# AN INTEGRATED AREA DEVELOPMENT PLAN





An Inception Report.



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## **List of Abbreviation**

TORs – Terms of Reference.

SPA – Special Planning Area.

AMT – AkibaMashinani Trust.

IDRC – International Development Research Centre.

SPARC – The Society for the Promotion of Area Resource Centres.

SEI - Stockholm Environmental Institute.

APHRC - African Population and Health Research Center

SDI – Shack/Slum Dwellers International.

## **Chapter 1: Introduction.**

#### 1.1 Overview.

This inception report is triggered by the declaration of a special planning area in three informal settlements in Nairobi. The declaration is a direct result of investments made by the County Government of Nairobi working consortium comprised of professionals and academics from the University of Nairobi, Strathmore University, Katiba Institute, SDI Kenya, University Berkelev and Akiba Mashinani Trust.

The declaration is important because it concedes that the conventional planning tool kit is insufficient to address the slum realities that exist in these three settlements. As a result, the declaration is a rare window to influence how slum inventions are designed and implemented not only nationally but globally. Conceptually, the most important change potential, for the planning process, is how "slum communities and other stakeholders are institutionally placed at the center of planning". The declaration is therefore an opportunity to develop, refine and demonstrate, at city scale, what the notion of communities-at-the-center-of-planning actually looks like.

This inception report conveys the County Government and the consortium's thinking on how to take this opportunity forward. It describes a two-year strategy and unpacks the strategy into a program. It is meant to capture the moment, to record the context, the thoughts and the spirit of a moment when the promise of a new and hope-filled constitution meets the opportunity to move its promise towards actualization.

It is finally an invitation to a discussion. "Now that we've come this far, how do we actually do this?". The report is intended as a frame for the many conversations that will eventually amount to a *city scale*, *planning response to exclusion*.

### 1.2 Purpose of the Inception Report.

The main purpose of this report is to outline the County Government's and the consortium's preliminary understanding of the planning process with particular reference to the objectives of planning in the Special Planning Area.

The report also outlines the consortium's view of the expected project outputs and the methodology to be applied in achieving the same. The methodology adopted makes reference to the planning process and the types of plans to be produced as required by existing legislation. Finally, the inception report outlines the delivery work plan taking due consideration of the commencement date and the general prevailing environment.

### The County Context.

Nairobi's population is expected to reach 5 million by 2015 and exceed 8 million by 2025 (UN 2015). This growth will occur in a city where approximately 60 % of the population lives in slums and informal settlements, which collectively occupy less than 2.6% of Nairobi's land area. Past research indicates that the city's settlements have the following tenure characteristics:

- > 50% of Nairobi's informal settlements are located on private parcels of land,
- ➤ 10% on uncontested public land that can be designated for upgrading, and
- ➤ 40% on utility reserves and marginalized parcels of public land situated near contaminated dumping sites, flood plains, steep slopes, riparian reserves, under high voltage power lines, or on railway, road and utility way-leaves.

Nairobi currently has a relatively youthful population, with 56.5% of its residents below the age of 24 years (CBS 1999). This generational cohort experiences the highest unemployment rate in the city and represents the most demanding pressure points for provision of education, housing, health, transport, and other social amenities. With the majority of the city's jobless youth living in informal settlements, there is a high risk of unrest and social and political volatility due to youth disenchantment.

As the city's population continues to grow at an annual rate of 4.1% (KBS 2016), the urgency to address the challenge of slum settlements will become ever more pressing. It is crucial for Nairobi, as Kenya's capital city and as a regional transport and communication centre, to develop a sustainable institutional framework and strategies for addressing the challenge of informal settlements within its borders. The establishment of Special Planning Areas is one such strategy.

#### 1.3 The Declaration.

On Friday the 17th day of March 2017 the informal settlements of Mukuru Kwa Njenga, Kwa Reuben and Viwandani were declared as Special Planning Areas by the County Government of Nairobi. The declaration was made through a notice posted in two popular newspapers with national circulation; The Standard Newspaper and the Taifa Leo. In its notice, the county government stopped any further development in the three settlements until the development of a participatory plan is completed. It however provided that the suspension shall not apply in cases where development permission has been granted and where development had commenced not less than six months before the notice of suspension.

The power to declare a Special Planning Area by county governments is anchored in the Constitution and the provisions of Section 23 of Kenya's Physical Planning Act. Under the Act County Governments are permitted to designate an area as a Special Planning Area if it is distinguished by unique development problems and environmental potential while also raising significant urban design and environmental challenges. Upon declaration County Governments are required to prepare an integrated plan for the redevelopment or renewal of the designated area within a period of 2 years.

#### What has happened So far?

As one of the first steps in the preparation of the required plan, the consortium assisted the county to develop a situational analysis of the three settlements. The main aim of the situation analysis was to establish the context of planning and to further provide crucial evidence that would support the making of informed decisions during the planning process. The analysis was based on a 100 percent numbering, profiling and GIS mapping of all the structures and services in the settlements; extensive book reviews; and a multi-institutional and disciplinary report preparation process.

This analysis, amongst other things, unveiled crucial demographic information and revealed the challenges of access to crucial services such as water, sanitation and electricity. Information on land tenure and ownership patterns was provided. Through this study important development sectors such as education, environment and health services were identified. Stakeholders that require further engagement were also recognized and

an analysis of the legal and policy framework governing major issues was conducted. Above all else the report threw light upon the unique development challenges and potential of the three settlements.

On completion the situation analysis was submitted to the County's Department of Housing and Urban Renewal. After extensive discussions on how to address the challenges identified, a presentation to the County Governor was made in which his approval for the declaration of the three settlements as Special Planning areas was sought and obtained.

The second milestone was the drafting of a memorandum by the County's Department of Housing and Urban Renewal requesting the County Executive Committee to declare Mukuru as a Special Planning Area. The memorandum was placed before the County Executive Committee, which after extensive deliberation approved the request to declare a portion of Mukuru as a special planning area.

## **Chapter 2: Background of the Project Area.**

#### 2.2 Target Area.

The portion of Mukuru approved by the County Executive Committee for declaration as a Special Planning Area covers the three informal settlements of Mukuru Kwa Njenga, Mukuru Kwa Reuben and Viwandani. These three settlements are situated in Embakasi South and Makadara sub-counties in Nairobi. The SPA also traverses four different county wards; Imara Daima; Kwa Njenga; Kwa Reuben and Viwandani wards. The location and area covered by the above settlements is illustrated in the figure 1.1 shown below.

Mukuru SPA

Anerina
Process
Pr

Figure 1. Location and Area Covered by the Special Planning Area.

## 2.3 Mukuru's Special Development Problems and Opportunities

### a. Land

The three informal settlements of Mukuru Kwa Njenga, Kwa Reuben and Viwandani are for the most part situated on private lands owned by various individuals and corporations and public lands set aside for other public uses such as utility, riparian, road and railway reserves. The registered owners of these lands are generally beneficiaries of conditional grants made to them by the state and were in almost all cases allocated land parcels for the development of light industries. Despite the existence of special conditions that required them to develop their lands within a period of two years, these grantee's left their lands idle for many years and the lands were in time occupied by slum dwellers. Restrictions on the disposal of land before development and provisions for the reversion of land to the state on the grantee's failure to develop the land as required are contained in the grants. Despite these restrictions some of the owners have taken out mortgages using the granted lands as collateral while others have sold their lands to third parties

Today the three informal settlements are occupied by about 100,000 households who mostly live as tenants in houses constructed by structure owners who do not have title. This has led to high tenancy rates with about 94% of all residents being tenants. To add to this complexity a large proportion of the structure owners are absentee owners who are politically well connected. It is therefore not surprising that the ownership of many of the housing units in Mukuru is obscure and shrouded in secrecy.

### **b.** Paltry Services

Residents in the settlements of Mukuru Kwa Njenga, Kwa Reuben and Viwandani must cope with entrenched poverty, gender inequality, and frequent threats to their dignity that stem from paltry housing and services. Households typically rent tiny iron shacks with only minimal infrastructure, and face a range of major health concerns. Such inadequate shelter has resulted in severe health risks and threats to well-being. According to recent surveys of Nairobi's slums, the under-5 mortality rate in Makadara division (where Mukuru and Viwandani are located) was as high as 83 per 1000 (APHRC 2014, p. 95). This under-5 mortality rate exceeds the Nairobi slum average of 80 per 1000 and also the city's overall average of 52 per 1000 (*ibid.*), underscoring the particularly acute health concerns in Mukuru and Viwandani

Furthermore, sanitation in Nairobi County is ranked just 42<sup>nd</sup> out of 47 Kenyan counties based on Ministry of Health indicators. The multiple burdens linked to poor housing and sanitation annually inflict especially profound burdens upon underserved informal settlements like Mukuru.

<u>Poor sanitation in Nairobi County annually results in as much as Ksh. 1.7 billion in losses</u> <u>due to premature death, health-care costs, productivity losses, and lost access time.</u>

### c. Poverty Penalty

The Residents of Mukuru suffer a staggering 'Poverty Penalty,' where households can only access more expensive yet lower-quality services than in Nairobi's formal estates;

➤ **Electricity:** Mukuru households must pay 45% - 142% more for their monthly electricity bills than residents enjoying formal Kenya Power provision.

➤ Water: the poverty penalty for water is especially crippling as slum-dwellers usually consume less water, at lower quality, but at higher costs than residents with formal provision. Mukuru residents pay 172% more per cubic-metre of water than rates paid by residents living in formal areas.

Not only is Mukuru's water and shelter of extremely low quality, but households also must bear the inequitable burden of higher per-unit costs than their wealthier neighbors.

### d. The Challenge of Future Development.

Illegal, poorly - constructed high and medium-rise buildings similar to those in Huruma are a major challenge to Mukuru's future development. In a bid to meet the rapid population growth in Mukuru, Illegal-poorly constructed medium rise structures are now a common occurrence. As starkly reflected in the building collapse in Huruma, unlawful development of high and medium -rise residential and commercial structures in Nairobi's slums can pose. Additionally, rapid illegal construction in Mukuru is especially worrying because of key overlapping challenges, as follows:

- ➤ Loose Soil and Rubbish Dumps: The area's land is largely comprised of reclaimed dumpsites and deep black cotton soils. It is therefore unsuitable for heavy construction and dense settlement patterns. Unless the land is properly excavated, soils in these settlements are unable to support the current patterns of high-density construction.
- ➤ Low-Quality Construction: The Illegal multi story permanent structures in Mukuru are often erected without official approval or supervision during construction, leading to widespread violations of minimum standards. Such risky, poor-quality construction may again result in building collapses.
- ➤ Unplanned Development: In the absence of development control, this area will develop haphazardly with limited access to infrastructure, social amenities and public spaces, much as in the existing high rise developments of Mathare and Huruma.

#### e. Opportunities.

The settlements contain a robust informal labor market, hosting a wide range of daily commercial activity as well as contributing to nearby job sectors. However lack of stable employment, low wages, and the high relative cost per unit of services in Mukuru reinforce cyclic poverty and increase the financial burden on settlement residents.

## **Chapter 3: The Planning Framework.**

## 3.1 Legislative Policy Framework

County governments have, under schedule four of the Constitution, been given the responsibility for county level planning and development. All county governments are therefore obligated to plan for their counties, and no public funds shall be appropriated outside of plans prepared by the County Executive Committee and approved by the County Assembly. County plans are required to guide, harmonise, and facilitate development and shall be the basis for all budgeting and spending. The relevant plans that city county governments are required to prepare under the County Government Act are:

- i. 5-year County Integrated Development Plans,
- ii. 10-year County Sectoral Plans as a component of the County Integrated
   Development Plans,
- iii. 10-year County Spatial Plans as another component of the County Integrated Development Plans,
- iv. Local Physical Development Plans.

In response to the statutory requirements, Nairobi City County has developed a Nairobi City County Strategic Plan, 2015 – 2015. The strategic plan 2015 – 2025, intends to build a common vision across traditional barriers between the government, the private sector and civil society. It serves as a point of reference forall City County plans, policies and processes in the various fields of operation.

The County Integrated Development Plan (CIDP) was developed in 2014 and is a five year plan supporting the medium-term objectives of the strategic plan..This plan is a result of intensive engagement and feedback from stakeholders within Nairobi City County.

The Mukuru plan once developed will perhaps be the first local development plan within Nairobi to be developed in a participatory manner at the local level. This plan should be incorporated into the County Integrated Development Plan and be the basis for county appropriations for the redevelopment of Mukuru. The Mukuru Local Integrated Development Plan shall, like the County Integrated Development Plan, comprise of sectoral and spatial plans as components of the local plan.

### 3.2 Planning Objectives.

In order to address the many challenges faced in Mukuru, three main planning objectives are proposed. These are the development of plans that will;

- Guide and determine the future type and density of development in the SPA and that
  will further coordinate the development of infrastructure, public facilities, and
  services in order to promote health, safety, order, and the general welfare of
  Mukuru's inhabitants.
- 2. Act as a basis for the county government to acquire land or buildings or make any agreements or proposals in respect to the acquisition, control, use, development and the setting-aside of land for public purposes.
- 3. Provide measures of affirmative action to the marginalized residents of Mukuru that will foster the integration of Mukuru into the rest of the city so as to ensure greater equality and cohesion within the County of Nairobi.
- 4. Set practice precedents and inform policy on slum upgrading in Kenya.

### 3.3 Planning Levels

The planning process will cover three planning levels. These are:

- i. Village level planning The three informal settlements forming the SPA have thirty villages. Each village is dynamic with well-defined geographic boundaries, and local leadership structures consisting of village elders who represent the local administration. These villages were formed at different time thus present different historical backgrounds leading to different settlement forms/layouts with varying population densities.
- ii. Local level planning This involves planning in the three informal settlements forming the SPA. Having looked at planning from a regional perspective, this level of planning aims at consolidating proposals made at the village level and consolidating them into an Integrated Mukuru SPA Plan.
- iii. The Regional Level This level is designated as the Mukuru Kwa Njenga, Mukuru Kwa Reuben, Viwandani and Imara Daima wards. These four wards have a mix of both formal and informal developments. The principal reason for taking this level

into consideration is to ensure the integration of the SPA into existing developments such as road, sewer, water infrastructure, and other social services such as schools and health.

## **Chapter 4: Projects Outputs**

The main output of the planning process will be a Mukuru Integrated Development Plan. The integrated plan shall provide the space to initiate innovative programmes that promote integration and sustainability, and link planning closely to implementation. The local scale of the projects proposed in the plan should allow for a development process based on an understanding of local needs, conditions, dynamics and potentials, and that includes local residents and stakeholders in a collaborative planning process. Through the Integrated plan the potential to formulate projects based on an understanding of the way economic, social, bio-physical and spatial aspects of development are inter-related shall be availed thus leading to the formulation of projects that move beyond a sectoral approach.

Cross-cutting concerns such as poverty, gender, sustainability and economic development shall be addressed through the plan and incorporated in development programmes. Additionally, the plan will explore why (if any) gender and age dynamics occur and probe deeper and examine the factors that create and influence differential opportunities and constraints for men, women and different age groups within the settlement. The plan will also explore how existing social, economic, political, organisational, and legal institutions) formal and informal) shape and reinforce gender and age differences and inequalities and create specific power dynamics at settlement level.

The aim will be to develop a plan that appreciates how existing systems function with regard to gender, age and the most marginalized and that responds to the challenges and enhances the opportunities that exist within that system. Beyond gender, and age the plan will explore intersectional issues such as disability which aggravate the situation of those already excluded because of gender or age.

The Mukuru Integrated Development Plan will have both long and short term plans and shall be comprised of sectoral, spatial plans and a budget of proposed developments.

#### 4.1 Short – Term Local Plans and Immediate Plans.

#### 4.1.1 Short – Term Local Plans.

Schedule 3 of the Physical Planning Act provides that short-term plans may be action area plans, subject plans, advisory or zoning plans or part development plans reflecting details and proposals of a long-term plan. The Act provides that these plans should cover a period of 1 - 5 years.

Short - term Action Area Plans for specific sectors, such as water and garbage collection that require urgent attention shall be prepared. These plans shall be implemented immediately in a bid to ease the dire living conditions faced by the residents. Intermediary short term plans shall be prepared and implemented within the next 5 years after plan approval. Such plans may address such issues as environmental pollution and the provision of basic services. The preparation of Short - term Action Area Plans will be comprehensive and shall take cognizance of a number of factors such as the existing situation and the importance of not undermining future development through short term projects.

#### 4.1.2 Immediate Plans.

These are immediate action plans/interventions that can be implemented even before the plan preparation process is completed. Mukuru SPA present several issues that require immediate intervention. Examples of such issues in Mukuru SPA include provision of water dispensers, waste management etc.

## 4.2 Long-term Plans

Long term plans articulate the aims of the government and the local area needs with strategies, policies and general proposals which are intended to achieve those aims. It also provide a framework for detailed policies and proposals for subsequent short-term plans for the area.

Special Planning Areas call for inclusive holistic planning processes that seek to address the unique development challenges of an area. Informal settlements are complex systems and any planning process must deal with a multiplicity of complicated and highly contentious challenges from layered property interests to the existence of strong service cartels, keen to maintain the status quo. Reconciling the rights of both the title-holders and the residents

and dealing with the entrenched interests of structure owners and service cartels will without doubt be an intricate, highly contested process. The planning process will, despite these challenges, be an essential step in resolving the many problems that face the residents.

#### 4.2.1 Sectoral Plans.

In a bid to deal with the above noted complexity, it is proposed that seven key sectors be targeted in the sectoral planning process. These seven sectors will address the key planning challenges in the Special Planning Areaand be aligned to different county departments. The proposed sectors are;

- a. Education, youth and culture
- b. Health Services.
- c. Environment and Natural Resources.
- d. Housing, Infrastructure and Commerce
- e. Land and Institutional Framework.
- f. Finance and economic development.
- g. Water, Sanitation and Energy

Each of the seven sectors will be comprised of professionals from various county departments, academics and professionals from civil society and the private sector. The sectoral plans developed will amougst other things contain, a detailed situational analysis and the short and long term development proposals for each of the sectors. The Sectoral planning process will explore different scenarios aimed at addressing the challenges and opportunities identified within the sectors. Sectoral plans will be the result of consensus built on workable and practicable solutions.

### 4.2.2 Spatial Plans.

Each sector/consortium will be expected to prepare and present their finalized sectoral plans to the planning consortium for space allocation within the Special Planning Area. The planning team, using the finalized sectoral plans, will be expected to produce a spatial plan showing the location of different facilities and infrastructure networks in the area, as proposed by different planning consortia, while indicating and adhering to minimum required standards and conditions for development of various facilities of infrastructure.

#### 4.2.3 Budget

As a requirement of an Integrated Development Plan, the Mukuru Integrated Area Development plan will have budgets for each of the seven thematic areas.

## **Chapter 5: Planning Approaches**

Given the outputs outlined above, the various consortia will apply various approaches for the delivery of the project. Notably the process must be strategic, integrated, participatory and multidisciplinary.

## 5.1 Strategic Approach.

The planning process will be strategic thus calling for the crafting of a clear development vision for the area. The vision formulation process will be participatory and shall consider the aspirations and dreams of the local population as represented by various stakeholders. The development of a vision will help focus the plan towards addressing the issues that are collectively identified as the major concerns of the area.

The strategic approach will foster the cognizance of the scarcity of resources for both planning and implementation. It will emphasize the need to have a clear prioritisation of proposed interventions. The plan will seek to harness the resources and strengths of the different regions of the planning area and intertwine them into a single operating urban system. Recognising the various actors and their roles in plan preparation and implementation will form an important strategy of the process.

The strategic approach shall ensure the processes of planning and the plan outputs developed are flexible and thus avoid rigidity. For this reason, a monitoring and evaluation system will be embedded at the plan preparation and implementation phases to ensure that the plan remains responsive to future changes and needs.

#### **5.2 Integrated Approach.**

Any planning process has multiple outputs that affect many development sectors and actors and thus numerous planning problems are normally the result of conflicting land use needs and policies. It is therefore crucial that a stakeholder analysis for each of the seven sectors is carried out to determine the needs and aspirations of different players within and

between sectors. This process will ensure that the plan recognizes the various conflicting needs and develops a framework which responds to these diverse necessities and aspirations. The county and its consortia partners recognize that the planning area has several distinct localities with different challenges, opportunities and development aspirations. This necessitates the need to mainstream the integrated approach from a spatial perspective in the planning process.

Integrated planning will be undertaken to resolve urban growth and management issues and to address conflicts between various competing resource uses.

The integrated approach also requires that the plan takes cognisance of the existence of other plans and strategies that impact on the planning outputs. The plan will use lessons learned from such plans while also making proposals for adoption in the future. The plan will for instance pay special attention to the proposals contained in many other plans at the county level such as the County Integrated Development Plan, previous physical development plans and the Nairobi Water Master Plan among others.

### 5.3 Participatory Approach.

The planning process will be participatory. This is a requirement of the law which is clearly outlined in the Kenya Constitution 2010. The Constitution specifically provides for public participation on decisions that affects them. The participatory requirement is also emphasized in various statutes such as the County Governments Act of 2012, the Physical Planning Act CAP 286, the Urban Areas and Cities Act of 2011, Environmental Management and Coordination Act of 1999.

The team will conduct participatory work sessions and public outreach at each stage of the plan revision process to build consensus and to resolve key issues and concerns as the plan is developed.

### 5.4 Multidisciplinary Approach.

A Multidisciplinary approach to planning will involve drawing appropriately from multiple disciplines. The approach recognizes the importance of drawing specialized expertise from relevant fields into the planning process. This is necessary given the various issues for

consideration, the complexity of the planning area and the nature of the expected planning outputs.

The sectoral planning consortia will be drawn from diverse agencies renowned for their expertise and experience in their areas of engagement. These institutions will be drawn from civil society, institutions of higher learning and both the public and the private sectors. It is envisaged that the Planningconsortia will be comprised of professionals and researchers from a multiplicity of disciplines in the health sciences, law, planning, architecture, engineering, finance, and the social sciences.

## **Chapter 6: Methodology and Work Plan.**

### **6.1 Special Planning Area Strategy**

The challenge before the County government and its partners is how to ensure that the plans that result are true, flexible, interactive and customized to context. A successful plan will be crucial to lifting the residents of Mukuru out of systemic structures that perpetuate poverty by placing the people with placing at the center of the planning process. This strategy appreciates that the energies and resources of the people are the only way to ensure success.

Stemming from this, the consortium proposes two thrusts to its strategy. First to engage fully in the formal planning process. Second to make investments in the residents of Mukuru to ensure their effective participation and ownership of the formal process.

For the purposes of this report, the first thrust is termed as, coordinating the formal planning process and the second as, building community organization. This inception report develops a proposed strategy to be considered for the formal planning process.

### **Co-ordinating the Formal Planning Process**

i. a. **Coalition Building**: the planning process in the SPA is founded on the recognition of the need for deepening the principle of partnership and shared ownership of planning and the delivery of services. It is in this spirit that seven thematic consortia that are aligned to the seven sectors are proposed. An additional consortium that will be responsible for community mobilization and

consortia co-ordination is also suggested. The eight proposed consortia shall cover the following areas.

- a) Education, youth and culture
- b) Health Services.
- c) Environment and Natural Resources.
- d) Housing, Infrastructure and Commerce
- e) Land and Institutional Arrangements
- f) Finance
- g) Water, Sanitation and Energy
- h) Community mobilization and consortia co-ordination.
- ii. Scenario Modelling: This process is aimed at modelling different planning scenarios and establishing which of these alternatives are viable for the Mukuru SPA. Each of the seven sectoral groups will identify strategies and best practices that have been used and tested in other projects against the practical existing circumstances in Mukuru. Model testing will help to determine the viability of each strategy identified, and assist in establishing which broad strategies can be taken up for consideration. For instance the housing and infrastructure consortium could explore the viability of land share as a possible strategy. It would then take into consideration the population densities in Mukuru in relation to the land available and determine whether this strategy while helping to resolve the tenure challenge would nonetheless lead to unacceptable displacements. Each of the seven consortiums shall develop a policy that captures the different scenarios tested and those proposed for consideration.

The policy briefs are an output of broad stakeholder consultation, exploration of solutions, exchange and benchmarking visits.

iii. **Preliminary Plan Preparation**: Intense consultative meetings involving various stakeholders will be held by each consortium. The various alternatives strategies identified as viable at the modelling stage are discussed in stakeholder consultative forum/meetings to come up with preliminary plan designs.

The preliminary planning process is envisioned as a series of planning studios that develop models. It also involves the negotiation, rationalization and consolidation of plans between the different sectors and the development of preliminary spatial plans. This phase is planned for the period March 2018 to September 2018.

iv. **Plan Finalization Processes**: The plan finalization processes will involve consolidation of different sectoral plans for Mukuru and the preparation of an Integrated Mukuru Area Development Plan.

Planned for the period October 2018 to March 2019 this includes ratification of plans, finalization of plans and publication of plans.

## **Chapter 7: Institutional Framework.**

The planning process will be comprised of experts in the identified sectors drawn from Nairobi City County, universities, civil society institutions and the private sector. As the organ mandated to plan, the County government will take the lead in the planning process since it is its responsibility to plan for lands/areas within its jurisdiction. These teams will all be in the consortiums categorized into various sectors currently existing under the Nairobi City County Government.

#### 7.1 Operationalization of the consortiums

The main objective of each of the seven consortia will be to prepare inclusive and appropriate sectoral plans which will be integrated by the planning team into spatial plans and the Mukuru Integrated Development Plan. Each consortium will be expected to hold monthly meetings to monitor and review work done against set targets. During these meetings, reports of the consortiums engagement with various stakeholders will be availed and any plans developed will be critiqued and consensus built on the way forward. Detailed records of all meetings will be maintained by both the consortia team leaders and the county government sector leader.

It is proposed that two types of inter-sector meetings be held once in every three months. The first of these will be leadership inter sectoral meetings and the second will be technical consortia meetings. The leadership inter sectoral meetings will be comprised of the 8 consortia heads and the 7 county sectoral leaders. The County Executive Committee

Member in-charge of Housing and Urban Renewal or the Chief Officer in-charge of Planningshall be the chairperson of the leaders inter sector forum. The key role of the leaders inter sector meetings is to provide leadership, monitor progress, share information, identify challenges and seek solutions, harmonies work plans, build consensus on joint strategies and continuously monitor the planning process and its outputs for quality and relevance.

The community mobilization and coordination consortium will assist the county government co-ordinate the activities of the various consortia. This consortia will play a critical role in mobilizing the residents of Mukuru and organizing them into accountable residents associations so that they can effectively participate in the planning process.

#### 7.2 Terms of Reference of the Consortia

Each thematic consortium shall develop a sectoral plan that encompasses stakeholder aspirations; plan financing; and the legal and policy dimensions of the proposed plan. Every consortium shall be headed by a lead partner organization and shall be comprised of not more than four other organizations. A county sectoral head shall provide overall leadership to the consortium team working under him or her. The terms of reference of the seven thematic consortia will include but will not be limited to the following functions:

- a. To jointly prepare and implement sectoral work plans with relevant county government departments and continuously monitor the quality and relevance of work done.
- b. To establish the prevailing situation of each thematic sector in the planning area through the identification of existing information gaps, the conduct of relevant research and the preparation of sectoral situation analysis reports
- c. To identify best practices in each of the thematic sectors, build various planning scenarios and test these scenarios against existing realities in the planning area. And to further prioritize and harmonize workable or practicable proposals for consideration

- d. To hold various stakeholders workshops and meetings to share, and receive feedback on the proposed planning strategies and build broad consensus on the strategies to be adopted for further development
- e. To maintain records of all consultative meetings, workshops, conferences and baraza's held and to avail such records to the county government as evidence of stakeholder consultation.
- f. To prepare a report on scenario development and prioritisation.
- g. To prepare preliminary sectoral plans based on the prioritized strategies and to hold stakeholder fora in which the proposed sectoral and spatial plans are shared and critiqued
- h. To hold inter sectoral meetings to harmonise competing or conflicting proposals.
- To review the sectoral plans developed, taking into account stakeholder contributions and finally prepare spatial plans that reflect the interests of each sector.
- j. To consolidate the sectoral and spatial plans developed into an integrated plan for the special planning area.
- k. To present to the county government a draft integrated development plan will thus be vetted as per various policy and legislation for publication and approval by the County assembly.
- I. To conduct risk analysis and develop risk mitigation strategies.
- m. To prepare sectoral inception report with clear timelines.

### 7.3 Role of County Government in the Planning Process.

The consortiums will be supported by the relevant county departments. The county officials from these departments will be the heads of these consortia. There will however also be leadership from every participating stakeholder. The departments identified for this planning process under Nairobi City County includes the following:

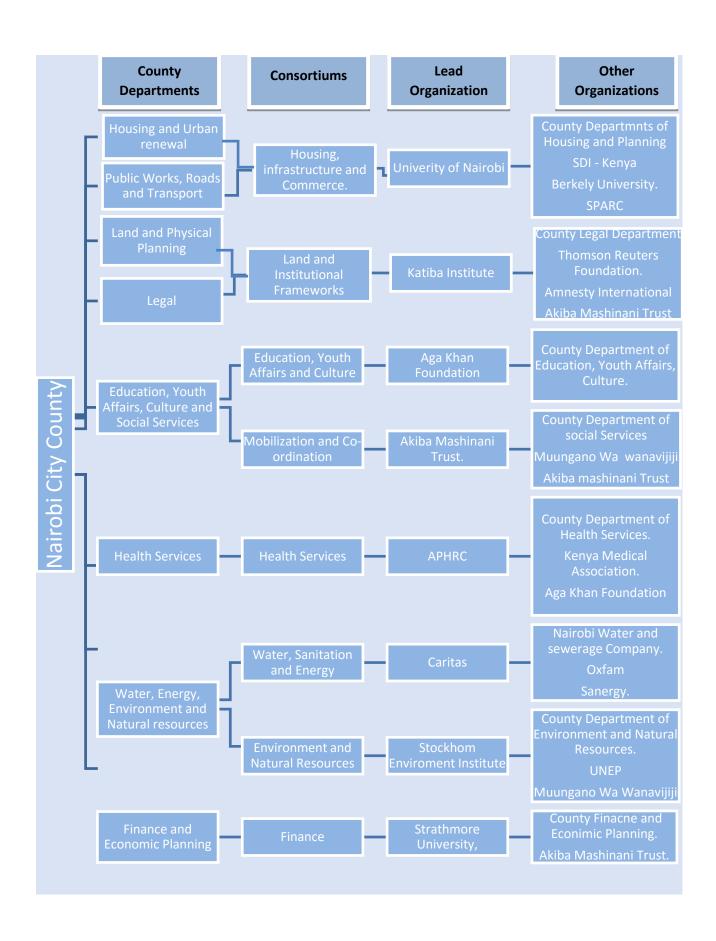
- a) Housing and Urban Renewal.
- b) Land and Physical Planning.
- c) Education, Youth Affairs, Culture and Social Services.
- d) Health Services.

- e) Public Works, Roads and Transport.
- f) Water, Energy, Environment and Natural Resources.
- g) Finance and Economic Planning.
- h) Legal Department.

Some of these departments will be in more than one consortium and some consortiums will fall in more than one department. The organogram shown below, clearly depicts the relationships between the departments and the consortiums.

## 7.5: The Planning Organogram.

Figure 2: Relationships between the Various Consortiums in the Planning Process.



## **Chapter 8: Tentative Work - plans.**

## 8.1 Special Planning Area - Planning Timeframe

Phase (Activities) **Outputs** March 13th 2017 Declaration of Special Planning Area Awareness Creation and development of communication Community and March 2017 strategy Stakeholder events. **Community Mobilization** April 2017 Neighborhood **Coalition Building** Associations. Formation of planning team and role allocation Scope Studies. Exchange visits and benchmarking Additional Research Consultation Theme I. Land Theme VI. Health Theme II. Housing & Commerce Theme VI. Education Theme III. Public Space Theme IV. Infrastructure Theme V. Environment **Preliminary Plan Preparation** Thematic Planning Studios **Integrated Planning Studios** July 2017 August 2017 Plan Affirmation Presentation of plan to communities Policy Briefs. ovember 2017 Presentation of plan to stakeholders Crosscutting. Finance Crosscutting. Legal Legal vetting Crosscutting. Community Roles February 2018 **Plan Finalization** 

Preparation of final plans

**Plan Publication** 

March 2018

April 2018

May 2018 July 2018

August 2018

June 2018

September 2018

October 2018

November 2018

December 2018

Thematic Plans.
Integrated Plans.
Spatial Plans.

**Updated Plans** 

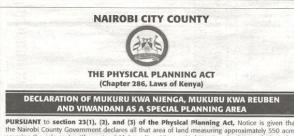
#### January 2019

Figure 3: Special Planning Area - Planning Timeframe.

February 2019

March 2019

**Special** 



PURSUANT to section 23(1), (2), and (3) of the Physical Planning Act, Notice is given that the Nairobi County Government declares all that area of land measuring approximately 550 acres covering the informal settlements of Mukuru Kwa Njenga, Mukuru Kwa Reuben and Viwandani within Imara Daima, Kwa Njenga, Kwa Reuben, Nairobi South and Viwandani Wards, all within Starehe, Makadara and Embakasi South sub counties as a Special Planning Area.

Consequently, there shall be no more developments (approved or otherwise) in the mentioned areas and which developments are hereby suspended for a period of not more than two years from the date of this notice. The declaration of the special planning area shall not affect development permission if the development in respect of which the permission is granted has been commenced not less than six months before the suspension of development in the special planning area.

This declaration is also intended to notice of the intention of the Nairobi County to initiate a participatory process to develop a Physical Development Plan for the area.

The developments referred to in this notice include:

- (a) the making of any material change in the use or density of any buildings or land or the subdivision of any land which for the purpose of the Physical Planning Act is classified as Class "A" development;
- (b) the erection of such buildings or works and the carrying out of such building operations as the County Executive Member may from time to time determine which for purposes of the Physical Planning Act is classified as class "B" development.
- The following shall not constitute development under this notice:
- The carrying out of works for the maintenance or improvement or other alteration, of or addition to, any building where such alteration or addition does not exceed 10 per cent of the floor area of the building measured;
- (ii) The carrying out by a competent authority of any works required for the construction, maintenance or improvement of a road, if the works are carried out on land within the road reserves;
- (iii) The carrying out by the Nairobi City County Government or any statutory body of any works for the purpose of inspecting, repairing or renewing any sewers, mains, pipes, cables or other apparatus, including breaking-open of any street for that purpose and the installation of services by the Nairobi City County Government or any statutory body.

A map of the affected area will be posted at the precincts of the county government offices at City Hall, the offices of the Ward Administrators of the respective wards and on the Nairobi City County official website

For further clarification on this matter, interested persons may consult the office of the Chief Officer, Urban Planning at his office during official working hours.

Dated: 17th March, 2017

Nairobi City County Executive Member, Lands and Urban Planning

#### ANNEXES.

Figure 4: Declaration of Mukuru as Planning Area.