and the implications in terms of demands on preparedness to harness these opportunities for prosperity and posterity.*

#### **Introduction**

The Kenya Constitution 2010 presents immense opportunities for spatial planning. These opportunities are hinged on: creation of two levels of government, (National and County); collective principles and values to

inform all public and individual actions and endeavours; Social and Economic Rights to be enjoyed by all citizens; and a framework for resource allocation to realize the constitutional promises.

It is incumbent upon the planners to harness and ride on these opportunities in order to realize the dream of *“a planning society” and quality living environment.*

A certain minimum level of preparedness is required of the planning fraternity in terms of: policy framework to provide a collective agenda and vision for planning; legislative scaffold to establish institutions to direct, regulate and administer the planning service to society; tools and instruments to enhance and standardize delivery of the planning service; and an appropriate frame for regulating planning practice both in public and private sector.

This paper identifies the planning opportunities presented by the Kenya constitution 2010 and the implications in terms of demands on preparedness to harness these opportunities for prosperity and posterity.

### **Requisite Instruments for Facilitating the Delivery of the Spatial Planning Function**

Spatial Planning is an essential service to society and a key facilitator in actualizing development aspirations as expressed in the constitution, vision 2030, sectoral policies and stakeholder desires. The main purpose of spatial planning is therefore to guide the spatial distribution of development by allocating investment resources from national budgets to support sustainable development in the identified areas. Spatial planning is essential in order to ensure development is focused on locations, where environmental, economic and social sustainability objectives can be achieved. Spatial planning also addresses spatial inequalities in terms of supporting the generation of a more balanced economy and to ensure access to jobs, housing and amenities in areas of the country which are in deficit.

For these benefits to be actualized there is need for an effective system of spatial planning made possible through: policy, legislation, standardization of planning practice and capacity building.

### **Spatial Planning Policy**

There is need for a national planning policy framework to: set the spatial planning agenda; to define the planning philosophy, vision and mission for spatial planning. This will provide a unified understanding of the aspiration for spatial planning. It will also identify the state's interests in planning and

development and how these are to be dealt with in planning instruments, county development assessment processes and in designating land for community facilities.

A State Planning Policy will allow the government to speak with a single voice and provide more clarity to county governments about how to make and amend local planning instruments and assess development applications, and also assist developers preparing development applications.

By expressing the state's interests in a comprehensive manner it is easier for county government to reflect and balance state interests 'up front' in local planning schemes, ensuring the approval of the right development in the right location without undue delays.

### **Enabling Legislative Framework**

An enabling spatial planning legislation is essential to provide for a planning system that is dynamic, flexible, innovative, accommodative and responsive to changing societal needs and aspirations. Further it should:

- Guarantee effective distribution of decision-making power at all levels of government in order to facilitate citizens to plan to achieve their aspirations.
- Enable the planner to play a central role in guiding and positively influencing the Kenyan society to make decisions that will lead to attainment of sustainable human settlements.
- Facilitate the realization of the national goals and aspirations outlined in the constitution and sectoral policies.
- Enable the effective public participation in the planning processes to ensure ownership and implement ability of spatial plan.
- Mainstream spatial planning into the national development agenda in order to attract requisite resources to enable informed and evidence-based plan preparation and implementation.
- Provide for the establishment of learning institutions that engender innovativeness in planning processes.
- Facilitate efficient and effective delivery of spatial planning service to all Kenyans.

A review and analysis of Physical Planning Act Cap 286 of the laws of Kenya, discerns a number of lacuna, these should be addressed in the new spatial planning legislation and include, among others:

- The statement of objectives and principles is not declared in the Physical Planning Act. Therefore, the legislation lacks focus and unified code of operation.
- Powers or functions are consolidated around the Director, creating a centrifugal power system. This runs against the letter and spirit of the Constitution particularly with regard to devolved system of government.
- The membership of the institution of Physical Planning Liaison Committee is skewed towards public officers, running against constitutional principle of inclusivity, public participation, impartiality as well as the principle of national justice. The system of conflict resolution through the Physical Planning Liaison Committees is devolved but inconsistent with constitutional governance structures.
- Enforcement mechanisms for development control in Physical Planning Act are not clearly spelt out, inadequate and ineffective.
- Levels of planning established in Physical Planning Act are inconsistent with the Constitution in terms of power and functional distribution among various levels. Plan typologies do not cover the whole range of types of plans that could be prepared.
- The planning powers conferred on the Director are discretionary. This is implicitly inconsistent with the Constitution as planning is central to the delivery of the Constitution promise.
- Participation as defined in Physical Planning Act is narrow, unreal and not consistent with the Constitution.

The spatial planning legislation should be supported by an appropriate law to regulate the planning practice both in the public and private sector. The Physical Planners Registration Act needs to be reviewed and aligned to the current realities and demands on spatial planning.

### **Spatial Planning Handbook**

As a specialized practice, spatial planning needs a contemporary handbook to:

- Facilitate the standardization of planning practice both in the private sector and the public sector as well as at the national and county levels of planning.
- Develop a planners language that will engender a planning culture
- Provide a reference frame to facilitate communication between planners and other stakeholders in planning and development

This handbook should be prepared through a participatory process spearheaded by the Kenya Institute of Planners and the Department of Physical Planning.

### **Guidelines and Planning Manuals**

Thematic planning manuals and guidelines have to be developed and regularly up-dated to:

- Facilitate induction into the planning practice
- Provide a reference for continuous professional development
- Provide a basis for quality control of the planning products

### **Capacity Building**

To actualize the intentions of the constitution with respect to spatial planning requisite capacity has to be development and enhanced both at the county and national levels. This is in terms of:

- a) *Human Resource* – the right quality and numbers of human resources (planners, technicians, and support staff) have to be hired and deployed appropriately. This has to be supported by a structured and deliberate human resource development program entailing training and Continuous professional development (workshops, conferences, seminars, exchange programs) and Schemes of services for career advancement/growth.

In addition the County Governments should be assisted by the central government to establish of planning units to deliver the planning function to the citizens at the grassroots.

- b) *Equipment and office accommodation*- requisite equipment (Computers, Software, GPs and data storage facilities) as well as appropriate office accommodation are essential for the delivery of the spatial planning function.

## **Spatial Planning under the Kenya Constitution 2010**

Planning under current constitutional dispensation is a concurrent function; it will both at the national and county levels.

The Constitution of Kenya assigns Spatial Planning functions to the National Government, County Governments and the National Land Commission (NLC).

These functions have further been elaborated in the Urban Areas and Cities Act No 13 of 2011, National Land Commission Act No. 5 of 2012, The Land Act No. 6 of 2012 and the County Government Act No.17 of 2012, and the Draft Spatial Planning Bill 2012.

### **National Level Spatial Planning**

At the National level the planning functions are as follows:

- (a) Formulation of general principles of land planning and coordination of planning by the counties. This will ensure uniformity, and quality in delivery of planning services in all parts of the country. In addition, this will ensure harmony and efficiency in resource utilization.
- (b) To promote within the framework of national policy, the conservation, use and development of the national space.
- (c) Land use policy formulation and review to guide the sustainable and productive management of land resources.
- (d) Formulation of National Physical Planning policies, standards and guidelines for decision making in development control to realize sustainable human settlements.
- (e) Preparation and review of National Spatial Plan to provide basis for coordinating different levels of physical planning; sector and action plans for equitable and balanced development of the national space economy.
- (e) Enactment of appropriate Legal framework for Physical Planning to guide the process and legitimize planning decisions.
- (f) Research and dissemination of information in physical planning matters at national level in order to understand societal dynamics and needs, to ensure that the country makes evidence based planning decisions.

- (g) Development, promotion and regulation of physical planning profession to promote integrity and professionalism in delivery of planning services.
- (h) Monitoring and evaluation of National spatial plans, county plans and urban development plans, and sector plans to measure compliance to broad policies, standards and guidelines.
- (i) Coordination of planning among counties and resolution of physical planning conflicts arising from the operation of the planning system across counties
- (j) Capacity building/technical assistance to Counties to ensure equity in access to physical planning services

### **County Level Planning**

At the County level the planning functions are as follows:

- Preparation, adoption and implementation of physical development plans.
- County wide development plans which will cover the whole county and provide a framework for preparation of lower level plans within the county.
- Urban development plans for all urban centers and cities for purposes of orderly and coordinated development, guiding investments, infrastructure and service provision, environmental management, housing and recreation
- Rural plans for purposes of guiding the growth of rural settlements, environmental conservation, sustainable resource utilization, infrastructure and service provision

Inter-County plans for purposes of guiding resource utilization across counties and provision of shared infrastructure and services

- Development control and enforcement to ensure compliance by developers to the approved development plans and general physical planning policies, guidelines and standards

- Resolution of conflicts arising from planning decisions
- Research on physical planning matters at county level to understand specific local issues that require planning intervention, establish data banks for information in town and county planning including dissemination of information.
- To provide feedback to the national planning body on matters that concern town and county planning.
- Operationalize liaison and cooperation with other county planning organs
- Monitoring and Evaluation of all plans prepared at the county level for impact assessment and review.

### **Role of National Land Commission**

The constitution introduces the National Land Commission (NLC) as a new actor in spatial planning whose role is to:

- Monitor and have oversight responsibilities over land use planning - Article 67(h); NLC shall track effectiveness and compliance in terms of:
  - Timeliness, relevance,
  - Public participation develop monitoring/ oversight mechanism
  - Establish in consultation & cooperation with national and county governments County Land Management Boards (sect. 18 NLC, Act); - the board shall deal with matters touching on planning e.g. subdivisions, change of user.

### **Broad Categories of Plans envisaged under Constitution 2010**

- a) National Spatial Plan – A long term plan to cover the whole national territory  
The goal of the National Spatial Plan is to achieve sustainable national and regional development by spurring regional competitiveness and optimal resource utilization.

The objective of the National Spatial Plan is to promote National Integration and Cohesion through a more competitive and balanced regional social and economic growth. The National Spatial Plan shall:

- Establish overall policy spatial planning guidelines to be applied at the National, Regional, County Cities and Municipalities levels.
- Locate and give direction to specific National and societal projects for resource allocation
- Inform the preparation and implementation of trans-boundary spatial plans
- Precede all social, economic and environmental planning programmes
- Define broad strategic framework for the national and territorial space create different sectoral policy instruments that have territorial impacts and are compatible at all levels
- Give effect to national policies, priorities, plans and other planning legislation;
- Co-ordinate and integrate county and municipal spatial development plans;
- Enhance spatial co-ordination of land development and land use management activities at a national level;
- Indicate desired patterns of land use in the Republic

- b) Regional Spatial Plan (Inter-County) – to cover the area of two or more Counties. Regional spatial plans shall be an integral part of the National Spatial Plan with the following key roles:
- Advocate for integrated bioregional land-use planning and management to reduce threats to protected areas.
  - Establishment of a common vision for trans-boundary collaboration
  - Create cooperative conservation and preservation of biodiversity, natural and cultural values across boundaries
  - Promote landscape level ecosystems through protected area planning and management
- c) County Level Plans (CIDP, CSDP, Sectoral Plans) – to cover the area of a county
- Provide a spatial representation of the land development policies, strategies and objectives of the county area, which must include the area's growth and development strategy where applicable;
  - Indicate the desired and intended pattern of land use development in the county including the delineation of areas in which development *in general* or development of a particular type would not be appropriate;
  - Coordinate and integrate the spatial expression of the sectoral plans of the county area;
  - Provide a framework for coordinating Municipal Spatial Development plans with each other where they are contiguous;

- Achieve the coordination of municipal development plans with the county Spatial development Plans.
- Incorporate any spatial aspects of relevant national development strategy and Programme as they apply *in* the relevant planning area.
- The plan shall cover an area that traverses whole or part of two or more counties.

The preparation of the Regional integrated plan shall be guided by the Policies and guidelines of the National Spatial Plan

- d) Local Physical Development Plans- Cities and urban areas, or part Thereof;

The purpose of the plans shall be to guide and co-ordinate development of infrastructural facilities and services of land and for the provision of any land in such area for public purpose.

#### **Legislative Gains under the Kenya Constitution 2010**

Some gains have been realized through the legislation consequent to the new constitutional dispensation these include:

- a) The *County Government Act*- section 104. (1) Of this Act requires that county government shall plan for the county and no public funds shall be appropriated outside a planning framework developed by the county executive committee and approved by the county assembly. And, that the county planning framework shall integrate economic, physical, social, environmental and spatial planning

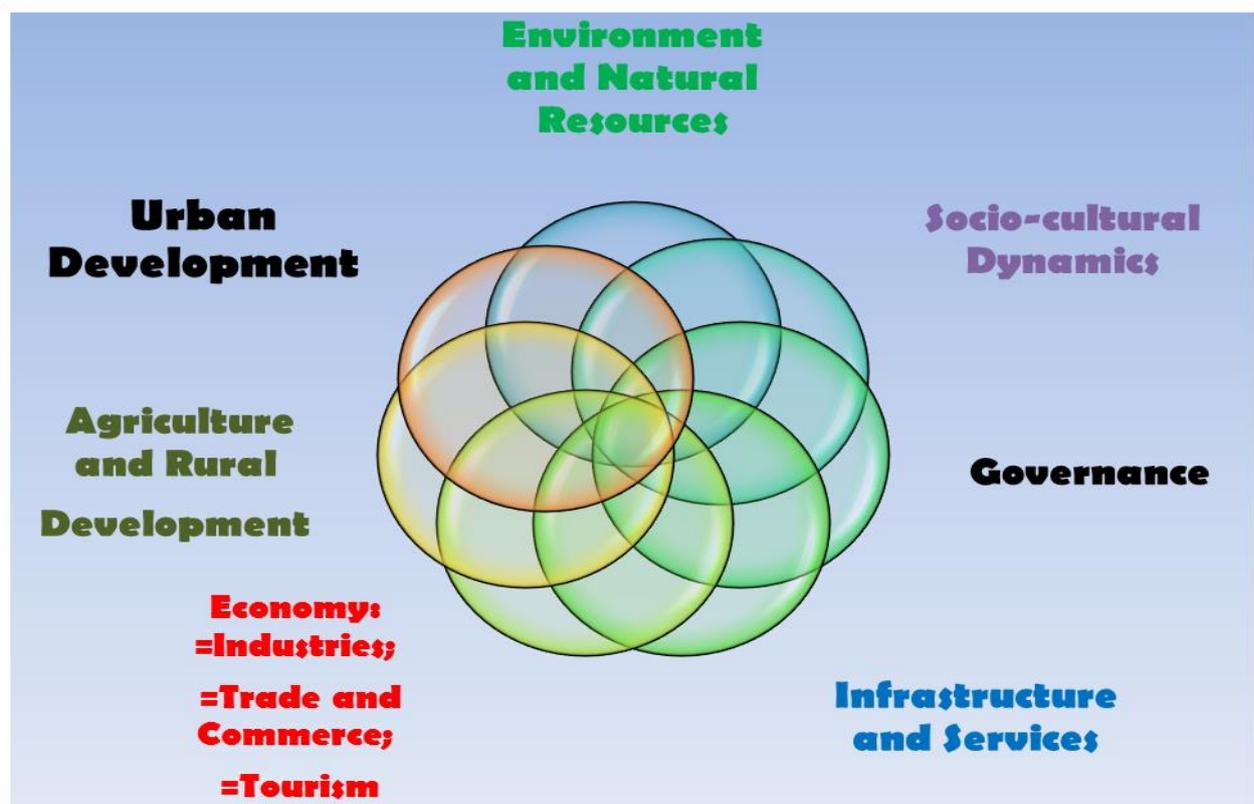
- Urban Areas and Cities Act, No. 13 – This Act requires that (1) Every city and municipality established under this Act shall operate within the framework of integrated development planning which shall

- (i) contribute to the protection and promotion of the fundamental rights and freedoms contained in Chapter Four of the Constitution and the progressive realization of the socio-economic rights; and
- (ii) be the basis for:

1. the preparation of environmental management plans;
2. the preparation of valuation rolls for property taxation;
3. provision of physical and social infrastructure and transportation;
4. preparation of annual strategic plans for a city or municipality
5. be the basis for development control.
6. overall delivery of service including provision of water, electricity, health, telecommunications and solid waste management; and
7. the preparation of a geographic information system for a city or municipality

### **Implications in Terms of Methodology Integrated Approach**

Integration means to break away from a compartmentalized approach to territories, issues and policies in order to promote a “holistic” approach that takes into consideration the physical, economic and social dimensions of urban development. It also means to have vertical integration among the various levels of government and bodies involved in territorial governance (local, regional, national, private sector, civil, society, etc.) to horizontal integration, among the various sectors of public action. Integration also means that all policies, projects and proposals are considered in relation to one another. In this regard, the synergies between the elements of the plan should be such that the impact of the plan as a whole adds up to more than would the sum of the individual parts if implemented in isolation.



### **Strategic Approach**

The strategic dimension of the approach connotes developing a long term perspective to development planning. It also means addressing the critical aspects of development as opposed to the comprehensive approach to issues and development proposals.

Other fundamental aspects of strategic planning include: continuous review and improvement of the planning philosophy; encouragement of strategic thinking in planning; responsive planning in terms of the citizen focus and delivery of the desired outcome; innovativeness by emphasizing the successes of the process by improving what works and abandoning what does not work, minimizing weaknesses; enforcing accountability in the planning process; resource allocation to facilitate development of the strategies and execution; and establishing continuous dialogue between the various actors in the planning and urban development process.

### **Participation**

Citizen participation in spatial planning processes is a constitutional right and beneficial in realizing, quality planning outputs and positive impact of planning on societal routines.

Through structured and deepened stakeholder participation a shared vision to create social and political consensus for the desirable future of the urban place can be garnered. Additionally, community participation will yield ownership of the plan, clarification of the development challenges, a continuous and multidirectional flow of information among the public, key stakeholders, technical professionals, and local decision makers and plan proposals.

### **Result-Orientation**

- It should be specific in terms of proposals, responsibilities, location, time and costs to make sure delivery takes place
- should deliberate to result in improvement of places; transformative to livelihoods, people's lives, the environment, growing of the economy; creation of liveable, choice neighbourhoods; positive change with equity; creation of synergy among sectors, actors and places; sustainable growth.

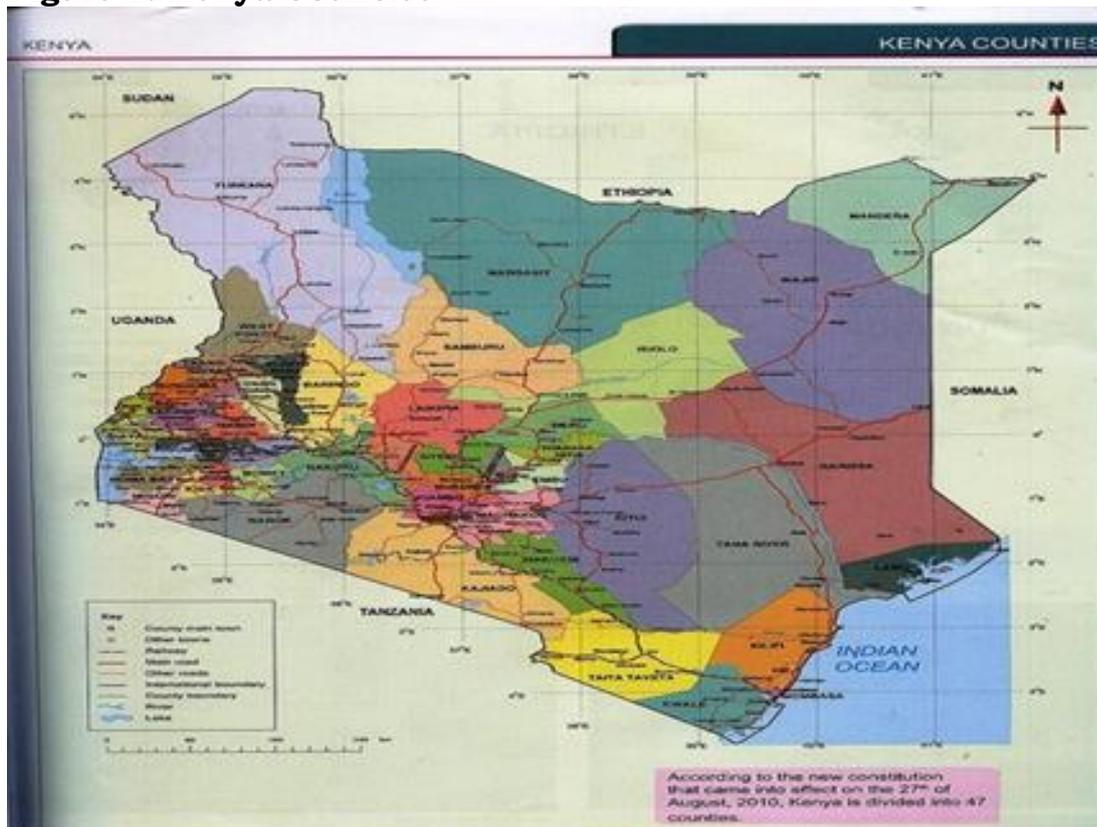
### **Multi-disciplinary and Multi-sectoral**

The planning team should be multi-disciplinary constituted along the development thematic areas including; Planners (to initiate, coordinate and direct the process); economists, environmentalists, land surveyors; civil engineers, geologists and sociologists.

### **Conclusion (Points For Discussion)**

- Do we have the right tools (policy, legislation, hand-book, and guidelines) to provide an enabling environment for a functional and responsive planning system?
- Do we have the capacity (numbers, requisite skills and experience) to deliver the planning function of the 21<sup>st</sup> century to the Kenyan citizens?
- What about the willingness to learn and adopt a planning culture?
- Do we have a shared vision of the future we want to create and be proudly part of?

**Figure 1: Kenya Counties**



Source: Ministry of Land

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**Appraisal of Financing Planning Functions of the National and County Governments - Mechanisms of Financing Planning Functions:** *Plan. Dan K. Kiara MKIP*

**Abstract:** *A major challenge in the field of Spatial Planning in Kenya has been the funding of planning projects. Although the Kenya Vision 2030 has listed the National Land Use Plan as a flagship project which is critical for the overall economic development of this country, the allocation to the Ministry of Lands where the function is being coordinated does not reflect it as a priority project. Past experiences in building a case for funding planning have proved that the function as “stand alone” component in the economic development process is rarely appreciated by the policy decision makers in this country.*

*Consequently the Treasury has always tended to reduce the budgetary proposals for planning activities. To address the issue of low budgetary provisions, new approaches and strategies have slowly emerged. One of the recent approaches has been the interlinking of transportation to sustainable land use planning. This approach has worked in the Nairobi Metropolitan Services Improvement Project funded by the World Bank where consultancies for twelve towns and Transportation Corridors of Thika-Nairobi, Nairobi-Malili-Kenol-Kangundo-Tala-Eastern Bypass are being funded.*

*The Kenya Constitution 2010 and the subsequent legislation of the County Government Acts 2012 and the Urban Areas and City Act 2011 have significantly changed the planning function in this country. Under the devolved system of government, legal provisions have been put in place to*

*ensure that Integrated Development Plans are the basis of county development and investment. Some of the recommendations to take advantage of the new planning dispensation include: All development projects should be anchored on a land use plan.*

*The government should be seriously engaged to allocate adequate funds for preparation of the National Land Use Policy and a comprehensive National Land Use Plan to guide the Kenya Vision 2030 economic growth strategies. Development of transportation corridors should be linked to a land use plan to ensure environmental sustainability. This should include both the road and railway transport. Development of policies which interlink infrastructure development to sustainable land use should be made. The Planning fraternity should move with speed and establish a planning culture and tradition to guide spatial planning in the country now and in future. Involvement of all professionals, agencies, departments and ministries which impact on planning will attract funding in the plan preparation, and implementation process.*

*To entrench spatial planning in the country's national development agenda, parliament should enact a principle based law that interlink, transportation, sectoral projects and budgetary allocation and approval to sustainable land use planning.*

## **Introduction**

### **Contextual Background**

The Constitution of Kenya 2010 was formally promulgated on 27<sup>th</sup> August 2010. It introduced major changes in the country's governance framework. A key departure from the earlier system of governance was the shift from a highly centralized to a decentralized governance framework comprising of two levels of government; the national government and 47 county governments which are distinct and interdependent but expected to conduct their mutual relations on the basis of consultation and cooperation. The new decentralized framework of governance set out in the constitution of Kenya has been categorized as devolution.

The functions and responsibilities of the National Government and County Governments are contained in the Fourth Schedule of the constitution. One of the functions of the National Government is the provision of general principles of land planning and the co-ordination of planning by the counties. On the other hand, county planning and development is a function of the county governments.

The Urban and Regional Planning function is usually undertaken through public funding. In the past this function has been grossly underfunded. It

has been observed that funding of the spatial planning as a “stand alone” function of economic development in this country has been faced with a lot of challenges. Development projects are undertaken notwithstanding the existence of land use plans even where they exist.

Previous attempts to link up economic development with spatial planning have not been successful. Indeed spatial planning has tended to follow developments making a mockery of the profession. The consequences have been the emergence of uncontrolled and unplanned developments leading to traffic congestion in our cities and major towns, urban sprawl and slums.

A major dilemma facing land use management in the country is the lack of an effective Intergovernmental co-ordination mechanism for development projects. Different sectors like Housing, Education, Water, Agriculture, Transport and Environment have their own policies and legislations that have been impacting on spatial planning and development.

These legislations are largely done in isolation. This has the effect that different sectors/line functions are sector oriented. Consequently, they consider issues independently and therefore not coordinated.

### **Devolution**

Under the devolved system of government, legal provisions have been put in place to ensure that Integrated Development Plans are anchored on Spatial Plan as the basis of county development and investment.

It is mandatory for a county government to prepare an Integrated Development Plan as a precondition to access funds from the Treasury.

This legislative provision which is supportive to planning is not explicit when it comes to the national planning function under the new system of governance. Therefore there is need to develop similar mechanisms which embrace planning as a precondition for national budgetary allocations as the government undertakes major projects particularly infrastructural developments.

The preparation of Integrated County Plans requires enormous financial resources. This will call for a significant and clear change from the traditional mechanisms applied to funding local developments .It will require a closer and more symbiotic relationship between the National Government and the County Governments as well as that between the public and private sector.

### **Current Financing of Infrastructure Projects**

Although Spatial Planning is a critical component in the development of infrastructure, it has been given no consideration in the funding of the infrastructure sector. The table below indicates the government priority projects funding projections for the infrastructure sector between the year 2012-2020. These are the key drivers of the Kenya Vision 2030. These flagship projects are generally referred to as the Enablers.

**Table 1: Kenya Infrastructure Investment 2012-2020 (Kenya Vision 2030)**

<b>Sector</b>	<b>Amount in US Dollars (Million)</b>
Energy (power and others)	19,808
Ports	4,800
Roads	9,000
Water and sanitation	4,567
Railways	7,248
Railways	906
Tourism	2,050
ICT	7,850
Local Government	2,000
Housing	2,901
Public Works	1,000
Lamu Transport Corridor	3,723
Total needs	62,176
Available -GOK (2012-2020)	25,000
Funding gap	37,000

Source: Investment Secretary, Ministry of Finance, Kenya

### **Financing of the Planning Function**

Whereas the County Planning function has been properly articulated in the County Government Act 2012 and Urban Areas and Cities Act 2011, the National Planning Function has yet to be provided for in a legislation linking it to the overall national development of the county. It is expected that the new legislation will effectively link sustainable urban and rural development to the national spatial plan.

### **Learning from Global Interventions and Strategies**

A sustainable national spatial plan should bring on board all the development sectors and professionals who impact on planning. "Israel 2020" The Master Plan for Israel in the 21<sup>st</sup> Century was prepared for over six years by more than two hundred and fifty leading professionals and members of the academia in Israel along with well-known international experts. The project was jointly initiated by Israel Architects and Town Planners Association and the Faculty of Architecture and Town Planning at the Technion Israel Institute of Technology further developed under the joint aegis of ten government ministries as well as the Jewish Agency, the Israel Lands Administration and the Water Commission.

"Israel 2020" is an integrated economic, social and environmental plan for the development of Israel in the 21<sup>st</sup> century including implementation policies for its realization. It is the most comprehensive planning research project done in Israel.

The National Spatial Plan developed by multidisciplinary teams directs the future organization development of Israel according to principles of Concentrated- Dispersal; on the national level development is dispersed in order to decrease socio-economic disparities, whereas on the regional level it is concentrated to benefit from the economies of scale. The involvement of all the sectors in the preparation of the plan creates synergy and ownership which makes plan implementation easy. It also attracts funding both in the plan preparation and implementation process.

In the State of Victoria Australia, parliament enacted the Integrated Transportation Act 2010 which has effectively brought key players who have impact on planning to a common platform. The Act broadly seeks to ensure that transport and land use agencies work together towards the common goal of an integrated and sustainable transport system. The most radical feature of the Transport Integration Act may be its reach into planning activities which are not administrated by transport agencies but which nonetheless can have a major impact on the transport system.

### **Public Private Partnership**

A key motivation for governments considering public private partnerships is the possibility of bringing in new sources of financing for funding public infrastructure and service needs.

Public-private partnerships can be used to finance, build and operate projects such as public transportation networks, parks and convention centres. Financing a project through a public-private partnership can allow a project to be completed sooner or make it a possibility in the first place.

In general, a private-public partnership describes an arrangement where the private sector provides services that are traditionally the responsibilities of the public sector. In return for carrying out these services, the private firm or consortium gets a share of the project's revenues. Public-Private Partnerships are typically medium to long-term endeavours and they are carried out in a number of sectors-transport, roads, health and water.

### **Integrating Transportation with Sustainable Land Use Planning**

Interlinking transportation and land use planning provides a good ground for funding both the national planning and county functions. This approach has been applied in the Nairobi Metropolitan Improvement Services Project (NaMSIP) being funded by the World Bank project within the Nairobi Metropolitan Region with great success in financing planning.

While the National Treasury could only budget for Ksh 95 million for planning in the Metropolitan Region in the year 2012-2013, the World Bank has provided a budget of ksh567million.

The Nairobi Metropolitan Services Improvement Project (NaMSIP) is one of the three projects with different elements of urban development that were identified for financing under the World Bank and Kenya Government agreement. The others are the Kenya Municipal Program (KMP) and the Kenya Informal Settlements Improvement Program (KISIP)

As a result of the transportation and sustainable land use planning linkage, the World Bank is funding Consulting Services for preparation of 12 Integrated Strategic Urban Development Plans in four clusters within the Nairobi Metropolitan Region (Cluster 1- Juja, Ruiru and Nairobi -Thika Transport Corridor Cluster 2-Kikuyu, Limuru and Karuri Cluster3-Ngong, Ongata Rongai and Kitengela Cluster4 Mavoko ,Kangundo and Nairobi-Malili Transport Corridor and Konza-Kenol-Tala-Kangundo and Eastern Corridor Bypass).These are the same areas the project is involved in the improvement of transportation services.

In addition, NaMSIP will create synergies with the Bank's proposed National Urban Transport Improvement Project (NUTRIP), which is currently under preparation, by improving access to transport hubs and integrating land use planning into transport and overall urban planning, especially around commuter rail stations in the Nairobi area.

Major transportation corridors like Lamu Port and South Sudan Ethiopia Transport (LAPSSET) Corridor Project should factor in the project budget a component of land use planning. If this is not done at this stage planning

will follow development as in the past governance system before the coming into operation of the Kenya constitution 2010. A strong case should be put to ensure that land use and environmental sustainability of the transport corridor.

### **National Budgetary Allocations for Planning**

An examination of the budgetary allocation for planning indicates that the function has not been given the priority and place of national development it deserves in its contribution to the Kenya Vision 2030. Although the budgetary allocations considered are only for the planning components in the key Ministries involved in urban and regional planning, the picture is indicative of the little amounts provided for function.

The ministries compared are former Ministries of Lands, Local Government and Metropolitan Development. These were the key ministries undertaking Urban and Regional Planning function in the country.

The funds for planning are allocated under the budget Item on Research, Feasibility Studies, Project Preparation and Design, Project Supervision.

**Table 2: Budgetary Allocation for Planning Financial Year 2009/2010-2012/2013**

<b>Ministry</b>	<b>Approved Estimate 2008/2009</b>	<b>Approved Estimate 2009/2010</b>	<b>Approved Estimate 2010/2011</b>	<b>Approved Estimate 2011/2012</b>	<b>Approved Estimate 2012/2013</b>
Local Government	300,000,000	852,640,000	479,000,000	605,000,000	685,000,000
Lands	35,000,000	69,700,000	61,700,000	87,500,000	32,750,000
Metropolitan Planning	78,000,000	78,000,000	119,843,670	116,000,000	95,000,000
<b>Total</b>	<b>413,000,000</b>	<b>1,000,340,000</b>	<b>660,543,670</b>	<b>808,500,000</b>	<b>812,750,000</b>

Source: Estimates of Development Expenditure (GOK) 2009/2010 – 2012/2013

Despite the fact that land use planning has been classified as an enabler in economic development under Kenya Vision 2030, the allocation is grossly inadequate. The situation has significantly changed in the devolved government management system.

### **Role of the Executive in Planning**

On the county planning function, mechanisms have been put in place through legislation to make sure that investments and economic growth is based on an integrated development plan anchored on a Spatial Plan. The county executive which is charged with the responsibility of managing the counties, municipalities, towns and cities has been given the role of ensuring development plans are prepared. Since they are also involved in budget preparation funding of the county, municipal, towns, and cities spatial planning process should be a priority project

According to the County Government Act 2012 section 37, the role of the executive committee in the urban area or city planning is to:

- a) Monitor the process of planning, formulation and adoption of the integrated development plan by a city or municipality within the county;
- b) Assist a city or municipality with the planning, formulation, adoption and review of its integrated development plan;
- c) Facilitate the coordination and alignment of integrated development plans of different cities or municipalities within the county and with the plans, strategies and programmes of national and county governments; and
- d) Take appropriate steps to resolve any disputes or differences in connection with the planning, formulation, adoption or review of an integrated development.

Unlike in the past where spatial planning and sectoral investments were rarely interlinked, the County Government Act 2012 Section 104 has explicitly stated that:

A county government shall plan for the county and no public funds shall be appropriated outside a planning framework developed by the county executive committee and approved by the county assembly

The county planning framework shall integrate economic, physical, social, environmental and spatial planning.

County plans shall be binding on all sub-county units for developmental activities within a County.

Under the Urban Areas and Cities Act 2011 section 36:

- (1) Every city and municipality established under this Act shall operate  
Within the framework of integrated development planning which shall:

Give effect to the development of urban areas and cities as required by this Act and any other written law and be the basis for:

- (i) The preparation of environmental management plans;
- (ii) The preparation of valuation rolls for property taxation;
- (iii) Provision of physical and social infrastructure and transportation;
- (iv) Preparation of annual strategic plans for a city or municipality;

(v) Be the basis for development control.

(2) In addition to the objectives set out in subsection (1), an integrated urban or city development plan shall bind, guide and inform all planning development and decisions and ensure comprehensive inclusion of all functions.

Planning is a prerequisite for governance and management of towns, municipalities and cities. Funding of the planning function should therefore be a top priority for the county governments.

### **Planning Budgetary Estimates Allocations by Counties 2013/2014**

The enactment of Kenya Constitution 2010 and subsequent legislation of the County Government Act 2012 and Urban Areas and Cites Act 2011 has created a viable environment to transform the planning landscape in this country. The obligation to plan by the County Governments means funds for the planning function should be allocated.

The role of the executive committee in the urban areas or cities is clearly spelt out in Section 37 of the County Government Act earlier mentioned in relation to planning. Planning in the devolved system of government is critical to the release of funds by the National Treasury as allocated by the Commission of Revenue Allocation. The county governments are therefore obliged to allocate funds to planning as a matter of priority.

It has however been noted that although most county governments have made provisions for funds for the planning function in their budgetary estimates, some have seriously underestimated the cost of the planning process.

**Table 3: County Budgetary Estimates for Land, Housing and Urban Development: Development Expenditure**

<b>Name</b>	<b>Budget Estimate 2013/14 [Amount in (000)]</b>
Baringo	35,000
Bomet	113,200
Bugoma	83,550
Busia	195,070
Elgeyo Marakwet	30,300
Embu*	-
Garissa	108,290
Homa bay	43,300
Isiolo*	-
Kakamega	310,000
Kajiado*	-

<b>Name</b>	<b>Budget Estimate 2013/14 [Amount in (000)]</b>
Kericho	38,411 20,000
Kiambu	287,500
Kilifi	170,200
Kirinyaga	46,480
Kisii	10,693,300
Kisumu*	-
Kitui	938,417
Kwale	78,392
Laikipia*	-
Lamu	370,900
Machakos	352,260
Makueni	441,864
Mandera	19,000
Marsabit	83,292
Meru	441,864
Migori	50,000
Mombasa	2,343,000 city planning
	1,780,000 county planning
Muranga*	-
Nairobi	405,000 planning
Nakuru	102,243
Nandi	178,506
Narok*	-
Nyamira*	-
Nyandarua	8,400
Nyeri*	-
Samburu	206,913
Siaya*	-
Taita Taveta	5,425
Tana River	4,500
Tharaka Nithi	40,000
Trans Nzoia	139,909
Turkana	100,000
Uasin Gishu	6,000
Vihiga	232,005
West Pokot	20,191
Wajir*	

\* Item on Land, Housing and Urban Development not indicated  
Source: Commission on Revenue Allocation

Whereas the County Government Act 2012 has provided for planning as a prerequisite to accessing funds from the National Treasury provisions from some counties are grossly inadequate. Some of the counties with inadequate allocations to prepare an integrated plan given the current costs of preparing local development plans include; Kisii -10,693,300, Nyandarua – 8,400,000, Taita Taveta-5,425,000, Uasin Gishu – 6,000,000.

Except for Nairobi and Mombasa City Counties which have specifically allocated funds for planning, the other counties have not itemized their planning budget. It is consolidated under Land, Housing and Urban Development. Since the planning function precedes the other functions, it is expected that adequate funds shall be made available. Preparation of Local

Development Plans has increasingly become expensive. A Development Plan like Konza Techno City covering a small area of 2000 hectares cost the Ministry of Information more than Ksh. 25 million.

### **Challenges**

- a) Lack of adequate capacity for budget preparation and implementation.
- b) Most counties have not established planning units.
- c) Inadequate funding by the government.
- d) New governance system which has yet to be internalized.
- e) Slow process of plan preparation impacting delivery of plans for implementation
- f) Poverty

### **Opportunities**

- a) Kenya constitution 2010 ,County Government Act 2012 and Urban Areas and Cities Act 2011
- b) Devolved governance system

### **Recommendations**

A principle based legislation involving all agencies and institutions which have impact on land use planning should be enacted.

All development projects should be anchored on an integrated land use plan.

The government should be seriously engaged to allocate adequate funds for preparation of the National Land Use Policy and a comprehensive National Land Use Plan to guide the Kenya Vision 2030 economic growth strategies.

All major infrastructural services projects should have a land use planning component factored in the budget to ensure that the project designs are based on a sustainable land use plan and environment.

Development of transportation corridors should be linked to a land use plan to ensure environmental sustainability. This includes both the road and railway transport.

Development of policies which interlink infrastructure development to sustainable land use planning .Land use planning as a “stand alone” may not attract funding but when linked up to transportation projects it will.

A legislative framework for intersectoral agencies and institutions which have impact on planning should be developed to bring together all

professionals with a common goal of ensuring a sustainable land use now and in future.

All ministries, Departments, Agencies and Institutions which have impact on land use should be engaged during and after the plan preparation to ensure their ownership and support in the implementation process.

Involvement of public private partnerships in resource mobilization

### **Conclusion**

Given the new window in planning under the devolved system of government, there is an urgent need for the planning fraternity to move with speed and establish a planning culture and tradition to guide spatial planning in the counties now and in future. The development of County, Municipal and City Integrated Development Plans brings to the table professionals from all the sectors of the economy. This is an opportunity to spearhead preparation of a comprehensive National Spatial Plan and implementation policies to guide the national growth in pursuit of Kenya Vision 2030 and beyond.

Involvement of all professionals, agencies, departments and ministries which impact on planning will attract funding in the plan preparation, and implementation process. To entrench spatial planning in the country's national development agenda, parliament should enact a principle based law that interlink, transportation, sectoral projects and budgetary allocation and approval to sustainable land use planning.

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## **Role of Spatial Planning in Budgeting and Revenue Allocation**

*Plan Disterius O. Nyandika, MKIP*

**Abstract:** *This paper examines the role of spatial planning in budgeting and revenue allocation process within the context of existing policy and legal framework. It expounds the thesis that budgets are prepared to ensure appropriate allocation of scarce resources to actualize the National Development Agenda as outlined in the Kenya Vision 2030 and the Localized Agenda as articulated in the respective County Strategic Plans.*

*Spatial planning objectives are therefore an integral part of the integrated planning process at both the National and the County levels. On the basis of the foregoing propositions, this paper highlights potential challenges and makes recommendations aimed at strengthening the enablers of spatial planning as tool in budgeting and revenue allocation under the devolved system of governance.*

### **Preamble**

Spatial Planning (Physical Planning) is about the management of space and development in order to create better places, responding to the needs of society, the economy and the environment. All forms of planning, physical, social, economic are inseparable and ideally spatial planning ought to be taken first and foremost.

Spatial plans are critical for delivering economic, social and environmental benefits by creating more stable and predictable conditions for investment and development, by securing community benefits from development, and by promoting prudent use of land and natural resources for development. They enhance the integration between sectors such as housing, transport, energy and industry, and to improve national and local systems of urban and rural development.

Budgets are prepared to ensure appropriate allocation of revenues and resources to actualize the national development agenda as envisioned in

national policies. Spatial planning projects and programs are therefore part and parcel of the national agenda and thus the prioritization of spatial projects in the budgeting process will contribute to realization of national goals.

There is a strong link between spatial planning and economic development. In addition, spatial plans are a source of revenue as they can boost revenue collection through development control and publication of plans and regulations to customers. Spatial plans also showcase sectorial projects and programs for financing by both County and National governments and development partners

### **Context**

In Kenya, spatial planning is undertaken within the following policy and legal context:

### **Policy framework**

Kenya Vision 2030 is the long-term development blueprint for the country. The aim of Kenya Vision 2030 is to realize “a globally competitive and prosperous country with a high quality of life by 2030.” It aims at transforming Kenya into “a newly industrializing, middle income country providing a high quality of life to all its citizens in a clean and secure environment”.

The preparation of The First National Spatial Plan is amongst the vision 2030 flagship projects. The need for a national spatial plan is recommended under agriculture, manufacturing, urbanization, and environmental management, which are priority sectors under Vision 2030. The preparation of First National Spatial Plan for Kenya to guide physical development activities over the next 50 years was initiated in 2010.

It will provide a spatial illustration of all national projects and it will also identify a strategy for land development. This Plan will address issues such as settlement, environment, transport and economic development. This National Spatial Plan will form the basis upon which development activities in support of Vision 2030 will take place.

National Land Policy: The policy is contained in the Sessional paper No.3 of 2009 on National Land Policy. It aims to promote efficiency, sustainability and equity in the use of land to achieve prosperity while ensuring that it is protected for the benefit of future generations.

## **Legal framework**

The Constitution of Kenya 2010: The new constitution has expanded the horizons of planning, thus necessitating change in planning paradigm in order to capture its spirit. Through devolution it has established two levels of government and divided the planning function between the national and county levels.

Both these levels require supportive human settlement strategies in order to create synergy and spur balanced growth and development throughout the national economy. According to the Constitution of Kenya 2010, the responsibility of planning is apportioned to both National and County governments.

It is now a Constitutional requirement to engage the public in the budget process and public financial matters. This is done through the Sector Working Groups to provide an entry point for stakeholders' participation in budget making process. Public participation, good governance, transparency and accountability in public financial management are some of the key values and principles recognized in the Kenya Constitution 2010.

Compliance to these principles require a radical shift in strategy from one that prescribes to Ministries/Departments/Agencies working alone to one that ensures stakeholders are indeed involved in the key stages of budget making process.

The County Government Act, 2012: It gives effect to the objects and principles of devolution as set out in Articles 174 and 175 of the constitution. It obligates county governments to prepare and implement County Integrated Development Plans (CIDP). The Integrated County Development Plans are five year plans that are implemented through annual budgetary allocations by the county governments.

County spatial planning is a new planning level which was brought about by creation of new governance structures- the County and National governments as enshrined in the Constitution of Kenya 2010. Spatial plans are also prepared within the framework of the Physical Planning Act Cap 286.

Urban areas and cities Act 2011: Provides a framework for the classification of urban areas and cities, governance and management of urban areas, and participation by the residents in the governance of urban areas and cities.

Public Finance Management Act 2012: Provides for effective management of public finances by the national and county governments; the oversight

responsibility of parliament and county assemblies; different responsibilities of government entities and other bodies.

The Commission of Revenue Allocation Act, 2011 which outlines the functions and powers of the Commission on Revenue Allocation (CRA).

CRA is an independent commission set up under article 215 of the constitution of Kenya 2010 to define how revenues raised nationally will be shared between National and County governments.

Physical Planning Act Cap 286: Provides a framework for the preparation and implementation of physical development plans and for connected purposes.

### **Role of Spatial Planning**

This section examines the role of spatial planning in budgeting, revenue allocation and development.

### **Budgeting**

The budgeting initiative entails the allocation of existing resources in line with priorities. A good budget is one that is consistent with government priorities as articulated in policies and strategies. Budgeting for spatial planning can be undertaken at both the national and county levels.

Section 113(1) of the county government Act, 2012 states that a county's integrated development plan shall inform the county's budget which shall be based on the annual development priorities and objectives referred to in section 103 of the Act and the performance targets set by the county; and be used to prepare action plans for the implementation of strategies identified by the county.

The fourth schedule of the constitution outlines the functions of the county governments. By exercising these functions the counties will derive revenue from taxes, fees, levies, penalties and other forms of revenue. County spatial Planning and development is one of the functions.

Funding options for spatial planning activities at both the National government and County Government levels are shown below:

Type of plan	Scope	Funding options?
1 National spatial plans	All counties	National government -under line ministry budgets
2 County spatial plans	County levels	County budgets/development partners
3 Integrated City or Urban areas development plan	County level	Counties/development partners

Various legislations provide the legal basis for spatial planning at both the national and county government levels. Hence preparation and implementation of spatial projects is no longer optional but mandatory. Public participation in the budget process is also a requirement.

It is likely that some stakeholders would be concern if spatial activities are not prioritized in the budget and this may lead to delays in budget approval or even invalidation of budget proposals.

In theory, an important justification for spatial plans at any level of development is its contribution to a more balanced and less wasteful use of resources including finance and land. There is potential for spatial plans to contribute to the foregoing by helping to achieve a more rational distribution of population, settlements and facilities.

### **Revenue Base**

Existence of spatial plans forms a basis for evaluating the revenue generating potential of the county government. It helps improve efficiency of existing revenue streams and projections. Land use planning has an effect on land values and revenue potential associated with anticipated land uses and access to public services. On the other hand, development approval generates county revenues through the fees and charges applied.

Most counties lack verifiable registers of properties and most have no accurate valuations of properties and thus are not able to collect full value in lieu of property rates.

Increasing urban revenue is one side of the equation. However, allocating local resources smartly, particularly when they are scarce with many needs, is crucial. To make an impact, cities need an integrated approach to urban investment from appraisal to assessment of outcomes – something to which urban planning can contribute. Uncoordinated sector projects, although they might be successful on their own, cannot generate the transformational impact which can be achieved by interlinking the projects through strategic, well-prioritized capital programming.

Having a plan is an asset for investment interest as it aims to create stable conditions for development and is a key instrument to managing development. By having a plan, a city can show that it has an efficient and forward-looking system of governance, which is invaluable when competing for investment.

It can also be used to promote the city when seeking support from partners and financiers, and leaders with an urban development framework to guide urbanization and promote economic growth showcase infrastructure needs.

Spatial plans can generate the following other investment incentives:

- i. Land consolidation to achieve critical mass for investor-led projects,
- ii. Infrastructure improvements, including telecommunications, roads, water and sanitation, and accessibility to ports, airports and railway,
- iii. Industrial and business parks with appropriately priced serviced land, next to transport infrastructure and other specific needs of sought-after industries, and
- iv. A supply of affordable workspace for start-ups in industrial zones, encouraging clustering, synergies and innovation.

Improved accessibility has an immediate impact on land value. Integrating policies in spatial planning with public investment in transport systems can substantially increase the value of land. The ability of customers and employees to get to shops and work plays a major role in location decisions and drives up the value and desirability of land. Immovable property tax is determined on the basis of the spatial plan in force.

Construction process is encumbered if there is no approved spatial plan in the area at the local administrative level and this has an impact on overall spatial development process in the specific area as well as on the value of the immovable property.

Whereas existence of spatial plans strengthens investor confidence in a county it also reduces leakages in loss of revenue.

Some of the parameters that form a basis for revenue sharing among counties include; population, poverty index, land areas, basic equal share and fiscal responsibility. Spatial plans contain baseline information for budgeting purposes that can be used by various sectors. The same information can be used in the justification and negotiations for revenue allocation for recurrent and development expenditures to various functions.

## **Spatial Planning and Development**

Spatial plans are an important tool towards achieving sustainable development. The plans espouse medium and long-term objectives that reconcile a collective vision with the rational organization of the resources to achieve it. Indeed planning makes most of urban authority budgets by informing infrastructure and service investments, and balancing demands for growth with the need to protect the environment.

It also distributes economic development within a given area to realize social objectives, and create a framework for collaboration between local governments, the private sector and the public.

Spatial plans can improve infrastructure cost-efficiency. The cost of providing trunk infrastructure is particularly sensitive to a city's spatial form. Lower densities generally mean longer lengths of water and sewer pipes. Reducing the distance to service centres, thus shortening the length of transmission lanes will lower costs.

Approved spatial plans contain investment recommendations touching on various sectors from which various stakeholders can derive projects and work plans for funding. Spatial planning is a critical element for the delivery of economic, social and environmental benefits by creating more stable and predictable conditions for investments and by securing community benefits for development and promoting productive use of land and natural resources.

Spatial plans assist in the actualization of the goals and objectives of the national and county development agenda. Incorporation of spatial projects and programs in the budget helps in linking the policies and strategies to the budget and allocation of revenues. The need to plan therefore can form the basis for allocating resources to plan.

Spatial planning is an integral part of integrated planning and development. There is a strong link between spatial planning and other sectors. For instance between spatial planning and road transport; spatial planning is central to ensuring road safety as the creation of new accesses to and intensification of existing accesses to national roads gives rise to the generation of additional turning movements that introduce additional safety risks to road users.

Road development should be plan-led in order to take into account appropriate future development patterns and requirement. Future development should be guided by development plans and local area plans so as to achieve high standards.

Spatial planning is central in the deployment of infrastructure investment; a foremost influencer of urban form. Integrating infrastructure in urban planning is a key for optimizing investment and asset performance. Cities need infrastructure to make them work.

Infrastructure improves quality of life and induces economic growth but inadequate and underperforming infrastructure reduces economic output and badly affects living conditions.

The provision of a basic infrastructure for water, energy and waste management is fundamental to a thriving city and is urgently needed in rapidly developing cities.

**Scenario 1: When Spatial Planning is in place and adequately funded: It leads to good planning that supports:**

- i. Economic recovery,
- ii. Investment in essential infrastructure,
- iii. Community development and growth,
- iv. Environmental management and protection, it achieves sustainability, reduces carbon consumption,
- v. Development and regeneration and a healthy, profitable construction and property industry.
- vi. Promotes and delivers good design, supports place-making and helps services to be delivered in accessible and efficient ways.
- vii. Enhance equity and efficiency in development

Broad themes on the role of spatial plans:



**Scenario 2: When planning is neglected, underfunded or made subservient to other interests:**

It leads to poor planning with the following negative impacts:

- i. There is uncertainty for business and investment decisions fail.
- ii. Communities are disenfranchised and placed at the mercy of more powerful developers and landowners.
- iii. Precious habitats, landscapes and buildings and areas of cultural, historic and architectural importance are threatened.
- iv. Society fails to achieve the infrastructure its transport, energy and water distribution and waste disposal networks require; much needed new homes are not built and town centres are undermined by ill-thought through out of town developments.
- v. Project planning and delivery becomes uncoordinated and disjointed and the rationale for prioritizing investment decisions is lost.
- vi. Failure to invest in good process, policy development, plan making and the development of workforce skills creates inefficiencies, delays, uncertainty and a loss of national, regional and local competitiveness.
- vii. Democracy is discredited and local political leadership undermined.

### **Challenges**

Before highlighting the emerging challenges, in retrospect, reference is made to challenges contained in a speech by Hon. Mwai Kibaki, Minister for Finance and Planning, Kenya, at the Opening of a regional conference on February 12<sup>th</sup>, 1974 and quote:

*“Ten years ago at Independence, we tried to sell the idea (by we, I mean those working in the Ministry of Economic Planning) that physical planning should be taken first and foremost. You should be able to look around the country, the geography, population distribution, identify where agricultural development will take place and then be able to map out, at least in outline, where your communication lines and population centres might be and which places should be allowed to grow first as development centres to which industries might be encouraged to move and then you would determine investment infrastructure, housing and schools.*

*At that time, it was not fashionable to listen to such ideas, for it was argued that all these things required different disciplines and if you spoke to economists on those lines, you were regarded as not even understanding the meaning of ‘costs’; communication did not come easily. Similar attitudes made*

*it very difficult for us to have the planning which we should have had.” End of quote.*

The question is whether today we have overcome the foregoing planning challenges identified in 1974 and in particular the elements of cost which is the key theme of this paper. Hereafter are challenges that are likely to impact on the role of spatial planning in budgeting and revenue allocation.

**Inadequate funds to be allocated to competing needs:** County governments are not at par in terms of wealth and income and access to services. This will affect the level of budgetary allocation to spatial planning projects.

**Quality of Plans and budgets:** Often shoddy budgets will not be approved and this will deny citizen critical services. Such budgets contain projects that are not well prioritized, not aligned to the national or county policies/strategies. In the event that information contained in plans has integrity issues because it is not well researched and is not evidence based, it has a bearing on quality of budgets.

**Weak leadership:** This relates to both professional and political leadership at both the national and county levels. At times professionals fail to champion good discourse when their comfort zone is threatened. In some instances, we lack real champions or our leadership is compounded by lack of vision, poor decision making, political patronage and corrupt practices. We are familiar with failure to implement approved spatial plans because of vested interest and/ or laxity and lack of accountability.

**Inadequate capacity in project formulation and budgeting:** Key gaps are in the failure to involve stakeholders at project conceptualization stage and in project justification by indicating the impact on revenue and economic development. This has an impact on whether the project will get funding and the quality of the plan if undertaken.

Do we evaluate if the plan is evidence based? Spatial planning activities have financial dimensions not well understood by many stakeholders including planners. The belief is that finance and budgeting are areas other professionals do.

However, it is clear that spatial planners can improve chances of seeing their plans implemented if they gain better understanding of the budgeting process. Most plans do not contain the plan capital and running costs and

its impact on town and county revenue. A clear picture of the project lifecycle costs should be a critical part of planning. Taxpayers' money should be managed carefully and used wisely. The same principle should apply to plan implementation.

How financially sound a plan is will dictate how the program components are phased and which of them will need to be funded by an external source.

Pitfalls in managing joint spatial projects: Given that the provision of major transport and social services, industrial, recreational and residential development impacts beyond a single county the current policy framework envisages collaboration in spatial planning between various stakeholders. Joint projects usually experience delays in decision making and conflict of interest.

Governance issues: The linkages between spatial planning and budgeting (investment) are not consistent and are source of conflict. Conflicting policy directives like the greatest impact versus the greatest need.

Disagreements between the national governments and county governments in budgets allocations matters. Sometimes agendas at county and ward levels are politically driven.

Policies and regulations pose a challenge as duplication of roles and functions, bureaucracy and inadequate regulations limit the role of spatial planning in budgeting and revenue allocation. This also includes the current initial tithing problems being experienced in the devolution of services to the counties.

### **Way Forward**

Going forward it is important to implement the following proposed measures to make spatial planning an effective tool in budgeting and revenue allocation.

Proper and synchronized planning must be done to ensure coherence between policies and strategies in order that county priorities contribute to overall national development plans. Counties must also be consulted in the development of national plans. This can facilitate joint projects and minimize duplication of efforts and resources.

The role of the profession body in championing positive changes to the existing policy and legal framework as a key enabler of spatial planning as a tool in budgeting and revenue allocation must grow and be unequivocal. This can be accomplished through use of champions, advocacy planning, networking and visionary leadership.

Continual assessment of the institutional and technical resources of the municipality and other relevant agencies to determine their capacities to plan, implement and maintain projects.

Obtain agreement to the availability of funds for projects through discussions with the municipality. Check the investment programs of the line agencies and private sector organizations to determine if prioritized projects can be implemented within the 5 year period. Widen the scope of funding to include sectorial agencies with project components touching on aspects of spatial planning.

Planning and budgeting for spatial planning projects requires effective working relations between the professionals and the political class. The politician's role is to drive the policy and legislative agenda whereas the professional role is to provide sound and impartial advice on alternatives and implication of policies. Planners must strive to maintain professional etiquette.

Public participation is critical in the budgeting process and must be applied. The basic idea is to, as far as possible, capture the communities' needs for the development of their areas. The output of consultative meetings would be a list of problems that represents the needs of the people and a prioritization of the needs according to the preferences of the community.

At various other points in the process, a community would be consulted, usually through the contact groups. Participatory budgeting aims to ensure that investment has a real impact. It considers both immediate requests by residents and longer-term investment identified by the municipality. Residents should reach consensus on the priorities in their area (i.e. housing, education, street paving

Capacity building through professional development and the need for planning schools to review curriculum and incorporate principles of project management which are to include principle of financial management and budgeting.

Embrace best practices in urban planning and use of technology in planning and project management.

For instance improve the scope of project justification by linking performance management system to ensure implementation, monitoring and evaluation of defined commitments, information technology (in particular GIS) and outlining the key benefits of plans.

Strive to formulate realistic budgets aligned to budget vision statements and that are in adherence to set ceilings. Well executed spatial plans support a sustainable model of development in counties.

The initial costs of planning are easily offset by improved efficiency, integrated financial strategies and reduced operating costs.

### **Conclusion**

Spatial plans assist in the actualization of the goals and objectives of the national and county development agenda. Incorporation of spatial projects and programs in the budget helps in linking the policies and strategies to the budget and allocation of revenues. The need to plan therefore can form the basis for allocating resources to plan.

In the final analysis, spatial planning should help reduce environmental costs and other externalities such as traffic congestion. In some nations, spatial planning is seen as an important contributor to the health and well-being of citizens, thus reducing costs in other sectors. In the long run, it reduces the costs of uncoordinated, environmentally damaging and fragmented development patterns, by adding value through the synergy of investment.

An important justification for spatial plans at any level of development is its contribution to a more balanced and less wasteful use of resources including finance and land.

There is potential for spatial plans to contribute to the foregoing by helping to achieve a more rational distribution of population, settlements and facilities.

The role of spatial plans is evident; it actualizes the national development agenda, leads to strategic development, is a compliance and regulatory tool, compliments budget validation during public participation, enhances revenue base and forecasting, leads to prudent utilization of scarce resources as plans are need driven and provides baseline information for sectorial budgeting. For the spatial plans to play an effective in the budgeting and revenue allocation process there is need to address various gaps in our policy, regulatory and governance framework.

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## **Trans-County Regional Planning, National Planning and Planning Under Devolved System:** *Plan.Charles Otieno Konyango MKIP*

**Abstract:** *Urban and regional planning in the new constitutional order should be executed with effective control mechanism in the frame of nation, regional and local integrated planning. The countries are likely to be faced with some factors as overcrowding, immigration, inefficient policy programs, lack of execution of legislative power, and inefficient control system in the spatial development. With all these factors and inherent impending disorganization, efficiency of planning system will offer panacea for the developing the countries.*

*The success of this development will however depend on principles of rigid control on and high standards of drivers and influencers of development as well as of public services. This will require effective spatial planning and a paradigm shift in implementation strategy. Having no application of rigid control on land use and a notorious disconnect between spatial planning and national planning has been the weakest point in Kenya's development endeavors and the new dispensation would be well advised to avoid this path. Our planning approach has been centralized, mechanistic incremental, politically influenced, marginal, situational and stochastic, not capable of predicting the future and directing content and context of development.*

*This paper looks at these issues from the perspective of trans-county regional planning and national planning and the legal/regulatory framework that insulates and guarantees the effectiveness of spatial planning in driving the national and county physical development agenda. It argues that a regime which is content specific, adaptive learning deterministic and directing development rather than one that reacts to existing situation and aims at regularization is the way to go. It is these types of planning approach that can help Kenya deliver its national Vision 2030 strategy, County specific integrated development plans and much more the constitution.*

### **Introduction**

Urban and regional planning in the new constitutional order should be executed with effective control mechanism in the frame of national, regional and local integrated planning.

The counties are likely to be faced with some factors as overcrowding, immigration, inefficient policy programs, lack of execution of legislative power, and inefficient control system in the spatial development.

With all these factors and inherent impending disorganization, efficiency of planning system will offer panacea for the developing the countries.

The success of this development will however depend on principles of rigid control on and high standards of drivers and influencers of development as well as of public services. This will require effective spatial planning and a paradigm shift in implementation strategy. Having no application of rigid control on land use and a notorious disconnect between spatial planning and national planning has been the weakest point in Kenya's development endeavors and the new dispensation would be well advised to a void this path. Our planning approach has been centralized, mechanistic incremental, politically influenced, marginal, situational and stochastic, not capable of predicting the future and directing content and context of development.

This paper looks at these issues from the perspective of trans-county regional planning and national planning and planning regulatory framework that insulates and guarantees the effectiveness of spatial planning in driving the national and county physical development agenda.

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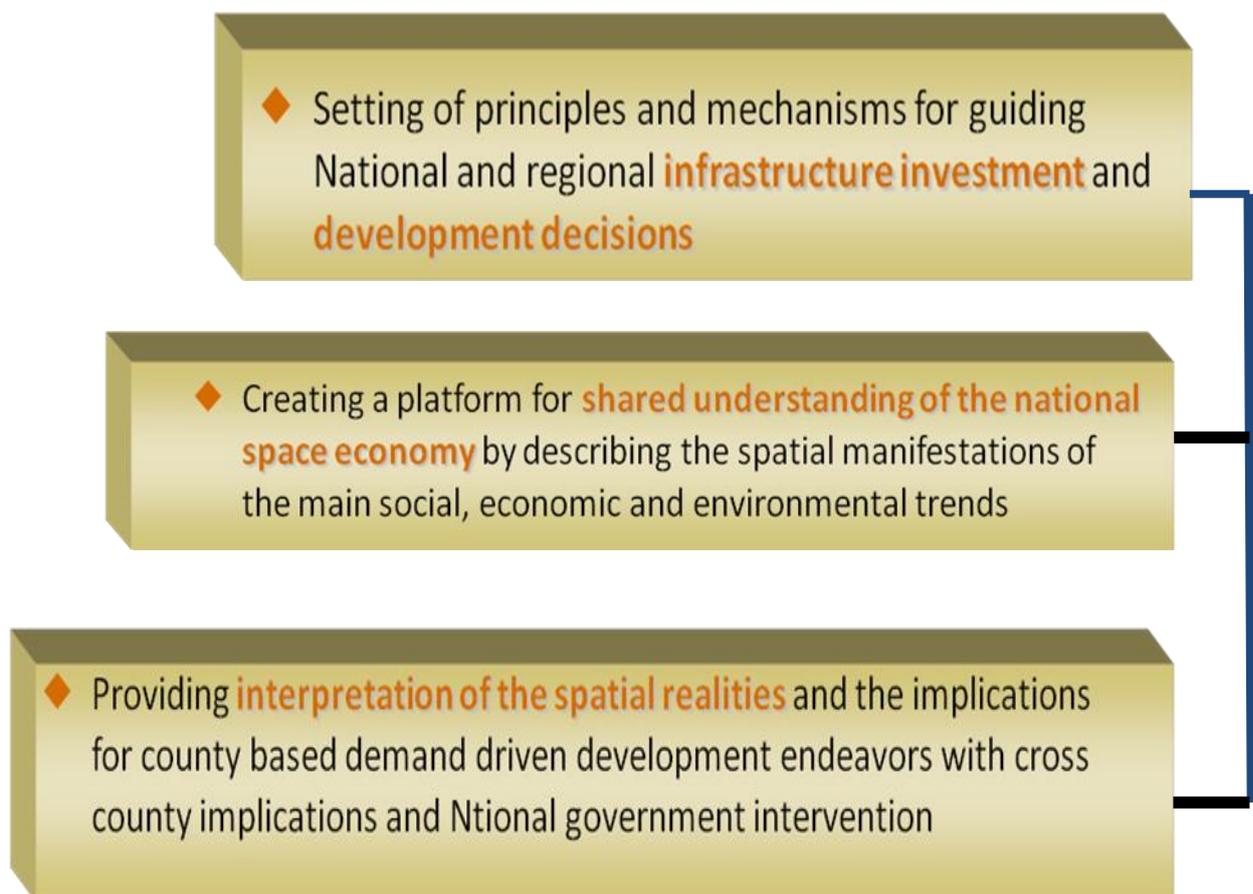
Urbanization continues to be the hallmark of growth in Kenya; indeed the recent report on Urban Poverty and Vulnerability in Kenya (Oxfam GB Urban Programme 2009) indicated that by the year 2020 Kenya will have reached a 50/50 point on urban rural divide and development.

It is obvious urbanization will determine the pace of development of the new counties. Being centers of innovation and diffusion of new development paradigms. It should also be noted that accelerated development of the new counties will anchor on the creation of a strong middle class in each county to enable them grow their revenue base and that the rural hinterlands will remain the base for natural resource endowment that will be needed to feed the urban region. The counties will therefore have to address themselves to the most efficient and effective ways to deliver services and meet the expectations of services for these two category of citizens.

Solution to problems related to infrastructure and investments in the County foundation development areas e.g. housing, sewerage systems, water supplying will form immediate priority needs with more financial sources required.

But for these to move forward, there must be a National regulatory framework established to give technical backstopping in terms of rules of engagement, standards of development and quality control all to be achieved within the following framework.

### **National Spatial Development Perspective**



The Kenya constitution 2010 set up new regional policy comprising 47 Counties which now have a key role as regional planning and development actors. This is not entirely new role for the counties, although it has been strengthened in the constitution, while at the same time the locus of national regional development policy seems to have moved from government to governance.

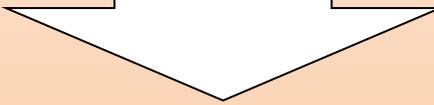
This policy change implies that the regional planning and development work done by the counties need to be a collaborative process with the national and local levels, and between the public, private and voluntary sectors.

In a regional policy process based on governance however, the counties will not be the only regional development actors. They have to cooperate and compete with other established and emerging development actors and agencies in order to achieve sustainability

As far as legal mechanisms are concerned the counties will fulfill their role; deliver what they can do the best they can within the operating legal framework and the structure adopted.

The general framework for national planning as related with the county planning should be based on three sets of principles as captured in the framework bellow.

Given our objective to grow the economy, create jobs, address poverty and promote social cohesion, the Spatial Planning framework at the national assists government level should confront **three fundamental planning questions:**



**1**

- ◆ Where should government **direct its investment and development initiatives** to ensure sustainable and maximum impact?

**2**

- ◆ What **kinds of spatial forms and arrangements** are more conducive to the achievement of our objectives of democratic nation building and social and economic inclusion?

**3**

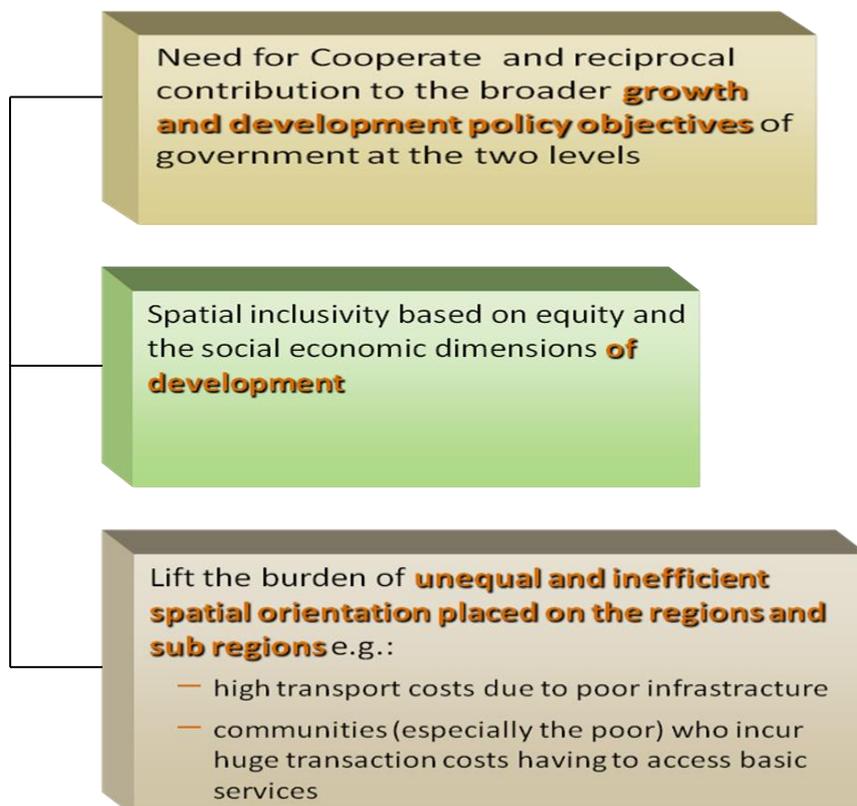
- ◆ How can govt as a whole:
  - Capitalise on complementarities and facilitate **consistent decision-making**?
  - Move beyond mere focusing on integration and coordination procedures to establishing processes and mechanisms that would bring about **strategic co-ordination, interaction and alignment**?

The above three questions raises the issue of governance as the principle in the interface of national regional and county planning. Simply put "governance" in this context will refer to the process of planning decision-making and the process by which planning decisions are implemented (or not implemented) at the two levels of government.

An analysis of governance focuses on the formal and informal actors involved in decision-making and implementing the decisions made and the formal and informal structures that have been set in place to arrive at and implement the decision. The broad national legal and regulatory frameworks may not provide for these actors, but this should be filled by sub national planning regulatory frameworks, to allow for active participation of actors at this level.

It is worth noting that the actors will be varied depending on the type of development planning framework to be developed. In rural areas, for example, the actors may include influential land lords, associations of peasant farmers, cooperatives, NGOs, research institutes, religious leaders, etc. The situation in urban areas may be much more complex

The broad national principles that should guide the planning development and governance should be grounded on the following set of normative principles.



Applying these principles within the spheres of the two levels of government will enable the government to:

**1 Undertaking rigorous analysis of the space economy** to identify areas of economic significance & concentrations of poverty and relative & dynamic comparative advantage.

**2 Providing a common platform for structured dialogue between the two levels of government and in ter county governments. On cross border resource use planning.**

**This will enable government to:**

◆ Focus investment and development interventions to ensure maximum and sustainable impact

◆ Move beyond mere focusing on integration & coordination procedures towards strategic coordination, interaction and alignment

◆ Capitalise on complementarities & facilitate consistent and focussed decision-making

## **Current Situation and Main Problems in Planning**

### **National plan**

The national spatial plan and national land use policy are still in the making, thus leaving a vacuum in terms of providing a broader framework for development planning and implementation. This is likely to lead to a chaotic spatial frame once the counties develop their own plans. It will be difficult if not altogether impossible to integrate the plans, given the interests that will so far be entrenched and the limits of control of the national government on the County governments.

### **County/regional plans**

Regional Planning is currently not a requisite for the city or urban plans, yet the urban plans should ideally be a process and outcome of the regional planning strategy. Regional planning is therefore the new priority task for the County governments.

### **Local Comprehensive plans**

Generally it can be said that a local comprehensive planning is necessary, as soon as and to the extent that it is required for urban development. The comprehensive plan is only dispensable in special cases (small, rural urban areas), because detailed land-use plan is sufficient to organize urban development.

### **Main problems in implementation of planning legislation and in planning practice**

Regional planning is often ineffective in controlling and directing local land-use planning, firstly because there are no appropriate instruments in the counties, and secondly - owing to the strong political influence of relevant regional and local actors with specific interests.

The co-ordination between comprehensive spatial planning and the sectoral planning authorities is sub-optimal, because the sectoral planning authorities are mainly interested in realizing their own sectoral interests and use their own project-oriented instruments. A considerable part of national and regional development programmes are therefore not based on a legally binding land-use plan.

## **Towards a Dynamic System of Comprehensive Inter and Intra Government -Level Planning**

A county and trans-county regional planning and national planning and planning regulatory framework that insulates and guarantees the effectiveness of spatial planning in driving the national and county physical development agenda will therefore be characterized by the following anchors.

### **Participation**

Participation by citizenry is a key cornerstone of good planning and implementation and particularly if it takes on boards the vulnerable in the society.

Participation could be either direct or through legitimate intermediate institutions or representatives. Participation needs to be informed and organized. This means freedom of association and expression in the development planning framework.

### **Rule of law**

Good planning requires fair and flexible legal frameworks that are enforced impartially. It also requires full protection of human rights, particularly those of minorities.

### **Transparency**

Transparency will elicit the confidence and trust required to execute the plans. It means that decisions taken and their enforcement must be done in a manner that follows rules and regulations. It also means that information is freely available and directly accessible to those who will be affected by such decisions and their enforcement. This will be the greatest test to planning at the county levels, given an informed and increasingly rights sensitive Kenyan society.

### **Responsiveness**

The planning systems will have to be based on institutions and processes that are responsive and sensitive to the requirements of all stakeholders within a reasonable framework.

### **Consensus oriented**

There are several actors and as many viewpoints in a given society. Planning regimes will increasingly have to involve more mediation of the different interests in society to reach a broad consensus in society on what is in the best interest of the whole community and how this can be achieved.

It also will require a broad and long-term perspective on what is needed for sustainable human development and how to achieve the goals of such development. This can only result from an understanding of the historical, cultural and social contexts of the specific society or community.

### **Equity and Inclusiveness**

A society's well-being depends on ensuring that all its members feel that they have a stake in it and do not feel excluded from the mainstream. This requires all groups, but particularly the most vulnerable, have opportunities to improve or maintain their well-being. Here then will be the biggest challenge to new planning dispensation. Past planning systems have been skewed towards the more capable sector of the society who are able to buy the planning service and products.

### **Effectiveness and efficiency**

The institutions of planning at both levels of government will be called upon to demonstrate high level of effectiveness and efficiency in service planning delivery. This means that processes and institutions produce results that meet the needs of society while making the best use of resources at their disposal.

The concept of efficiency in the context of good planning also covers the sustainable use of natural resources and the protection of the environment.

### **Accountability**

Accountability is a key requirement of the current regime. Not only governmental institutions but also the private sector and civil society organizations must be accountable to the public and to their institutional stakeholders. Who is accountable to who varies depending on whether decisions or actions taken are internal or external to an organization or institution, but on the whole, the planning regime will have to be accountable to those who will be affected by its decisions or actions.

### **Conclusion and Way Forward**

Governments at central and sub-national levels will increasingly be under pressure to improve planning governance and service delivery. This will be largely in the context of decentralizing aspects of planning functions further. Between the national and County government the allocation of planning functions will have to be based on the Subsidiarity *principle* which; assigns specific functions hitherto conducted by the center to the lower tier of government, and recognizes the importance of local-level decision-making as an effective tool in resource management and development while recognizing the role of actors at higher levels.

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# **Nature and Scope of Integrated, Sectoral and Spatial Planning under County Government Act No. 17 of 2012: *Plan Plan Dr Isaac K. Mwangi, MKIP FKIP<sup>1</sup>***

**Abstract:** *The paper is about nature and scope of planning under the County government Act No 17 2012. It focuses on preparing plans covered in Sections 108, Section 109 and Section 110 the law. The bias is on the methodology of county planning focusing on preparing county integrated development plan (CIDP) given the importance of on the plan in sustainable socio-economic development and environmental management under devolved system of government. Experience and perspectives of the author in integrated (development) planning as a researcher and practicing planner has informed this focus. A short description of the term county is given followed by a detailed discussion of county planning methodology around CP-ISED and CP-TPKS models. Nature and scope of county integrated development planning, county sectoral panning and county spatial planning are then elaborated based on ten phases and forty-five steps of preparing CIDP, county sectoral plans (CSP) and county spatial plans (CSPP).*

*A proposed structure of organization for planning under devolved system of government is presented to demonstrate how planning functions at the national, regional (trans-county) and county planning would relate in future is presented. One of the conclusions of the paper is that nature and scope of integrated, sectoral and spatial planning in the counties predispose CIDP, CSP and CSPP better prepared as one county planning project or programme and not as three separate projects/ programmes, one for each. Preparing the three plans which share some of the ten phases and forty-five steps in the two models-based county planning methodologies that has been discussed in the paper would be a step in the right direction. The paper has recommended, among others that, it is cost effective to prepare the three county-wide plans under one county planning project or programme and not as three separate undertakings. This has a possibility of saving counties significant percentage (%) proportion of their budget allocated for county planning.*

## **Introduction**

This paper is about nature and scope of county integrated [development] planning, sectoral planning and spatial planning. It focuses on preparing these three main plans in the context of envisaged county planning in Kenya as provided for in sections 108, 109 and 110<sup>2</sup> of the County Government Act (CGA).<sup>3</sup> This focus is informed by two observations.

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<sup>2</sup>The three main plans under this act are: (i) county integrated development plan (CIDP) in Section 108); (ii) county sectorial plans (CSP) (Section 109); (iii) county spatial plans (CSPP) Section 110).

<sup>3</sup>Section 111 (1) of the Act has legislated on urban planning under Section 111 (1) which cover city or municipal land use plans, city and municipal building and zoning plans, city and urban area building and zoning plans; and location of recreational areas and public facilities plans are not covered in this paper.

First, there has been a flurry of county planning activities since county governments were formed after the general elections of 4<sup>th</sup> March 2013. The overall objective of the paper is to stimulate discussions on progress made by county governments in county planning as well as on the challenges which counties are facing.

The discussion generated by this paper during plenary discussion will seek perspectives and experiences of participants from county governments on this matter. Second, the paper takes the position that the challenge that county governments are facing in preparing these plans lies in method(s), methodology or methodologies of county planning without which fast-tracking the deepening of devolved development cannot be achieved. Failure of county governments to achieve tangible development would frustrate expectations of communities from realizing benefits of devolution. Given that county planning is a constitutional and legislated function where plural participation and involvement in all stages and phases of planning is a must, lack of development have potential to lead into grave political backlash by communities in the counties.

Reference to *nature* of planning in this paper is connected to the essence and qualities that characterize making of the three types of plans. *Scope* focuses on the area covered and participation of communities in the formulation and preparing the three plans? This understanding of nature and scope of integrated, sectoral and spatial planning underlines why a synchronized involvement of *professional, technical knowledge and skills (PTKS)* on the one hand, and *interestholders (IH)* and *stakeholders (SH)* on the other hand makes these two constituencies in effective county planning. This makes the two a central point in this paper.<sup>4</sup>STOP

The paper begins with an introduction before it outlines the constitutional and legislative imperatives of county planning; followed by a brief statement clarifying the county entity and its place in Kenya. A brief account of county planning as provided for in “Part XI County Planning” of the County Government Act (CGA) No. 17, 2012 follows. This has provided the context of a discussing the *two (descriptive) methodology models of county [integrated, sectoral and spatial] planning*. The author’s own practical experience and viewpoints are employed to outline the two methodology models for county planning before detailed nature and scope of county integrated development planning including a clarification of contextual concept of integration are presented. An outline of county sectoral planning and county spatial planning in respect of aligning these with county integrated development planning follows. This focus is expected to draw attention of conference participants to reflect on their field experiences in integrated (development) planning and share with others during plenary discussions. A possible structure of organization for planning ends with which county planning would happen in Kenya is presented before the papers with a conclusion and recommendation.

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<sup>4</sup>These questions border on Methodology or methodologies for county planning.

## **Kenya Constitution 2010**

The Kenya Constitution 2010 has articles that directly and indirectly provide for planning.<sup>5</sup> Article 66 for instance has empowered the state to regulate use of any land in the interest of land use planning among others reasons. Article 176 has created county governments which led to the enactment of the County Government Act (CGA) No.17, 2012 of which Part XI has provided for county planning. Articles 186(3) of the Constitution imply that planning functions that are not expressly stated in the Constitution are functions of the national government. This has led to a popular interpretation of the article that planning functions of the *old regional development authorities (RDAs)* are a function of the national government. Article 186 and Article 187 are elaborated in the Fourth Schedule of the Constitution and have listed functions thirty-five of the National Government and fourteen of county governments in including planning functions.<sup>6</sup>

### **Counties: Where did they come from?**

Counties are common sub-national and/ sub-regional jurisdictions across countries spanning western democracies, like Britain and United States of America; to socialist countries like China. In the United States of America for instance, a county is a political and geographic subdivision of a state with clearly demarcated boundaries and some level of government functions. The introduction, development and entrenchment of counties in the United States of America have gone hand in hand with evolution of federal and state system of government for about 347 years since that country's independence from Britain on 4<sup>th</sup> July 1776.

Counties in Britain and China, respectively, evolved and developed unique jurisdictional character in tandem with governance traditions and norms of cultural practises in societies of the two countries. In Britain today, counties are sub-national subdivisions that serve as administrative units and demarcated areas for local government politics. In the mainland China on the other hand, a county, called *Xian*, is the third of local government below a prefecture, itself a political and development administration region. Prefectures and counties are below the province which is the largest of the three. These cases underline the description of county as an administrative division for purpose of lower levels of governance and subnational policy implementation, away from the national state organs.<sup>7</sup>

The overall picture we get of a county is that of a geographical area *usually but not always same as sub-national region in small countries like Kenya* as outlined below; *and as sub-regional i.e. sub-states and sub-provinces in the United States of America and China*, respectively. They cover areas that are conveniently defined more, on the basis of a combination of:

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<sup>5</sup> Kenya, Republic of. *The Constitution of Kenya*, 2010, Nairobi: Government Printers, Nairobi. *The Kenya Gazette Supplement No. 55 (The Kenya Constitution of Kenya)*. The constitution was signed into the basic law on 27<sup>th</sup> August, 2010 and this, introduced counties as part of new governance structure in Kenya.

<sup>6</sup> Article 184 is the embodiment of the enactment of the Urban Areas and Cities Act (UACA), No.3 of 2011,

<sup>7</sup> Webster's Encyclopaedic Unabridged Dictionary of the English Language. New York: Gramercy Books  
Webster's Encyclopedic Dictionary, 1993.

- (i) regional policy process and development,
- (ii) sub-national and sub-regional governance; and
- (iii) to reasonable extent, regional and local [democratic] politics.

### **Counties in Kenya**

Counties in Kenya have been formed by elevating 47 administrative districts under the old Constitution, to devolved government jurisdictions. By this step the Constitution has enshrined clear and complementary mandates and functions *to the former forty-seven administrative districts*. This has elevated the forty-seven districts to unique forms of governments, not common in many parts of the world.<sup>8</sup> Specifically, county governments in Kenya have overarching functions in sub-national and sub-regional development. These steps have, therefore, *pre-destined* counties to undisputed sub-subnational/sub-regional jurisdictional platforms for policy formulation and implementation. These governments are also responsible levels of sub-national and sub-regional governance which is guaranteed by legislative powers of the county assemblies, and limited *quasi- eminent domain* powers of county governments. By this role county governments exercise some dispersed governance functions and authority which are dispersed from the national government in Kenya.<sup>9</sup>

### **County Planning**

County planning has two similarities with old district planning which lasted from July 1983 and December 2002 in the districts that are now form counties. First, county planning covers the same geographical area of by district planning. Second the two are [special] types of regional planning. On one hand district planning is a type of regional planning which was primarily driven by a combination of centralized national government, district administration in the districts and sectoral and national development planning functions of the previous Ministry of Ministry of planning and National Development operating from Nairobi.

On the other hand, county planning is a jurisdictional and legislated function of the county government. Local communities are empowered to participate in its activities. Beyond these two similarities, the two types of planning have fundament differences. They differ in many fundamental ways. A County have distinct type of government that has been created by the Constitution. There are also enacted laws for governance and development functions and operations of these governments. Part XI -

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<sup>8</sup>The geographic areas that now forms the forty-seven counties consists the original forty-one administrative districts including City of Nairobi which Kenya inherited from the British Colonial at independence in 1963 and six new districts (Bomet, Makueni, Migori, Nyamira, Tharaka Nithi, and Vihiga districts) created in early 1990s. For about twenty years, 1983 to 2002, a form of central government driven five-year district-based (regional) development plan was prepared for each district of these districts. In mid-2003, the new NARC government, buoyed by the then high rating of Kenyans as the most optimistic people in the world at the time, launched economic recovery for strategy for wealth and employment creation (ERSWEC). See Kenya, Republic of, (2003). *Economic Recovery Strategy for Wealth and Employment Creation*. Nairobi, Treasury Building: Ministry of Planning and National Development.

<sup>9</sup>The legislature and development functions of the old municipal government as broadened and enshrined in the constitution, leaving out state of the national government such macro policy, oversight as well regulatory functions in development and planning.

County Planning in the CGA has a total of thirteen clauses from Section 102 to Section 115 on planning in the counties.

The law has also clarified the principles of county development planning, objectives and obligation to plan and comprehensive powers for implementation. District planning lacked all these.

### **Two Methodology Models of County Planning**

County planning as provided for in the County Government (CGA) has the following two closely interlinked methodological models.

1. County planning technical/ professional knowledge and skills (CP-TPKS) model; and
2. County planning interest holders and stakeholder's engagement and discussion (CP-ISED) model.

The two models must be employed simultaneously in any one county planning project or programme. The test of an effective county planning consultancy team or any other team engaged to prepare CIDP, CSP and/ or CSPP lies in the strategy such team will employ CP-TPKS and CP-ISED models from the start of planning project/ programmes on engagement; to the date of handing in the plan document to the county government. Specifically, the proposal on how a planning (consultancy) firm/ team will employ CP-TPKS and CP-ISED models in county planning is in part; the capacity of the firm/ team to successfully deliver complete CIDP, CSP and/ or CSPP project/ programme.

#### **CP-TPKS model**

*County planning technical/ professional knowledge and skills (CP-TPKS) model* seeks to link specific requirements of the CGA as provided for in: (i) Section 102 on county planning principles and development facilitation, (ii) Section 103 on objectives of county planning, (iii) Section 105 on planning in the county, (iv) Section 106 on cooperation in planning in the context of law governing inter-government relations; and (v) Section 107 on guiding, harmonizing and facilitating development each county. The role of CP-TPKS model is to bring technical/ professional knowledge and skills to bear on the formulation and documentation of CIDP, CSP and CSPP. This model is also the framework for identifying information and data needs as well deploying relevant analytical tools to clarify substantive planning issue(s), county development challenges, opportunities and visions.

#### **CP-ISED model**

*County planning interestholders and stakeholders engagement and discussion (CP-ISED) model* is in line with Section 115 of County Government Act. The primary role of CP-ISED model is to provide the format, i.e. time and forum (place or venue) when interestholders (IH) and stakeholders (SH) are organized and engaged to make their contribution in county planning. Note that IS consists of people and organizations which are not necessarily residents in a county but have interests in development of the county.

SH consists of the *Wananchi* and organization residing in the county including those that have specific tangible and intangible stakes or/and claims in the county and for whom County Government has engaged in county planning to prepare a CIDP, CSP or/ and CSPP.

CP-ISED model is also used in creating points i.e. agenda for engaging the ISs and SHs to participate by way of: (i) sharing specific concerns by letting them be known before hand, (ii) giving views, (iii) sharing or giving information/ data, (iv) giving feedback to programmes and project proposed in draft county plan during any phase and steps in planning, and (v) letting specific interests an individual or group of people have be known with respect to any of the outcomes from an on-going county planning project or programme.

### **Nature and Scope of Integrated Planning**

Integrated planning is a *managed engagement* of policy makers, interestholders and stakeholders as beneficiaries of development in an *evaluative examination and appraisal* of economic-social and environmental sectors, institutional infrastructure and requisite human and financial resources needed to achieve inter-connected sectors and subsectors development in space and time.

Integrated development, therefore, seeks to resolve inefficiency in resource allocation in funding of public projects and programmes. In addition also, *ipso facto* leveraging of private sector actions to seize the newly created *market aura* to invest and spur growth of county economy; and to deliver goods and services in the market.

### **Integration in Integrated Development Planning**

Integration in integrated development planning happens in two stages.

#### **Stage 1: Integration through CP-ISED model**

First, integration happens by IH and SH making their inputs into plan making process and the final plan document. The role of CP-ISED model and the extent it is applicable in county integrated development planning project or programme can be ascertained beforehand. Overall, however, integration has to be a key plank in county integrated development planning project or programme. Specific instances of CP-ISED model application has to be documented and be recorded in the report about CIDP project or programme. It is important to note that the planning team, particularly team leader planner may choose specific timings when to convene IH and SH forums even though main ones are shown in bid or/ and memorandum of understanding.

#### **Stage 2: Integration through CP-TPKS model**

This stage of integration encompasses alternating use CP-TPKS model and of CP-ISED model. However, planning functions under CP-TPKS model dominates in this stage.

In county integrated development planning, these planning functions dominate at synthesis, conceptualization of the plan, through to project and programmes formulation and costing of the plan.

### **County Integrated County (Development) Planning**

Section 108 of CGA provides for a five -year CIDP and describes the focus and goal of CIDP provided for in Subsection 108(1) and 108(2); what the plan shall have in Subsection 108(3), while in Subsection 108(4); a requirement that the plan shall be resource mobilization and management framework. The law has not prescribed how integration would be achieved. Yet, of the three county plans, CIDP is the most important because the plan informs the annual county budget based on that year's development priorities as clarified in Subsection 113 (1)(a);and objectives of county planning as provided for in Section 103.

### **County Integrated Developments Planning in Practice<sup>10</sup>**

Experience acquired in integrated development planning by this author between 2004 and 2013 suggest that county integrated development planning provided for in CGA would involve forty-five (45) steps in ten (10) phases. These phases and steps are outlined as follows.

#### **Phase I: Inception of County Integrated Development Planning**

This is a short phase and may not extend for more than three weeks. This phase has two steps.

**Step 1:** *Planning consultant/ team briefing on terms of reference (TOR) by the County Executive Committee (CEC) members.*

**Step 2:** *Formulation of the Inception Report (IR) for the planning project/ programme and initial interactions between planning consultant/ team and county government officials.*

**Step 3:** *Conduct the first IS and HS consultative forum to clarify the vision of the county, data/information needs and overall objective of the county government on what CIDP has to achieve.*

#### **Phase II: Situational Analysis**

This is the longest phase of county integrated development planning. Data/information is collected and analysed during this phase. The second IS and HS consultative forum is organized to discuss results and to get feedback. Note the more complex a planning project/ programme is, the longer it will take to complete phase II. This is because there are more development issues and planning sectors to evaluate. This will involve analysing large volumes of data/ information and evaluating the sectors and results of analysis are compiled.

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<sup>10</sup>The author gained experience by participating in integrated regional development planning programme that to production of: (1) Ewaso Ng'iro North Development Authority Integrated Regional Development Plan: 2010-2040. Isiolo: ENNDA, (2013). To be launched on 5-6 November 2013 in Nanyuki; and (2) Interim Integrated Regional Development Planning for Tana and Athi Rivers Basin, 2012-2032. Nairobi: TARDA, (2012). Initial step in IDP in Kenya involved preparing Nyandarua District regional integrated regional development in 2003.

The phase has also comparatively large number of planning sectors. Background information that is used to compile the introduction to the plan is also acquired and assembled during this phase.

Finally, summary of identified issues that present challenges and problems by hindering development in the county; and the issues present potential for promoting development underline this second phase of county integrated development planning.

**Step 4:** *Collection of data/ information, identification of planning sectors, situational(data/information) analysis and identification of economic, environmental, social-cultural issues, etc. that must be addressed in the CIDP).*

**Step 5:** *Compile a plan report (PR) and organize it into identified development sectors with tentative sector specific development challenges and opportunities at the end of the text of each sector. Sector report consists of text, maps, illustrated diagrams, plates, tables, graphs, calculations, etc. Planning consultant/ team will use own discretion to decide how sectors are organized into respective chapters of the report.*

**Step 6:** *Conduct the second IS and HS consultative forum to present and discuss the results of situational analysis (data/information) in the plan report (PR) and get feedback.*

**Step 7:** *Incorporate IS and SH inputs (comments and concerns) into the plan report and revise the factors that hinder development and those factors that have potential to promote development in the county.*

### **Phase III: Synthesis**

The synthesis phase serves to evaluate, clarify and elaborate county development challenges and opportunities. In addition county development challenges and opportunities are classified into the following categories:

- county cross-cutting;
- specific to several but not all subs-counties in the county;
- specific to at least a site or community in *only one sub-county* but not necessarily identified with any one particular ward, etc.<sup>11</sup>;
- trans-county, i.e. those that occur in some parts of the county or are county cross-cutting and also occurring in the neighboring counties;
- national; and
- International.

This phase therefore, represents a transition from situational analysis to plan formulation.

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<sup>11</sup>If the occurrence is associated with the geography of a ward, the listing may reflect this, i.e., ward specific development challenges and opportunities.

**Step 8:** Identify county cut-crossing issues which are challenges hindering development and those that present opportunities for development in the whole county

**Step 9:** Identify issues which are challenge(s) hindering development and those that present opportunities for development in at least any two or more sub-sub-county units other than a ward in the entire county.

**Step10:** Identify issues which are challenges hindering development and those that present opportunities for development in only one sub-county other than a ward in the county.

**Step 11:** Identify issues which are challenges hindering development and those that present opportunities for development over any two or more wards in a county.

**Step 12:** Identify issues which are challenges hindering development and those that present opportunities for development over only one ward in a county.

**Step13:** Identify issues which are challenges hindering development and those that present opportunities for development at site(s), community or local area below wards as sub-county units.

**Step 14:** Identify issues which are challenges hindering development and those that present opportunities for development in the county but with their origin from neighbouring or bordering counties.

**Step 15:** Identify issues which are challenges hindering development and those that present opportunities for development in the county but have national origin.

**Step 16:** Identify issues which are challenges hindering development and those that present opportunities for development in the county but has international origin.

**Step 17:** Organize issues which are challenges hindering development into three to five broad areas of county development policy; e.g. catchment conservation, agriculture; urbanization and human settlements; and mining, industry and technology, etc. These are also treated as “county planning sectors” for integrated development, and could be elevated to the status of strategic model for county integrated development. Note that an initial level of integration has been achieved.

**Step 18:** Note all constraints to county development that can be detected after Step 17.

#### **Phase IV: Concept of the Plan**

The broad policy areas which are also planning sectors for integrated development around which issues that are challenges hindering development and those that present opportunities for development (see Step 14 in Phase III) are used to formulate the concept of the plan.

**Step 19:** *Familiarize with all ecological zones of the county as documented in authoritative publications.*

**Step 20:** *Divide the county into few main ecological zones (eco-zones) following existing “boundaries” of the eco-zones by “merging” some, so that we have two to four zones homogeneous eco-zones but three or four for most counties.*

**Step 21:** *Assign these few eco-zones which henceforth each cover comparatively larger areas of the county the function of planning and development zone (PDZ). Note that each PDZ cut across sub-county units including county wards, locations, districts, constituencies, towns, etc.*

**Step 22:** *Recap development issues in each broad county policy area/ sector with view to identify one or two critical issues that present overriding or critical challenge hindering development, i.e. the most disabling challenge(s). Example: Catchment environmental. Note that the one or two challenges identified are the preliminary basis or platform for integration in the CIDP.*

**Step 23:** *Briefly describe each newly formed PDZ accurately in terms development condition(s) against the identified overriding or critical challenge hindering development. Confirm if identified challenge is same one or two in Step 22 above; or near them. If your analysis and synthesis are accurate, you will find that Step 23 confirm the factor(s) that will be used for integration in the formulation of CIDP.*

**Step 24:** *Do the same as Steps 22 and 23 for any number of issues that present immense opportunities for development. These will form the basis for comparative advantage of the county in relation to development projects and programmes that will be formulated and presented as such in CIDP.*

**Step 25:** *Identify two to four corrective actions that are critical in addressing the most disabling county development challenge(s) in this case catchment environmental degradation. Three such actions could be:*

- (i) community forestry*
- (ii) regulated logging and*
- (iii) re-afforestation. These will be the three pillars i.e. “structural support” of integration in CIDP for which projects and programmes will be formulated considering this special role.*

## **Phase V: County Development Strategies**

Elaborate each of the broad policy areas into broad county development strategy.

**Stage 26:** *Re-state each broad county development sector which is really a county sector strategic model and elaborate it as county development strategy with clear goal(s) and focus. This elaboration will bring out a range and type of projects and programmes that would be formulated.*

## **Phase VI: County Projects and Programmes**

*Proceed to formulate county projects and programmes. In order to achieve integration, each project and programme must be formulated in ways that promote factor which minimize negative effects of the overriding or critical challenges hindering development in a county (See Step 22) and actions that constitute pillars of integration (See Step 25).*

**Step 27:** *Obtain a list of existing programmes and projects in the county. Group these into stalled and on-going and compile main reasons that led projects and programme to stall and for each on-going project and programme. Use a table in this planning task.*

**Step 28:** *Formulate new projects and programmes*

**Step 29:** *Prepare implementation schedule and assign clear timelines (short, medium or/and long-term).*

**Step 30:** *Cost each project and programme using established standard unit costs in Ksh (US\$, etc. if necessary).*

**Step 31:** *Assign implementation timelines where applicable, stating when the project or programmes would be implemented.*

**Step 32:** *Map the areas sites and locations where the projects and programmes will be located and cover, respectively, to ascertain spatial distribution of future development.*

**Step 33:** *Propose resource mobilization and management framework for the CIDP as required in Section 108(4).*

## **Phase VII: Institutional Framework for CIDP**

**Step 34:** *Appraise institutional and organizational issues from situational analysis in Phase II and identify those that present challenges hindering development and those that present opportunities for development in the county.*

**Step 35:** Formulate and compile institutional framework that improves on identified existing challenges and design an illustrated organizational chart (organogram) for implementation of CIDP.

#### **Phase VIII: Final Draft CIDP**

**Step 36:** Prepare/Compile final draft CIDP

#### **Phase IX: County IS and SH Forum for Draft CIDP**

**Step 37:** Convene County IS and SH forum to discuss final draft CIDP.

**Step 38:** Incorporate views and concerns generated at County IH and SH CIDP forum into the final CIDP.

**Step 39:** Compile CIDP planning report including the methodology / or methods used in preparing the plan and annex this to the draft CIDP.

**Step 40:** Subject the planning report and final draft CIDP to professional copy editing.

#### **Phase X: Circulation and Submission of CIDP for Approval**

**Step 41:** First internal circulation of copy edited draft CIDP to County Executive Committee (CEC) Members and the Chairman of County Assembly Planning Committee (CAPC).

**Step 42:** Incorporate any editorial, technical and policy comments and suggestion from CEC and CAPC.

**Step 43:** Second internal circulation of a copy of CIDP to CEC Members and chairman of CAPC to ascertain acceptability of layout of the print text and images before final CIDP.

**Step 44:** Submit printed CIDP for approval.

**Step 45:** Issuance of Certificate of CIDP completion by County Government to the Consultant/ Planning Team.

#### **Conclusion**

County integrated development planning is an encompassing undertaking. It leads to preparing an overarching plan i.e. a plan with high level of comprehensiveness in terms of development that is expected to ensure. The plan seeks to secure development in communities residing in the counties, in ways unforeseen in the Kenya's 50 year independence history. The restriction of the period of the CIDP to a mere five (5) years may have to be revised to, say ten (10) or least fifteen (15) years.

## **Nature and Scope of County Sectoral Planning**

County sectoral planning is simpler and straight forward as outlined in Section 109 of County Government Act. CPS is simply an array of sectoral projects and programmes which are identified with high degree of certainty in terms of budget availability, outputs and urgency in seeking to resolve county development challenges that are of strategic or compelling in nature. Example: strawberry production in a sub-county area, livestock breeding to upgrade existing stock of indigenous cows with Friesian breeds to increase milk production in the county or a part of the county. Sectoral projects and programmes focuses on clearly identified intra-county and/or national development needs. They are of immense value to development in the county that they may not wait formulation of the full CIDP. CSP are therefore tools for development management in the county.

Therefore county sectoral planning tend to involve coming up with sectoral project and programme that will be implemented in the next ten years within a broad sector e.g. agriculture. Sub-section 9(2) (a)-(b) of County Government Act underline the nature and scope of CSP by clarifying the plans will be “*programme based*” and be “*the basis of budgeting, performance and management*”. Mandatory review and approval every five years by the CEC and County Assembly, respectively, underscore the role of CSP as tools for short and medium term management of county development.

It is noted that the ten-year period of CSP is longer than five-year period for CIDP. Yet the emphasis is that CSP will be prepared as “*component parts of the county integrated development plan*” as provided for in Sub-section 109(1), and not the other way round. This is contradictory. The need to review CSP annually as required in Sub-section 109(2) (c) makes CPS all the more least demanding in terms of time it has to take to prepare.

Major contradictions between CIDP and CSP are noted. First CSP is component part and of the CIDP and CSP has to be reviewed annually. Legislating CIDP as a five-year plan and CSP ten-year is out of expectation. The provision to review CSP annually and a requirement that CIDP to have monitoring and evaluation component be included in the plan document (see Sub-section 108(1)(c)), confirm the long-term nature of CIDP and short and medium term nature of CSP.

## **County Sectoral Planning Methodology**

The methodology of county sectoral planning begins with taking a form of forward regional and/ or area sectoral development planning. This type of planning will not necessarily be as comprehensive as county integrated development planning. The approach focuses on coming up with an array of sectoral projects and programmes which are clearly identified, strategic in nature and is highly ranked as a priority for implementation within short known timeline. County sectoral planning begins by appraising development of the county.

A simpler way is to begin with close examination of development profile (CDP) of the county in question (see Kenya, 2013) in order to have a sense of the status of key development sectors.<sup>12</sup>

Finally, county sectoral planning is a response to immediate development needs in the economy of a county. In comparison, county integrated development planning is prospective type of planning. It takes a more long term view, interlinks development sectors and actors and is particularly comprehensive. In addition, county integrated development planning seeks to guide and influence the form of development that will happen in the whole county.

This type of planning and not sectoral county planning determines the overall “picture” of development in one county compared to another.

### **Conclusion**

Country sectoral planning may be done together with county integrated development planning. This is because substantial sectoral planning activities would be accomplished during phases I, II, V, VI and IX of county integrated planning. A county that decide to implement the two types of planning side by side or simultaneously as one county planning project or programme will realize the following advantages:

1. County integrated development planning and county sectoral planning will be carried out as one county planning project or programme;
2. The two types of planning will be carried out under one budget and managed as one project or programme in bidding with possibilities of cutting total cost of producing the two plans;<sup>13</sup>
3. Only one consultant/ planning team will qualify for bid to carry out the two planning projects/ programme making it more cost effective to manage than managing two separate entities preparing the two plans separately;
4. County planning would be cost effective by being contracted out to a consortia of planning firms;
5. The two types of plans prepared as one project/ programme will secure more effective *inter-relation* and *inter-linkage* of the two sets of county projects and programmes that emanate from the two plans; and
6. No. 4 above is line with Sub-section 109(1) which states that CSP is a “*component parts of the integrated County development plan*”.

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<sup>12</sup>See for example: (1) Kenya, Republic of (2013). *Nairobi County Development Profile*. Nairobi: Ministry of Devolution and Planning; (2) Kenya; Republic of (2013). *Nakuru County Development Profile*. Nairobi: Ministry of Devaluation and Planning; (3) Kenya, Republic of (2013). *Bomet County Development Profile*. Nairobi: Ministry of Devolution and Planning; (5) Kenya, Republic of (2013). *Narok County Development Profile*. Nairobi: Ministry of Devolution and Planning; (5) Kenya, Republic of (2013). *Murang'a County Development Profile*. Nairobi: Ministry of Devolution and Planning, etc.

<sup>13</sup>Kenya, Republic of. *The Public Finance Management Act (PFMA)*,2012.

## **Challenges**

Preparing CSP and CIDP as one county planning project/ programme has to overcome the following challenges:

1. A large number of professionals with multi-professional and multi-technical and professional backgrounds and experience will be involved during different phases of county planning project/ or programme;
2. Planning consortia where main planning firm subcontract specific planning outputs would yield expected results better but Kenya has had no past instances where a major planning programme was executed through subcontracts;
3. Strong planning leadership and effective management by county project/ programme coordinating office are necessary for effective county planning; and
4. A clearly spelt out project/ programme schedule indicating roles, responsibilities and functions in county sectoral planning and integrated development planning, respectively for each planning team in the consortia including, specific phases when each CPS and CIDP plan documents would be completed.

## **Nature and Scope of Spatial Planning**

Like CSP, county spatial plan (CSPP) is a ten year plan and is also a component part of the CIDP as provided for in Sub-section 110(1). CGA refer CSPP as *county GIS database system spatial plan*, i.e. it is GIS database CSPP. Sub-section 100(1) (a) state the goal of CSPP is to achieve “*a spatial depiction of social and economic development programmes*” of the CIDP; Sub-section 110(1) (b), “*state how spatial plan is linked to regional, national and other county plans*”; and Sub-section 110(1) (c) has clarified the “*anticipated sustainable development outcomes of spatial plan*”.

### *Essence of Spatial Planning*

Spatial planning involves a methodology or methods of public planning. This type of planning merely focuses on guiding and influencing the distribution of people by way of types and patterns of human settlement over large areas or regions including counties. Regional planning which combine land use, transportation and environmental planning initiative. Regional physical planning for example is a form of spatial planning. Pointedly, also, nature and scope integrated regional planning is essentially, spatial planning.

The focus on GIS database as a type of spatial plans is to arouse the fact that county (development) planning, unlike district planning of yore; has to rein in the fuzzy pattern of human settlement in the counties. The fast spreading urban sprawl on the one hand; and unfettered spread of rural settlements has to be contained through spatial planning. These settlements are eating into agricultural land where food is produced.

Water towers and catchments, wetlands, riparian reserves, etc. are also located in the rural areas.

According to Sub-section 110(2) CSPP “... *shall be spatial development framework for the county*”; and among others as provided for in Sub-section 110(2) (c) (viii), the plan shall “*be aligned with the spatial frameworks reflected in CIDP of neighbouring counties*”. There are possibilities of mounting trans-county spatial planning projects/ programmes in future. The requirement to create GIS database format from spatial plans is also to add value in county planning in ways that make data/information of spatial patterns of development readily retrievable in accessing for policy formulation, day-to-day decision making as well as revising and updating.

This is a realistic demand where land use factors are the most influential on on-going densification of rural settlements at household land parcel level, and overwhelming urbanization. These two are critical factors in Kenya, given the country’s comparatively large population which is urbanizing fast.

### **County Spatial Planning Methodology**

Like in county sectoral planning, county spatial planning also fall within the framework of county integrated development planning. As in preparing CSP, CSPP preparation also fall with the overall methodological scheme of phases I, II, V, VI and IX of county integrated planning.

CSPP document will be approved in form of a hard copy or copies a series of GIS data in form of maps which will represent spatial/ physical patterns of phases I, II, V, VI and IX CIDP and I soft copy of the same data and connected social, economic and resource base issues and proposals.

### **A Summary of County Planning Methodology**

Table 1 and Figure 1 present as summary of county planning methodology. Table 1 presents the key features of county planning methodology. The table has summarized the distribution of stages by phases of planning and by CIDP, CSP and CSPP.



The role of the national government is necessary at all levels of [development] planning activity in counties and sub-county levels including county wards, constituencies and districts<sup>14</sup>, cities, municipalities, towns market and local centres. Professional planning practice, standard as well as setting relevant policies and strategies are a function of the national government. Figure 1 has summarized the overall possible organization for planning.

### **Conclusion**

The paper makes the following two major conclusions. First, CIDP, CSP and CSPP which are the three county-wide plans share a common planning methodology. The methodology consists of two models, namely; (i) CP-ISED model, and (ii) CP-TPKS model. First, nature and scope of the three plans overlaps. In sharing planning methodology, CIDP encapsulates CSP and CSPP. Reference to CSP and CSPP as “*component parts*” of CIDP in the Act has underlines this fact. For this, CIDP, CSP and CSPP may be prepared in one county planning project or programme instead of the three separate county planning undertakings. Second, it is noted that preparing CIDP is more involving than the other two plans. However, the law has assigned CIDP a period of five years as the period that has to expire before County Governments can prepare another plan. Each CSP and CSPP on the hand has to last a ten year period. It appears that making preparation of CIDP condition for accessing of annual budget by county governments led to assign shorter period. CIDP by its nature is more involving than CSP and CSPP which justify the plan as covering a longer period.

### **Recommendations**

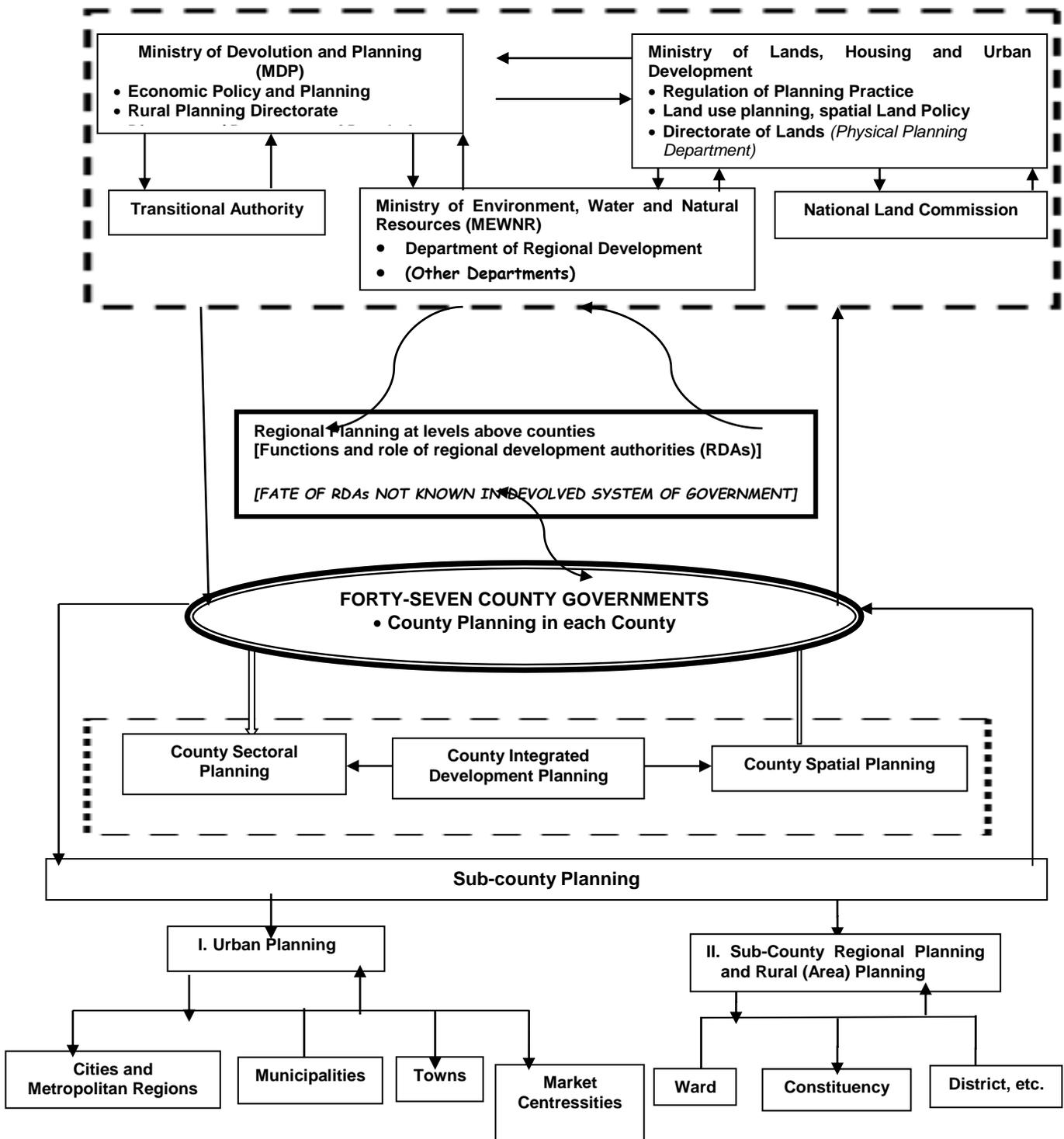
The paper recommend that counties prepare these three county-wide plans, i.e. CIDP, CSP and CSPP in one planning project or programme instead of mounting three separate projects/ programme, one for each. This recommendation has four main justifications. First county planning methodology outlined in the paper allows this. Second, the three plans will share data and information. The plan will benefit from common formatting and documentation which will secure content presentation that is easier to cross-reference during implementation and revision. Third, completion of preparing each plan would be treated as an output from an on-going county planning project/ programme.

The forth justification concerns the cost of mounting county planning projects/ programmes under CGA. Preparing CIDP, CSP and CSPP in one county planning project/ programme is likely to reduce total costs of preparing the three plans as separate county planning projects/ programmes. As such project/ programme counties may spend in the range of between 65% and 90% of combined costs of preparing each of the three plans separately.

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<sup>14</sup> See Kenya, Republic of. *The National Government Coordination Act No. 3, 2013*. Nairobi: The Government Printer; Kenya, Republic of. *The Land Act No. 6, 2012*. Nairobi: The Government Printer; and Kenya, Republic of. *The National Government Coordination Act No. 3, 2013*. Nairobi: The Government Printer.

Figure 1: Possible Organizational Structure for County Planning<sup>15</sup>  
 [NATIONAL GOVERNMENT]



<sup>15</sup> See Kenya, Republic of. *The National Land Commission Act No 5, 2012*. Nairobi: The Government Printer.

## **PART III: HIGH LEVEL PLENARY SUMMARY & SELECTED FEEDBACK**

### **Selected Feedback**

#### **George Wagah, Maseno University;**

He noted that Kisumu was positioning itself for takeoff and it was good that it was chosen as the first county to host the planners' conference. His main observation was that all Universities should work in conjunction with KIP to provide professional standards and ensure quality. He also appreciated the need for research in developing the profession. Mr. Wagah also suggested that the Physical Planners Registration Board should use the conference as an avenue for reaching out to planners and other stakeholders.

#### **Planner Richard Mireri**

Observed that the County Integrated Development Plans for various counties were done in a hurry to meet constitutional requirements and therefore there is a lot of room for improvement.

#### **Planner Isaac Mwangi**

Observed that the county development profiles prepared by various counties were no plans as such. He challenged universities to reposition their courses/ programmes to respond to the new changes in line with the constitution.

#### **Mr. Thomas Ruto**

From Elgeyo Marakwet County said that the role of planners during the preparation of County Integrated Development Plans was conspicuously lacking and challenged planners to play a more central role in preparation of development plans.

#### **Planner Bosire Ogero**

Observed that some of the laws such as County Government Act and Urban Areas and Cites Act were done in a hurry and therefore have gaps.

#### **Planner Peter Kibinda**

Observed that Regional Planning is not adequately addressed at both national and county levels especially when it comes to cross-county boundaries. He further noted that planning has taken an elitist approach with greater emphasis on university level training and little emphasis on middle level training (certificate and diploma). He noted that planning requires total commitment and should focus far into the future.

He further advised that the action areas are at the County level and we need to rebrand ourselves to be appreciated. We need to associate ourselves by showing what we can do in raising of revenue at the County.

**Plan Renson Mbwagwa**

Underscored the fact that planning process is expensive and this message should be passed to the Counties. Planners should be able to convince the Cabinet Secretaries on the importance of planning to ensure adequate funding. He challenged the Ministry of Lands, Housing and Urban Development to take the lead in re-aligning planning legislation with the constitution.

**Plan Elijah Agevi**

Appreciated the fact that there are enormous opportunities for planners in the new dispensation and advised that we only need to strategies on how to take them up.

**Plan. Sarah Masaki**

Observed that currently at the county level there no planning structures and this will derail us in attracting funding for planning projects.

**Plan. Augustine Masinde, Director of Physical Planning:**

Planner Masinde gave an account of current and ongoing policy development and mentioned the following polices were ready to be presented to cabinet, these are: the National Land use policy; the National land use plan; The National Urban Development Plan; National Slum prevention and Improvement Policy; and the Housing Policy.

He noted that challenges are expected in the areas of integration of legislation, the role of national vis-à-vis the county governments, capacity both in public and private sectors, quality in the profession and integrity issues.

Planner Masinde emphasized the need for planners to integrate with other sectors where necessary. Support for counties would also come from the Physical Planners Registration Board (PPRB) and the Kenya Institute of Planners (KIP) in the area of capacity building and planning standards. Streamlining of the planners curriculum would also be undertaken.

He mentioned that other areas of focus would include participation in the CIDPs, leveraging physical planning interest on the new laws, marketing of plans prepared by planners, guiding the structure of plan preparation and approval; and improving the planning quality among others.

**Prof. Caleb Mireri**

Emphasized the fact that standards are very important in Planning and as university they are ready to engage with various agencies involved in planning to come up with planning standards that can be rapidly be implemented.

On the overview on the National Urban Development Policy Prof. Mareri noted that the policy is a response to issues of urbanization, infrastructure and service provision, housing environment, employment, and poverty / inequality. The area of interest under the policy include economy, finance, governance , urban management, planning, land , environment and climate change, social and physical infrastructure, housing disaster management , safety , and matters dealing with marginalized and vulnerable groups.

The objectives of the policy will look to address the said urban parameters through existing legal frameworks and collaboration with various stake holders.

The cross-cutting message of various contributors during the plenary was the general consensus that the PPRB and KIP should undertake capacity building at county levels. It was also recommended that planners should take advantage of new laws and provide direction to county planning especially the CIDPs.

**Closing Speech by Governor, Homabay County H.E Hon, Cyprian Awiti,**



*H E Cyprian Awiti, Governor, Homa Bay County.*

The chairman – Kenya Institute of Planners, Dr. Isaac Mwangi, the Governing Council Members, County Executives, Committee Members present, Ladies and Gentlemen, receive greetings from Homa Bay County – the County of choice. I feel excited to join you here this afternoon. I also feel honoured that you picked on me out of the 47 governors to come and share a few thoughts on this last day of your deliberations. I am indeed very excited because it is the first time I have come face to face with such a large group of planners – the men and women behind the growth of our towns and urban centres.

**Ladies and gentlemen,**

This conference has come at a critical time when our country is grappling with the challenges of devolution. Its theme: *Planning Under a Devolved System of Government* captures the mood of the nation. I have gone through a list of presentations made in the past two days and I must congratulate the presenters for the well- researched and scholarly work.

Urban planning is a key pillar to devolution. Without planners, devolution will become a cropper. It will be futile hunting for investors when we have haphazardly planned urban centres with no space to put up new projects.

Devolution means bringing services closer to the people. It means turning those small urban centres into active service delivery centres with proper housing, roads, water supply and jobs.

Ladies and gentlemen, the creation of county governments has brought into sharp focus the role of planners in this nation. The success or failures of county governments will depend on prudent planning. We will not achieve anything no matter how much money we get from the commission of Revenue Authority and investors if we don't plan.

The excitement on the formation of County Governments could lead to haphazard human settlement, mushrooming of slums and wanton destruction of the environment.

In many developing countries, lack of appropriate urban planning is the cause of poverty and conflicts. Cities that develop chaotically see an increase in slums, lack of basic public services and crime.

I hope you will use your expertise in planning to combat urban poverty, social inequality and negative environmental change that we have witnessed over the past few years.

Our dear planners, you are aware about the infrastructural chaos we have witnessed as devolved units struggle to take shape. Many county governments still face serious housing problems.

Many have no land for offices, factories and schools and even hospitals. In some counties all public land has been grabbed. We will be relying on you to restore order through sound planning policies.

But little will be achieved unless the Kenya Institute of Planners works closely with the Council of Governors. I suggest that these two bodies form strong linkages through which they will monitor urban planning. There should be regular meetings between governors and planners to address emerging issues.

I would also like to appeal to County Governments to only use professional planners to achieve their development goals. Using non-professionals can be costly.

Ladies and Gentlemen, I must not conclude my speech without mentioning bottlenecks facing planners in this country. I have learnt with regret that this country has not given urban planning the attention it deserves.

Government planning departments have been operating on shoe string budgets. Although the county governments are still grappling with massive budgetary shortfalls, there was need to re-examine our commitments in financing urban planning activities.

In conclusion, I want to challenge out planners to borrow examples from a few successful urban planning stories from across the world and help replicate the same here at home.

A city like Bogota, the capital of Colombia has been successful in its planning despite a sagging population of 6 million people, triple that of Nairobi.

In the last decade Bogota has been the object of national and international recognition due to its social, economic and cultural transformations and also to its urban planning.

I trust with the deliberations made at this conference, our planners will open a new chapter in shaping our towns into centres of excellent service delivery. I now wish to declare this conference officially closed. May the Lord bless you as you travel back to your stations.

**THANK YOU.**

## **Summaries and Pathways**

The following is a summary of issues raised during the conference, possible pathways for growth and recommendations for institutional Development to the Future:

### **Remarks by Prof. J. Kiamba**

In setting the scene for deliberations on future pathways, Prof Kiamba provoked planners and reminded them that Planners were taught to think big. He gave historical perspectives of planning showing changes that have taken place from pre-colonial, after independence and after promulgation of the new constitution. He discussed the role of KIP how it was formed and the challenges. He raised pertinent questions like what are the implications of the new laws? How will public participation be envisaged? Where will action be? How are we going to strengthen ourselves as KIP. He emphasized that planners should embrace the future, be ready to be challenged and be people without borders. The toxic planners need to reinvent themselves and also we need to embrace other professionals.

### **Summary by Plan.Charles Osengo**

Plan Osengo summarised submitted that the contributions made at planning conference crystallised along the following key area; the planning challenges (as to what ails planning in Kenya); interest of planners, role of professional bodies, training institutions, citizenry and planning tasks under a devolved system of governance.

### **Planning the Challenges**

This is explained by focusing on specific areas of the political economy and its relations to planning bringing out challenges and problems that affect

planning leading to its ineffective contribution to the national development process. At the state level, one finds the governance/institutional structures and relations. Focus in this area is on, ideology of the state, power and authority relations, leadership, policy and legal processes. Spatial planning is a public good discharged by the state. Ideologically its rationale over the years has been that markets fail in bringing out effective sustainable outcomes to society, besides other justifications.

It has therefore been found prudent for state intervention in the development processes guided by the market in various ways; one of it is through spatial policy and its various instruments at various levels. The above was premised on the assumption that state is a benevolent guardian of the strong and weak in society.

However, it was well known that states also fail and given that planning is institutionalized within the state as a public good, it does logically follow that the state has gone down with planning. Evidence of this is the mismatch between spatial integrated planning and the governance system of the country besides lack of meaningful budgets set aside for spatial planning.

### **Interests of Planners**

Secondly, the planners' interests and own struggles among themselves in search of rent, at the expense of their profession and national interest or the bigger picture as articulated in the task of the profession. The profession is rarely championed within government systems, private sector, and related to the national development issues that affect the Country which planning can provide solutions. A Key problem has been the smallness of mind in relation to their profession, viewing it only in atoms hence getting little from it, only at a personal level, hence not opening up the profession.

### **The Professional Bodies and Registration of Planners**

Thirdly, planning professional bodies and the registration board of planners is a key area that requires focusing on planning matters in the public interest, marketing the planning service and not incessant conflict that is non-substantive, and at its worst personal. It is quite difficult for errand planners to be disciplined given the fact that the disciplining authority is within the public sector. The conduct of planning practice from an ethical point of view and accreditation of the planning schools is crucial in this respect. The professional bodies together with the planning schools need to champion the primacy of integrated planning to the Country and East Africa.

### **Training Institutions**

Fourthly, the training institutions from where planning is imparted to the students is in need of waking up and working in harmony for the sake of the profession and national interest. The schools appear to have sought permission and summoned the courage of remaining mute on matters of national development that require heavy planning input. The champions of planning from the planning schools are yet to come out, in a meaningful way. A key problem here is the scarcity of radical critical approach within the training institutions and lack of appetite by the students for critical approach from various ideological standpoints. This requires conferences and planning advocacy on matters of national development crying out there for planning input.

### **Citizenry**

Lastly, the citizens of Kenya, which points to the lack of love for a spatial order, sacrifice for better enlarged outcomes from conscious deliberate social engineering, uptake of planning as well as respect for planning. Of great importance is the acceptance of truth emanating from the current unsatisfactory state of affairs in terms of development analysed from all dimensions (Natural resources and physical environment, demography and population, history and social cultural, physical and social infrastructure, economic base, human settlements, and institutional and governance) and differentiated public with varied interest that rarely rise up to the national good, as a basis of crafting alternative solutions to tackle our challenges.

The obstacle to planning and achievement of rapid development has its roots in the leadership, institutional structures and the citizens as a key area of knowledge useful to planning. Citizens are unable to keep the state to account for lack of planning, good governance and the eventual paucity of material development in the Country; hence we are all ailing as victims of arrested development. We have sacrificed the concern for our brother and sister at the altar of ethnicity, corruption, and timidity or failure to genuinely hold leaders and ourselves to account.

### **Planning under a Devolved System of Governance**

To arrive properly at planning under a devolved system, planning in the old regime has to be looked at. The planning task under the old regime/ constitutional order was not properly conceptualized and brought under the control of the planning profession for practice and guidance by the planning bodies. Most planning remained outside the profession of planning, for instance, planning under regional development authorities, public utility corporations and planning expected to be done but was not thought of (inter-regional planning, urban areas cutting across two or three regions,

regions that border international boundaries as well as towns on such borders.

These have remained outside the policy and legal frameworks of planning and hence such areas are excluded from the development process. Part of the contribution to the above is the instability of the planning jurisdiction which has kept changing due to political expediency. This has affected urban and regional jurisdictions of planning, on which planners have relied upon, and have not come up with planning units or jurisdictions from objective planning analysis. The planner was therefore expected to carry out planning of jurisdictions he did not help to determine according to a planning task and unique development challenges.

The carrying out of the task became even difficult due to the problem of assembling information, and weak economic base of the jurisdiction to support planning, given that the profession was not linked to the budgetary processes. Indeed it is even worse when the very exercise of developing a long term integrated plan has never been categorized within the fiscal allocation processes of the government as a development expenditure item.

The interpretation of planning in the old regime first begins at the national level which deals with national spatial plan or policy from which land use plan can be prepared. In the process of preparing a national spatial policy certain key issues of planning and development touch on boundaries with her neighbours relating to resources, developmental matters, human security, cultural groups as well as towns.

This is the domain of inter country spatial policy and planning that now takes planning to the East African level, but it has not been articulated by the planning profession. This level is also expected to deal with matters of urban development policy for the entire country, standards, guidelines, and planning manuals focusing on all planning matters in the Country.

Moving a step lower, to the regional level, there has been confusion and lack of leadership from the profession. Regional issues in the Country have been articulated at various levels, first provincial, and then resource basins and finally at districts created by provincial administration at the whims of the executive.

What is of necessity here is what planning at the regional level aims to achieve in the national development process that complements national policy and development. Regional policy therefore has to be a key contribution from spatial planning within which integrated regional, urban, metropolitan and inter regional planning takes place. The profession over

the years has rarely contributed to planning at the regional development authority level, for reasons best known to the planning leaders in the profession.

At the intermediate regional level, taken as the district and most unstable due to political interference by the head of the state, there has been the practice of regional planning. Planners have remained mute on this matter in spite of this illegal practice by the head of state creating difficulties for the planning work in terms of getting data, and coordinating planning matters.

Other planning matters not focused on properly are interregional matters (resources, investments, cultural groups, towns at the district boundaries), regions or districts that border our neighbours together with towns on such borders, and towns within the district.

That is the task of planning in the old regime most of which has remained outside the concern of planners, due to a narrow interpretation of their actual responsibility. It is indeed a worst case of academic and professional abdication of development responsibility.

In the process of articulating the national spatial policy, issues of planning cutting across national boundary will surface. These can be handled at the East African and IGAD levels. Other remnants of national spatial policy relate to the need for an urban development policy and regional spatial policy within the framework developed by the national spatial policy has spelt out above.

At the County, the priority of planning focuses on the integrated County Development Plans. This is a priority for all the governors before funds are expended. In the process above issues of inter county planning should be articulated whose foundation or pillars are; resources, investments, inequalities, metropolitan, migration, and towns and markets shared by counties. While still at the county, there is urgent need to recognize planning of counties that borders our neighbours (Busia, Bungoma, Turkana, West Pokot, Samburu, Mandera, Kajiado, Migori, Wajir, and Transmara).

The basis of the inter planning on borders with our neighbours is resources, human security, towns and cities, investments, and cultural groups. Planning at the County level should also bring out the order or hierarchy of the urban system within the Counties and their role in the development process of the County. Towns at such borders require a different planning

approach and rationale. This forms a basis within which integrated strategic urban development plans will be made in the Counties thereby giving a rational basis of propelling development in the Counties.

## **Pathway/Recommendations**

### **Capacity Building**

Capacity building at county level is critical. Currently county governments seriously lack capacity –human resources and institutional capacity. Areas of focus on capacity building are identified as below,

- Clear assignment of planning responsibilities
- Planning units/ departments formed to oversee planning at all levels mentioned
- Policies, legislation manuals and standards formulated
- Staffing of the departments appropriately
- Standardization of training and accreditation
- Coordination of planning matters
- Financing of planning as well as implementation
- Professional Values and ethics
- Induction of new graduates into the profession both in private and public sector
- Planning schools to stage annual planning conference to debate on matters that require planning
- Professional planning body and the registration board to organize planning clinics in the counties

### **Gaining on the lost Ground**

To be able to gain on what planners have lost, the following are key issues,

- (i) Articulate the benefits of planning from the diverse dimensions as below, Economic Social Environmental Spatial & Design Governance

The above should relate to national development priorities as well as East Africa as a key document to market planning. It should also contain the

process and the benefits of integrated planning, so that we can use it market planning in Kenya, and East Africa.

- (ii) Critical Immediate Consultative Meetings Council of Governors, KIP, Training Institutions Cabinet Secretaries, KIP, Training Institutions Senators, KIP, Training Institutions Private Sector, KIP & Training Institutions Parliamentary Committee on Land, Environment & Natural Resources, KIP & Training Institutions
- (iii) East African Level/IGAD Lobby for planning due to matters that cut across national boundaries, and also exploiting the strategic location of Kenya
- (iv) Planning Discipleship, Go ye into the world and make out of them planners from interactions and engagements

### **Call on Membership**

- Vigorously promote the implementation of the Constitution of Kenya 2010 by actively engaging in the ongoing reforms including legislative and policy;
- Promote education and awareness creation on the importance of planning in the sustainable development of the country;
- Promote collaboration and partnership of National and County Governments on county planning, especially support of the former in rolling out planning at the County levels;
- Promote planning at county levels by actively engaging with National and County Governments as well as other players;
- Support the development of adaptive planning methodologies, approaches, standards, regulations and guidelines for both National and County Governments;
- Support development of quality planning education and research in the country; and
- Support the development of planning profession including strict adherence to high professional integrity.
- Planners to play a more pro-active role at county level

### **Policy**

The Kenya Constitution provides two levels of governance; national and County. It provides a lot of opportunities for planners especially at county level. Planning should adopt a multi-disciplinary and participatory

approach. There is need to re-align planning legislation with the new constitution. Universities (schools of planning) should also review their programmes / courses to be relevant to the market today.

Formulate a policy on urban and regional planning –there is need for a policy statement at National and County level. Review the Physical Planning Act and develop appropriate legislation to guide spatial planning and eliminate existing gaps and conflicts. There is a total disconnect between county governments and national government with respect to planning. There is therefore the need to ensure proper coordination between national and county government.

## **ANNEXES**

### **Annex 1: Conference Programme**

**DAY 1: TUESDAY 26 NOVEMBER 2013**

Arrival of Participants

**DAY 2: WEDNESDAY 27 NOVEMBER 2013**

<b>SESSION 1:</b> Chairperson:	Opening (Climate Setting: Dr. George Wagah, Senior Lecturer, Maseno University) Mr. Elijah Agevi, Consultant, Research Triangle Africa
08:30-09:30	<b>Opening</b>
09:00-9:05	Welcoming Statement by Dr. Isaac K Mwangi, MKIP, FKIP Chairman, KIP
09:05-9:10	Statement by Bosire Ogero MKIP, FKIP, EBS VP Commonwealth Association of Planners (CAP)
09:15-09:30	OPENING SPEECH BY THE CHIEF GUEST: H.E. HON JACK RANGUMA, GOVERNOR, KISUMU COUNTY
<b>SESSION 2:</b> Chairperson: Rapporteur:	KEY NOTE ADDRESS Plan Peter Kibinda MKIP, FKIP Plan Beatrice Olwa
09:30-10:00	KEY NOTE ADDRESS BY HON. CHARITY KALUKI NGILU, EGH, CABINET SECRETARY LANDS HOUSING AND URBAN DEVELOPMENT
10:00-10.30	<b>TEA/COFFEE BREAK</b>
<b>SESSION 3:</b>	DEVOLUTION AND DEVOLED SYSTEM OF

Chairperson: Rapporteur:	GOVERNMENT:CONCEPTS, PRACTICES AND EXPERIENCES Prof. G. P. Opata, MKIP Professor, University of Eldoret Planner Lillian Ndubai,
10:30-11:45	Concept of Devolution, Design of Government System and Policy Making and Implementation Practices, Prof Maurice Amutabi
11:45-12:00	Plenary: Q & A
<b>SESSION 4:</b>	PANEL ON PLANNING FUNCTIONS OF NATIONAL AND COUNTY GOVERNMENTS IN KENYA CONSTITUTION 2010
Chairperson: Rapporteur:	Plan Michael Gachoki, MKIP Plan Isaac M. Nyamweno,
12.00-12.15	Panelist 1: Appraisal of Planning Functions of the National Government under Kenya Constitution 2010, Plan. T. Mwangi MKIP
12.15 -12:30	Panelist 2: Appraisal of Planning Functions of County Governments under Constitution 2010, Planner Saleh Agil MKMIP
12.30-13:00	Plenary: Q&A
13:00-14:00	LUNCH BREAK
<b>SESSION 5:</b>	PANEL ON MECHNISMS OF FINACING PLANNING FUNCTIONS
Chairperson: Rapporteur:	Planner Alphose Kipkurui Rotich Planner Caroline W. Mathenge
14:00-14:15	Panelist 1: Appraisal of Financing Planning Functions of the National and County Governments, Planner Dan Kiara
14:15-14:30	Panelist 2: Appraisal of Devolved Revenue Allocation Criteria and Principles, Organization for Disbursement and Expenditure, Planner
14:30-14:45	Panelist 3: The Role of Spatial Planning in Budgeting and Revenue Allocation, Plan .Disterius O. Nyandika
14:45-15:15	Plenary: Q & A
<b>SESSION 6:</b>	COUNTY AND TRANS-COUNTY PLANNING UNDER DEVOLVED SYSTEM OF GOVERNMENT
Chairperson: Rapporteur:	Planner Renson Mbwagwa MKIP Planner Edwin Wamukaya
15:15 -15.30	Challenges and Opportunities of Urban Planning and Management under Urban Areas and Cities Act, Planner George Onyiro MKIP
15.30 -15.45	Nature and Scope of Integrated, Sectoral and Spatial Planning under County Government Act, Dr Isaac K. Mwangi MKIP, FKIP
15.45-16.00	Trans-county Regional Planning, National Spatial Planning and Planning under Other Laws, Plan. Charles Konyango MKIP
16:00-16:30	Plenary: Q & A
16:30-17:00	TEA/COFFEE
<b>SESSION 7:</b>	PLENARY ON FUTURE OF PLANNING PROFESS ION UNDER DEVOLVED SYSTEM OF GOVERNMENT
Chairperson: Rapporteur:	Plan Joyce Kariuki MKIP Mr. T. Mwangondi
17:00-17:15	Prospects for Spatial, Economic, Environmental and Social Perspective of Planning, Planner. A. Masinde MKIP, EBS
17.15-17.30	KIP's Possible Pathways for Growth and Institutional Development to the Future, Prof. J M Kiamba MKIP
17.30 -18.00	Plenary: Q & A

**DAY 3: THURSDAY 28 NOVEMBER 2013**

<b>SESSION 8:</b>	PLENARYDISCUSSIONONCOUNTY AND TRANS-COUNTY PLANNING UNDER EVOLVED SYSTEM OF GOVERNMENT
Chairperson:	Planner Moses Kola MKIP
Rapporteur:	Planner Abubakar Madday MKIP
8.00-8.30	Plenary Discussion on County and Trans-County Planning Under Evolved System of Government
<b>SESSION 9:</b>	
Chairperson:	Planner Peter Kibinda MKIP, FKIP
Rapporteur:	Planner Beatrice Olwa
08:30-9.00	Address by Dr Mohamed Swazuri, Chairman, and National Land Commission
9.00 - 9.30	<b>Plenary</b>
<b>SESSION 10:</b>	
Chairperson:	Planner Juliana Mutua MKIP
Rapporteur:	Planner John Barreh, Deputy Director, City Planning Department, Nairobi County
9.30 - 10.00	Plenary On Future of Planning Profession under Devolved System of Government
10:00 - 10:30	<b>TEA/COFFEE</b>
<b>SESSION 11:</b>	
Chairperson:	Planner. Rose Kitur, Vice-Chairperson, Kenya Institute of Planners
10.30 - 10.45	Conference Master Rapporteur's Report, Planner. David Rukunga
10:45 - 12:00	Conference Resolution(s), Facilitator: Mr. Jeremiah Ougo
12:00 - 12:15	CLOSING, HE HON, CYPRIAN AWITI, GOVERNOR, HOMABAYCOUNTY
12.15 - 12.30	Vote of Thanks: Planner. Rose Muema, Director, City Planning Department, Nairobi County
12:30 - 14:00	<b>LUNCH</b>
14.00 - 18.00	GUIDED SITE VISIT/TOUR OF KISUMU CITY & ENVIRONS
<b>DAY 4: FRIDAY 29 NOVEMBER 2013</b>	

<b>DEPARTURE OF PARTICIPANTS</b>
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## **Annex 2: Conference Speakers**

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3. H.E. Ruth Odinga  
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Nairobi
8. Dr George Waggah  
Senior Lecturer  
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Department of Physical Planning  
Ardhi House  
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Deputy Director, Dept of Environment & Metropolitan Planning  
Ministry of Nairobi Metropolitan Development  
Ambak House, University Way  
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11. Ruth Waruguru Prof. E. Ndegwa  
Assistant Director  
City Planning Department  
Nairobi County Government  
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12. Disterius O. Nyandika  
Kenya Pipeline Corporation  
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13. Rose Muema  
Chief Planning Officer  
Nairobi County Government  
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14. Charles O. Konyango  
Deputy Director, Ministry of Northern Kenya & Other Arid Areas  
Extelcom House, Haile Selassie Avenue  
Nairobi
15. Eng. Vincent Koderia  
County Executive, Physical Planning, Roads & Public Works  
Kisumu County Government, Kisumu
16. Ms Rosni Vora  
Marketing Executive  
Crown Paint Group of Companies  
Nairobi
17. Bosire Ogero, MKIP FKIP  
Matrix Development Consultants  
Museum Hill Centre  
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18. Elijah Agevi  
Africa Research Triangle  
Nairobi.
19. Peter Kibinda

Director, Dept of Environment & Metropolitan Planning  
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20. Prof. J. M. Kiamba  
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9. MASENO UNIVERSITY

## **Annex 5: Field Excursions**

Participants had the opportunity to undertake a planning tour around Kisumu City. Ms Seline Bonyo, County Administrator of Kisumu County, Plan Moses Kola and Dr George Waggah of Maseno University organized the tour. The excursions offered the participants the opportunity to appreciate the strengths, opportunities and planning challenges of the City. At the Dunga Eco-tourism members had the experience of taking a boat ride, at the Kisumu Impala sanctuary the team appreciated the rich wildlife heritage, whereas at the Kisumu dumpsite it was all about lessons learnt on waste management and the environment.

***Ms Seline Bonyo, County Administrator, Kisumu County  
(Insert Photo)***

Places visited were:

1. Dunga Eco-tourism



2. Kisumu Impala Sanctuary



3. Kisumu city dump site



## **Annex 6: Conference Photo gallery**







## **Annex 7: KIP Governing Council**

### **MEMBERS OF THE GOVERNING COUNCIL OF KENYA INSTITUTE OF PLANNERS**

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| 1. Dr. Isaac K. Mwangi, MKIP, FKIP | - | Chairman            |
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Ms Jolly Chege*

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County Executive Member  
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Kisumu County*

*Ms Selin Abonyo  
County Administrator  
Kisumu County*

**Private Sector:**

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**Planning School:**

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Maseno University