

THE PROMISE OF DEVOLUTION TO PLANNING 2013 TO 2018: WHAT HAS GONE WRONG?

by
Plan Professor Karanja Mwangi¹

INTRODUCTION

The Kenya Institute of Planners (KIP) organized this year's annual conference from 29th January to 2nd February 2018 at Merica Hotel in Nakuru Municipality, Nakuru County.

Participants included scholars, planners working for county and national governments as well as planners working in private sector as consultants. The key note address was delivered by His Excellence Ferdinand Waititu, Governor of Kiambu County in his capacity as Chairman of the Committee on Urban Development in Council of Governors. His Excellence Lee Kinyanjui, Governor of Nakuru County delivered a welcoming speech. Governor Kinyanjui promised that the County Government of Nakuru will give planners the room they need to assist his government in the planning for county development programmes in the County (Plate 1).



Plate 1 Conference participants: Left To Right Front Row Seated: Plan J. Michoma, HE L. Kinyanjui - Govn of Nakuru County, HE F. Waititu - Govn of Kiambu County). Plan Dr L. Esho -KIP Chairman, Plan R. Githua (KIP Representative - KERRA) **First Back Row Standing:** Mr C. Osengo -DURP & KIP Treasurer, Plan Prof. K. Mwangi is standing behind HE Kinyanjui, and Plan K. Dadu - DURP & CEC - Kilifi County behind Plan C. Osengo and Plan Prof. K. Mwangi. **Second Row Standing:** Plan R. K. Mbwagwa- Director of CURP is standing extreme right with Glasses. **Back Row Standing:** Plan Dr H. Musoga - Director of Land Use Planning at National Land Commission.

Governor Waititu informed the participants that the Council of Governors will support the request of KIP that the national assembly delay parliamentary debate on The Urban Areas and Cities Act (UACA) No. 13, 2011 and the newly re-

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introduced Physical Planning Bill (PPB) 2017 to allow further discussion by stakeholders. He concluded his key note address by reiterating the concern that genuine effort to improve the profession of planning in Kenya is being undermined by creating many organizations each purporting to advance a particular brand of professionalism in the industry. He cited existence of “Kenya Institute of Planners (KIP)”, “Town and County Planners Association of Kenya (TCPAK)” and “Architectural Association of Kenya – Town Planning Chapter (AAK-TPC)” and posed the questions “*What has gone wrong?*” and “*What needs to be corrected?*”

On this account Governor Waititu pointed out that planners will not earn public respect and trust if they continue championing public good through planning and using multiple identities of professional bodies. He questioned failure of planners to avoid soiling their image in society by pressing their quest for planned society as a group of people of ambivalent personalities in matters concerning the profession. Wondering if members of the three bodies were trained in the same/similar education curriculum, he questioned whether Kenyan planners sat for same registration examination and if practicing planners are certified and issued with licenses by one or three different government planning registration boards.

TWO QUESTIONS ON PROMISE OF DEVOLUTION TO PLANNING

Prof Karanja Mwangi made his discussant's presentation centered on two plenary discussion questions, namely, “*What has planning under devolved system of government promised*” and “*whether objective research has been conducted to demonstrate what planning under the devolved system of government has achieved*”(Plate 2).



Plate 2: Plan Prof Karanja Mwangi Making his Discussant's Presentation on insights of what need to be corrected

Participants at the conference were unanimous that these two questions are useful in assessing whether devolution has achieved expectations of the Kenyan society through planning in public sphere since early 2013 when devolved system of government was launched after the first general election.

FOUR BROAD AREAS OF THE PROMISE

Prof Mwangi explained that the scope of the promise for planning expectations in the Constitution of Kenya 2010 fall into four broad areas for which the extent of success and/or failure of devolution can be assessed and appraised. The areas are: (1) planning law, (2) institutional reforms, (3) planning practice and (4) teaching and training of planners (Plate 3).



Plate 3: A section of participants attending the conference during Plan Prof Mwangi's presentation

1. Planning Law

Repealing the 23 years old Physical Planning Act (PPA) 1996 and the Physical Planners Registration Act (PPRA) 1996 was expected to have been completed in 2015 and to usher in a new planning act. The repeal was to be informed by evoking the spirit and principles of the new constitution to innovate and breathe a new planning paradigm into Kenya's fledgling planning industry. It was also to align the new law with the constitutional provisions on the two-tier governance system and clear the fuzzy view of morality and practicality of making Kenya a planning. Finally the new act is expected to embody reciprocity in planning functions of the forty-seven county governments on one hand, and the planning functions of national government and relevant state agencies on the other. Prof Mwangi pointed out that this promise has not been delivered to date. Kenya therefore, remains without a unifying national "mother" planning law six years since general elections in 2013 and four years since 2015 after the five year transition period from 2010; which the new constitution provided for enacting laws that are "enablers of devolved development".

2. Institutional Reforms

The expected institutional reforms in creating new planning authorities and agencies remain ineffective. City and municipal management boards and town committees have not been established to take charge of managing respective levels of urban areas under UACA. The Physical Planning Registration Board (PPRB) also remains un-reformed. Twenty-three years since the board was established under PPRA and close to nine years since the new constitution came into force, much needed institutional and planning paradigm changes to strengthen the boards capacity for envisioning, visioning and stewardship of future direction of nation-county planning relations; the much

needed multi-sectoral and multi-jurisdiction planning coordination as well as requisite capacity for regulation and setting standards in the emerging planning industry remains still-born.

3. Practice of Planning

Reforms in the practice of planning - itself a key pillar in delivery of planning services in the framework of devolved governance and market economy has also eluded the profession. In the last six years billions of Kenya shilling (KSH) and donor dollar (DD) was spent to finance a galaxy of consultancies in preparing urban and county regional plans – integrated urban development plans, county spatial plans (CSPP), and county integrated development plans (CIDP). To date there has been no national exhibition organized by client public agencies and/or consulting firms to provide requisite forum to share experiences, learn lessons and generate information for future directions. Researchers and practitioners alike, remain keen to learn the clarity of methodologies employed in preparing these plans – they *distinct* or *indistinct*? According to Prof. Mwangi some if not all plans prepared between 2013 and 2018 should have been exhibited at the venue of annual conference to show case the extent the promise of devolution has met planning expectations of the Kenyan society, given the theme of the annual conference - "Appraising Planning achievements in the First Era of Devolved Governance in Kenya".

He explained failure to mount the much expected exhibition denied conference participants opportunity to acknowledge the extent to which planning practice *is* or *is not* promoting norms of ethical behaviour, professional standards and a culture of accountability to clients and public good which new planning practice stand for. The omission also denied participants the opportunity to discuss capacity requirements for effective delivery of planning consultancies in the context of devolved system of governance.

4. Teaching and Training of Planners

Prof Mwangi pointed out the fourth scope covers teaching and training of planners (Plate 4).



Plate 4: Plan Prof Mwangi explaining a point during one of the plenary discussion sessions at conference venue

He pointed out that the curricula for training of planners need to incorporate new areas including the ones that will address planning for different dimensions of county regional and local development; course units on involvement of *interest-* and *stake-holders*, and community participation and norms of planning practices which will empower the planner in the new era of devolved governance.

second decade of twenty-first millennium which is driven by spectacular but reckless urban sprawl against obvious lack of policy and planning intervention – is all the more *raison d'etre* for a complete shift and break with the old school.

He opined that a planner who is not trained in application *techno-science* and *engagement models of planning methodology* may not individually or as a member a team of planners, be effective professional leave alone provide the expected team-leadership in a national and/or county planning assignment in Kenya today. He explained that research so far show that *planning engagement model of planning methodology* remains one of most powerful means of conducting planning fieldwork and preparing county regional and urban plans on account of knowledge and skills in *twinning technical rationality and "political" pragmatism*.

CONCLUSION

Prof Mwangi concluded the presentation with a rhetorical question, namely: *what is the place of the planner "today" and "tomorrow" in the promise?* He underlined that while established concepts and principles informing planning techniques have not changed much, contemporary planners in Kenya need to train in at least basic skills in applying technology in planning. In addition the planners need to re-tool their technical skills and employ planning knowledge and experience as experts imbued with missionary zeal of *advocate-evangelists* of public good.

Pointedly, he concluded, the era of narrowness of the semantic *"physical"*; fashioning of planning and what planners do for society is long gone. The complexity of Kenyan towns and the emerging chaotic rural settlements milieu at the tail end of the

