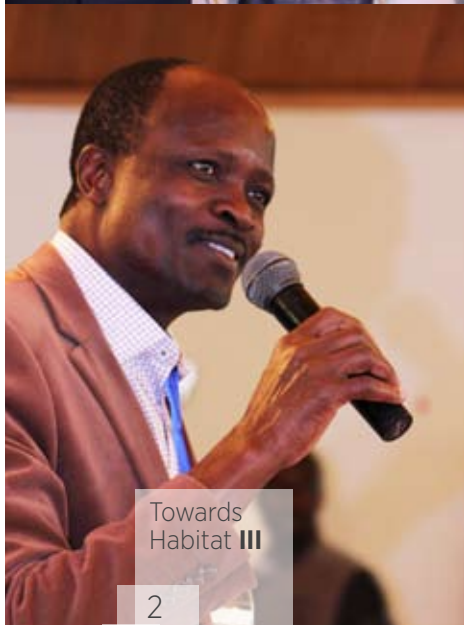


# PAVING THE WAY FOR **HABITAT III:** Contributions from the Counties of Kenya





Towards  
Habitat III

2

*Governors and County Executive Committee Members following the conference proceedings*

# INDEX

- Background and Goal of Executive Urban Leadership Conference
- County Urban Infrastructure and Services
- How Urban Sector has Contributed to Socio-economic Development in Kenya
- Challenges & Recommendations for Urban Development
- Voices of the Leaders – Planning, Finance and Legislation
- Statement from the County Governments towards the Habitat III Process
- Partners





# INTRODUCTION

## Background and Goal of Executive Urban Leadership Conference

UN-Habitat and the Kenya Council of Governors (CoG) have signed a partnership agreement to strengthen the urban development capacity of County Governments in Kenya. The two partnering institutions organised a three-phase event that provided an opportunity for collective discussions on challenges and opportunities of urbanisation in the 47 counties in Kenya.

Through the “Support to the Sustainable Urban Development Sector in Kenya” project funded by the Embassy of Sweden in Kenya, and implemented by UN-Habitat’s Regional Office for Africa, the event, dubbed, “County Governors’ and Urban Development Executives’ Leadership Conference”, was attended by Governors and their respective County Executive Committee Members (CECs) in charge of urban development.

The conference availed an opportune platform through which intensified urban dialogue between national and county governments and improved understanding of urbanisation related issues among Governors and the CECs was realised. In addition to strengthening the capacity of county leaders to handle challenges and opportunities arising from urbanisation, the event enabled the participants to add their voices to the ongoing national and global discussions on sustainable urban development as well as the new urban agenda and the United Nations Conference on Housing and Sustainable Urban Development (Habitat III).







## INTRODUCTION

In order to enhance effective participation, the conference was structured in phases as follows:

- Two one-day interactive dialogue sessions, held on 28 and 30 September 2015, where Governors and CECs explored urban opportunities and challenges, with the guidance of expert facilitators.
- A one-day joint session held on 2 November 2015 to draft, formulate and validate a Unified National Statement.
- A half-day presentation of the Governors of Kenya National Unified Statement on 7 December 2015.

### Why the Conference?

The “County Governors’ and Urban Development Executives’ Leadership Conference” was designed to improve the understanding of urban development challenges while exploiting available opportunities within the counties through formulation of a common vision and a unified statement. The conference availed the county leaders with an opportunity to share their management experiences and aspirations with the rest of the world.

### Conference Outcome

The conference participants were able to share examples of successes and failures from their respective counties; and agreed to work with their counterparts to create a Unified Urban Statement, and contribute to the Habitat III process. Specifically, the Governors were introduced to the Habitat III process and their role in the implementation of a new urban agenda. The county leaders also discussed urban municipal finance and revenue generation for local governance, urban planning principles and frameworks, land management as well as international processes relating to urbanisation.

As the technical resource persons at county level, the CECs discussed urban challenges and opportunities that they have experienced while executing their mandates within the counties. In sessions facilitated by financial, land management and urban planning experts from UN-Habitat, academia and the National Land Commission, the CECs explored opportunities availed by the facilitators to tailor solutions for the challenges identified. The outcome of the conference was a shared urban vision: “the National Unified Statement”.

### The United Nations Conference on Housing and Sustainable Urban Development (Habitat III)

Habitat III is the United Nations Conference on Housing and Sustainable Urban Development that is scheduled to take place in Quito, Ecuador, from 17 – 20 October 2016. In resolution 66/207 and in line with the bi-decennial cycle (1976, 1996 and 2016), the United Nations General Assembly decided to convene the Habitat III Conference to reinvigorate the global commitment to sustainable urbanisation, to focus on the implementation of a New Urban Agenda, building on the Habitat Agenda of Istanbul in 1996.

The Conference, the first major global event happening after adoption of the Sustainable Development Goals (SDGs), will provide county governments with a forum to voice urban concerns, including challenges and related opportunities that may be exploited in order to achieve a New Urban Agenda. Habitat III Conference will also provide a platform through which counties may interact with other urban actors, including governments, local authorities, civil society organisations, academia, the private sector, and other stakeholders.





*CLOCKWISE: HE Gov. Peter Munya, the Chairman of the Council of Governors of Kenya, and Governor of Meru County, giving his keynote address at the conference; Mr Nason Mutizwa Mangiza, Director, for Policy and Programme Planning, the Office of the Executive Director, UN-Habitat; Everlyn Otieno, Urban Planner, SymbioCity Kenya; HE Gov. Kinuthia Mbugua, Nakuru County*

# COUNTY URBAN INFRASTRUCTURE AND SERVICES

COUNTY	SHARE OF URBAN POPN (%)	WATER SUPPLY (%)	CONNECTIVITY (ROAD) (%)	SEWERAGE AND SANITATION (%)	ELECTRICITY (%)	COUNTY	SHARE OF URBAN POPN (%)	WATER SUPPLY (%)	CONNECTIVITY (ROAD) (%)	SEWERAGE AND SANITATION (%)	ELECTRICITY (%)
BARINGO	11	35.1	6.9	57.1	9.6	MARSABIT	22	77.6	(N/A)	35.4	7.5
BOMET	18	40.8	0.3	94.9	(N/A)	MERU	12	65	2.1	97.6	13.1
BUNGOMA	22	88.9	(N/A)	96.6	4.5	MIGORI	34	47	(N/A)	66.8	5.3
BUSIA	16	82.9	0.5	(N/A)	6.0	MOMBASA	100	75	24.7	96.6	59
ELGEYOMARAKWET	14	44.2	1.2	81.2	7.2	MURANGA	16	51	4.9	(N/A)	14
EMBU	16	62.1	2.1	98.2	14.9	NAIROBI	100	83.1	44.1	98.7	72.4
GARISSA	24	75.8	0.1	51.5	11.6	NAKURU	46	66.4	3.1	97.0	34
HOMA BAY	14	38.7	(N/A)	61.3	3.3	NANDI	14	56.2	2.9	84.4	6.4
ISIOLO	44	84.6	0.1	55.7	18.5	NAROK	6	33.6	0.2	70.9	5.9
KAJIADO	41	72.3	0.5	74.2	39.8	NYAMIRA	14	68.6	4.5	(N/A)	6.1
KAKAMEGA	15	76.1	(N/A)	(N/A)	5.6	NYANDARUA	19	68	0.8	99.7	10.5
KERICHO	28	56.1	4.7	91.9	11.8	NYERI	24	69.3	4.4	99.6	26.3
KIAMBU	61	78.1	7	99.6	53	SAMBURU	17	67.8	0.1	26.5	6.2
KILIFI	26	75.9	1.5	65.5	16.7	SIAYA	11	46.7	0.7	(N/A)	4.7
KIRINYAGA	16	56.8	1	99.2	16.4	TAITA TAVETA	23	70	1.5	94.3	15
KISII	22	67.9	(N/A)	99.2	7.8	TANA RIVER	15	55.5	0.2	29.3	2.5
KISUMU	52	60.1	4.9	87.4	(N/A)	THARAKA NITHI	7	40.4	(N/A)	90.6	3.0
KITUI	14	50.8	0.3	69.1	4.8	TRANS NZOIA	20	76.7	2.3	90	8.9
KWALE	18	65.8	(N/A)	48.6	10.6	TURKANA	14	74.3	2.0	17.8	2.4
LAIKIPIA	25	62.7	2.6	88.6	17.7	UASIN GISHU	39	88.9	1.5	98	27.9
LAMU	20	89.3	(N/A)	77.5	17	VIHIGA	31	76.4	6.3	(N/A)	7.0
MACHAKOS	52	58.1	1.8	97	17	WAJIR	15	73.5	0.2	13.3	13.4
MAKUENI	12	56.9	0.9	97.9	5.9	WEST POKOT	8	37.2	2.1	32.8	26
MANDERA	18	51.9	(N/A)	33.9	2.5						



# Urban Infrastructure and Services Map

This map shows general urban level connectivity by road. It also shows access to various services, namely: electricity, water and sanitation.

## KEY

ELECTRICITY%

BELOW 10%

10-20%

20-30%

30-40%

ABOVE 40%

ROAD

MAJOR TOWN

OTHER TOWN

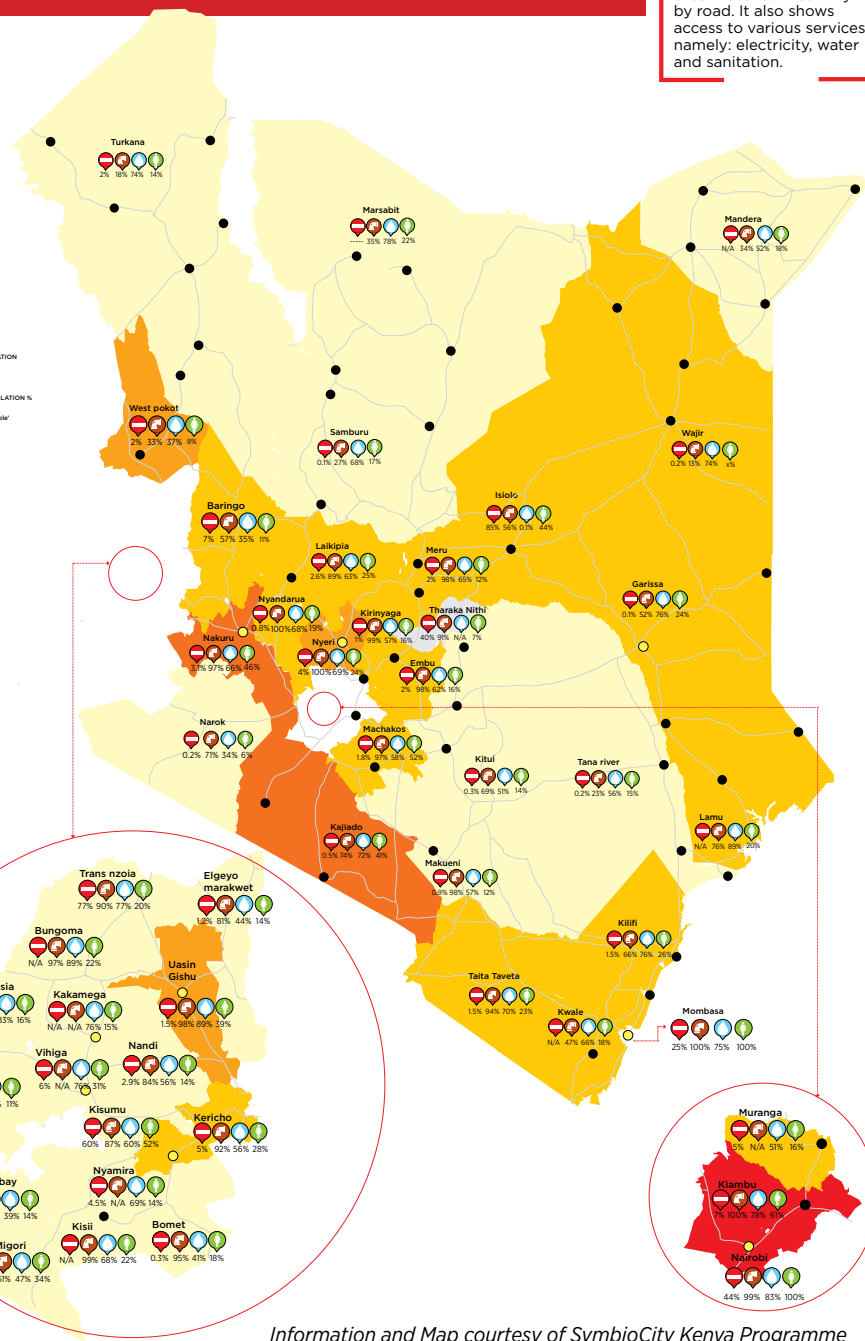
WATER SUPPLY

SEWERAGE AND SANITATION

CONNECTIVITY (ROAD)

SHARE OF URBAN POPULATION %

\*N/A refers to 'Data not available'



Information and Map courtesy of SymbioCity Kenya Programme

Towards  
Habitat III

# HOW URBAN SECTOR HAS CONTRIBUTED TO SOCIO-ECONOMIC DEVELOPMENT IN KENYA

## Urban Sector Contributions in the Past

In 1962, only one Kenyan out of every 12 lived in urban centers. By 1999 about 35% of Kenyans lived in urban areas. In 2015, the level of urbanisation is 44.5% with an estimated 16.5 million people living in urban areas. However:

- Only 5 counties out of 47 have more than 50% population residing in urban areas;
- Kenya's urbanisation is dominated by the five largest towns - Nairobi, Mombasa, Kisumu, Nakuru and Eldoret;
- The five towns underpin the country's economic growth by raising productivity at the company and industry levels via agglomeration of economies;
- Collectively, they account for around 70% of the country's gross domestic product (GDP);
- Approximately 47.5% of Kenya's GDP is generated in Nairobi.

Urban areas increase household welfare through social mobility and human development. They are the key locales for promoting institutional and political change. They account for much of the country's physical, financial, intellectual and technological capital. For example, 90% of the public and private universities are located in urban areas. So far, only 30% of urban areas in Kenya are planned, with 55% of Kenya's urban population currently living in slums and informal settlements. The least urbanised coun-

ties represent the hope for a planned urban future.

## Urban Sector Contributions Today

The Vision 2030, under the Social Pillar, envisages a vibrant urban economy propelling national development. The Second Medium Term Plan (2013-2017) prioritises implementation of the National Urban Development Policy (NUDP), as a framework for urban development in Kenya. Though yet to be formalised, the NUDP is a key milestone in guiding urban development countrywide and in harnessing all urban residents' creativity and productivity towards global competitiveness.

The NUDP envisages sustainable urban development through addressing urban economy and finance, urban environment (climate change, greening and disaster risk management), urban infrastructure (basic services), and cross-cutting socio-cultural issues (gender, vulnerable groups and human rights). Currently there are 13 urban areas in Nairobi metro, whose infrastructure is being improved under Nairobi Metropolitan Services Improvement Project (NaMSIP). 15 urban areas are being planned under Kenya Municipal Programme (KMP). The infrastructure of 15 urban areas is being improved under Kenya Informal Settlement Improvement Programme (KISIP). It is anticipated that in the immediate future, the new county headquarters are going to grow significantly, as administrative/political centers and hubs of economic, social and cultural activities.

## URBAN CONTRIBUTION TIMELINE

1962

It was estimated that only one Kenyan out of every 12 lived in urban centres.

1999

The proportion of the urban population had increased to 34.5 % [approx. 10 million people].

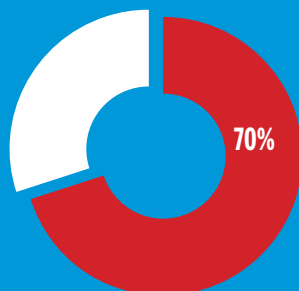
2005 - 2010

The annual rate of urbanisation in Kenya for the period 2005-2010 was 3.9 % per year

2015

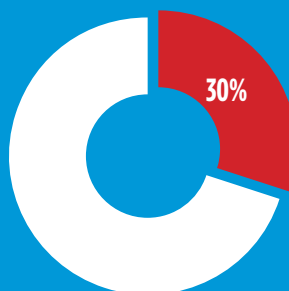
Only 5 counties out of 47 have more than 50% population residing in urban areas.

### GDP



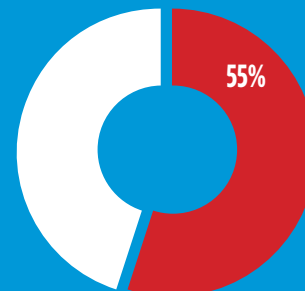
Nairobi, Mombasa, Kisumu, Nakuru and Eldoret account for around 70% of Kenya's GDP

### PLANNING

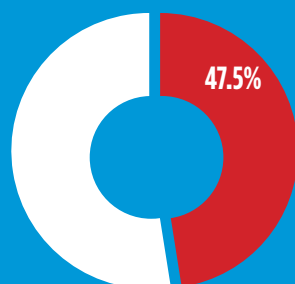


Only 30% of urban areas in Kenya are planned

### HOUSING

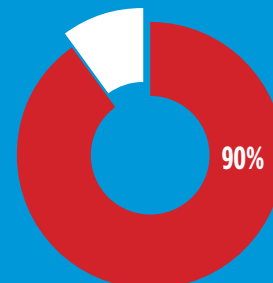


55% Kenya's urban population currently lives in slums and informal settlements.



Approx. 47.5%: GDP generated in Nairobi

### UNIVERSITIES



90%: public and private universities located in urban areas



Towards  
Habitat III



# URBAN DEVELOPMENT INITIATIVES AT NATIONAL LEVEL

5

KMP is a 5-year programme initiated by the Government of Kenya (GoK) with support from the World Bank, the Agence Française de Développement (AFD), and the Swedish International Development Cooperation Agency (Sida) implemented in 15 towns.

20

Konza Technology City (KTC) Park is a 20 year, 2,058 hectare, 1.2 trillion Kenyan Shilling (USD 14.5 billion) new city project located in Machakos County, 60km outside of Nairobi.

Towards  
Habitat III

12

## **Kenya Municipal Programme (KMP)**

This is a 5-year programme initiated by the Government of Kenya (GoK) with support from the World Bank, the Agence Française de Développement (AFD), and the Swedish International Development Co-operation Agency (Sida) implemented in 15 towns.

## **Kenya Informal Settlements Improvement Project (KISIP)**

Initiated in 2011, KISIP has a five-year term (2011-2016) focus on infrastructure and land tenure in 15 municipalities. It aims at improving living conditions in existing informal settlements by investing in infrastructure and strengthening tenure security.

## **The National Urban Development Policy Implementation**

Spearheaded by the Directorate of Urban Development and Metropolitan Planning, in the Ministry of Land, Housing and Urban Development, the National Urban Development Policy was completed about two years ago, and awaits final approvals by the Cabinet and Parliament.

## **Nairobi Metropolitan Services Improvement Project (NaMSIP)**

The objective of the NaMSIP is to provide support for strengthening of newly created metropolitan institutions and improve urban services delivery and infrastructure in the Nairobi Metropolitan Region.

## **Nairobi Metropolitan Region (NMR) Traffic Decongestion Programme**

The goal of this programme is to relieve the persistent traffic congestion in Nairobi's central business district. Its aim is to construct a high capacity Standard Gauge Railway (SGR) network in Kenya with connections to the East Africa region.

## **Konza Technology City (KTC) Park**

This is a 20 year, 2,058 hectare, 1.2 trillion Kenyan Shilling (USD 14.5 billion) new city project located in Machakos County, 60km outside of Nairobi.

## **Lamu Port South Sudan Ethiopia Transport Corridor Project (LAPSSET)**

Involves the development of a new transport corridor from the new port of Lamu through Garissa, Isiolo, Mararal, Lodwar and Lokichoggio to branch at Isiolo into Ethiopia and Southern Sudan. This will contribute significantly to urban development in the Northern Corridor.

## **Kenya Slum Upgrading Programme (KENSUP)**

Aims to improve the livelihoods of people living and working in slums and informal settlements in the urban areas of Kenya.

## **Kisumu Urban Programme (KUP)**

This is a Euro 40 million intervention supported by the Agence Française de Développement (AFD) to pilot an integrated urban development approach in Kenya.



Towards  
Habitat III

*UN-Habitat officials, Governors, and County Executive Committee Members following the conference proceedings*

# URBAN DEVELOPMENT INITIATIVES AT COUNTY LEVEL



The Council of Governors is established under Inter-Governmental Relations Act to facilitate the relationship between the national and county Governments, and to facilitate horizontal relationships amongst the 47 county governments.

In 2014, the CoG established a committee dedicated to urban development affairs – the Urban Development Committee (UDC). Below are key areas of intervention of the UDC of the CoG to position urban development as a key enabler of socio-economic growth.

- Development of a framework to guide and assist county governments in the establishment of institutional structures for the management of urban areas, as envisaged in Urban Areas and Cities Act.
- Coordination of intra- and inter-agency and governmental consultations on urban sector issues, including existing and evolving urban policies, legislation, regulations and programmes.
- Coordination and harmonisation of CoG views and perspectives on urban development matters.
- Creation of forums for sharing of emerging issues and best practices, including modalities for prioritisation and promotion of urban areas as engines of socio-economic growth.
- Creation of platforms to share ideas on how the lessons from past urban development challenges can give insights into future proactive urban management strategies and solutions.
- Provision of a platform for review and mainstreaming of ongoing urban development programmes, within respec-

tive county integrated development plans (CIDPs).

- Provision of a forum for the harmonisation of planned regional and nationwide urban interventions by various stakeholders, including ideas of how counties can respond to specific urban development needs.
- Provision of a framework for the review and mainstreaming development partners' engagement and support to county governments on urban development and management issues.
- Coordination of arrangements for the CoG Bi-Annual Urban Development Forum, to precede the World Urban Forum.
- Coordination of the participation of county governments in local, regional and international conferences on urban development and management, e.g. World Urban Forum, Commission for Human Settlements (Habitat III), UN General Assembly, International Cities / County Management Association, WSSD.

## The Urban Sector Reference Group

The Urban Development Committee established the Urban Sector Reference Group (USRG), an expert group comprising of forty-two (42) members drawn from national government, county governments, professional bodies, academia, private sector, civil society, development partners, UN-Habitat, and media, with gender and geographical considerations.

The USRG meets regularly to provide technical and advisory support to the UDC on the latter's mandate. USRG also acts



as a platform bringing together national government, independent constitutional commissions, the Council of Governors, county governments and development partners to dialogue on priority urban issues on pertinent issues of urban development in Kenya.

## SymbioCity

This is a Sustainable Urban Development programme negotiated between the Council of Governors and the Government of Sweden. It involves capacity building at the CoG and counties. It also includes planning and implementation of county pilots projects. The CoG has provided offices for SymbioCity and has recruited the programme manager. The technical team has started work. The Urban Development Committee, together with the USRG are exploring other options to deepen planning in counties. To that end initial agreement has been reached with the UK-Aid and United Nations Development Programme to help fast track spatial planning in counties.

## Participatory Urban Development

The Ministry of Devolution has made an effort to prepare guidelines on public participation with support from the World Bank. The CoG has made significant inputs into these guidelines. Further, individual counties have passed several legislations to enable public participation.



## URBAN DEVELOPMENT INITIATIVES AT COUNTY LEVEL

*CLOCKWISE:  
HE Eng. John  
Mruttu, Governor  
of Taita Taveta;  
Gustaf Asplund,  
Advisor, Urban  
Development,  
Embassy of  
Sweden, and  
Patricia Lasoi, CEC  
Bomet*

Towards  
Habitat III

# CHALLENGES & RECOMMENDATIONS FOR URBAN DEVELOPMENT

## A Difficult Urban Past

- Urban planning has in the past lagged behind rates of urban growth, creating undesirable urban forms and haphazard growth of informal settlements.
- Ineffective and uninformed public participation in planning.
- Fragmented legislation for urban planning i.e. lack of comprehensive planning legislation.
- Political interference in plan preparation and implementation that causes lack of continuity in planning.



- The amount of resources to facilitate land management and address the issue of urban sprawl is limited.
- Limited dissemination of information to the public and other stakeholders on the laws and legislations in place.
- Lack of co-ordination in institutions dealing with land administration and management.
- Poor rating of urban agriculture as a form of urban land use.
- Conflict on the use of urban space.
- Social spatial inequalities.

## Challenges of Urban Development and Management

- Unemployment, drug and substance abuse, especially among the youth, indoctrination of sections of the population (especially the youth and the poor) with highly extremist views, has led to the emergence of vigilante groups, which perpetuate violence and civil disorder.
- Existence of street families.
- There is lack of comprehensive and reliable data on migration, yet such data is key for planning purposes.
- Uncontrolled population growth has led to slow development as manifested in increased unemployment, high dependency ratio, and increased demand for health services.
- Resource scarcity, slum growth and increased poverty.
- The rapid urbanisation being experienced has led to increased motorised transport resulting in high traffic





*UN-Habitat officials, Governors and County Executive Committee Members following the conference proceedings*





volumes with higher energy consumption problem and increased levels of environmental degradation.

- Continued insecurity and terrorism activities in Kenyan urban areas.

### Key Achievements

- Adoption of Sessional Paper No. 3 of 2009 on National Land Policy that guides the country towards a sustainable and equitable use of land.
- Establishment of the National Land Commission, a Constitutional Commission established to strengthen local level mechanisms for sustainable land rights administration and management.
- Digitisation of the Land Information Management Systems, and the establishment of the National Land Titling Centre that is a core land record management centre with the aim of improving service delivery.
- Enactment of the Urban Areas and Cities Act 2011, which gives effect to Article 87 of the Constitution and that provides for the classification, governance and management of the urban areas, as well as to provide for the principle of governance and participation of residences.

- Availability of the Civil Society Urban Development Platform that provides space through which civil society organisations in 20 counties can engage on issues of equity, justice, innovation, urban development and service provision while prioritising gender and youth issues.

### Recommendations

- Promote urban planning as an essential tool for making cities inclusive, environmentally friendly, economically vibrant, culturally meaningful and safe for all.
- Encourage stakeholders to uphold professionalism, ethics and integrity in planning and management of urban areas.
- Reward creativity and innovative urban planning ideas.
- Court political goodwill to ensure successful implementation of urban planning processes.
- Improve capacity for County Governments in urban planning and land management.
- Limit uncontrolled urban sprawl.
- Develop and promote policies that encourage access to land and property for development.
- Develop systems that optimise on urban finance, revenue generation and investments in citizen priorities.





Governors and UN-Habitat officials during the conference

# VOICES OF THE LEADERS

## - PLANNING, FINANCE AND LEGISLATION

Sustainable urbanisation is a tool for development and will help achieve the Vision 2030 Sustainable Development Goals [SDGs]. The governors know how important urbanisation is for the development of counties. In Kenya, 65% of revenue is generated by 35% of population in urban areas. But we tend to approach urbanisation usually from problems, instead of what it delivers.

The question is: “how can we manage our urbanisation to deliver more development, more wealth and more employment? What are the things to be done to increase economic outputs and increased value of our assets?” We need a change of paradigm, instead of rushing from behind; we should have a strategy that leads from the front. Our urbanisation can increase productivity – but what are the tools, what are the instruments, what is the strategy?

To increase value-generating capacity of urban areas, we need to focus on the following three areas:

1. Rules and regulations;
2. Urban design
3. Financial design

### Rules and Regulations

We need to develop rules and regulations, but we also need to implement them. If you have rules that people don't implement you erode your authority. Rules should be few but easy to implement. Rules and regulations are

very important since they either attract or repel investment.

### Urban Design

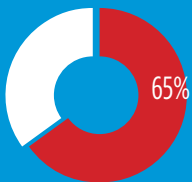
Master planning and urban design is different. The latter tells you about what is public space and what is buildable space. While zoning, enabled by master planning, can be changed after 10 or so years; once you design the urban area and build it, it will be there forever. What constitutes the value of urban plot? – It is location, location and location! But location is not simply a zone; the value of location is enabled through urban design. Location does not come by chance; it comes by design. The value is generated at the beginning of the process, without even putting the infrastructure in place. “Urban design is not good because I say it is; it is good because it generates value...”

### Financial Design

After generation value, who will capitalise on this? The Governor generates value chain and the question must be asked: how do we share the value generated? “Urbanisation is not a cost, it is an investment...if urbanisation costs more than it generates don't do it!”

Following are some views by key Urban Development stakeholders who participated in the “County Governors’ and Urban Development Executives’ Leadership Conference”:


#### REVENUE



In Kenya 65% of revenue is generated by 35% of population in urban areas.

Towards  
Habitat III





**“**Even slums generate value, but it is very low value generating form...physical designs generate value...not the zoning...

*My message is of optimism, you have a huge chance to generate value...the costs is irrelevant”*

**HE Dr. Joan Clos, Director General, UN-Habitat, Under Secretary General of the UN, and Secretary General of Habitat III.**

Towards  
Habitat III

21

*Photo courtesy of UN-Habitat*

## **HE Ambassador Kamau Macharia, Kenya's Permanent Representative to the United Nations and Co-Chair of Sustainable Development Goals**

Sustainable Development Goals (SDGs) is the new development agenda for the world; it is a universal agenda bringing together developed North, and developing South. It is prescription for all of humanity. "The world agrees that we are all in this together. You cannot talk about development of one part in Kenya, when you are not talking about the development in other parts...you cannot talk about development of some people without development of other people...we understand that in Kenya," said Ambassador Kamau. He advised that Governors who want to have a good political agenda should look at these goals carefully. "I am here only to recommend to you SDGs, since they provide a framework to transform counties' economy and environment."

Noting that devolution is a transformative and powerful engine to drive our economy, Ambassador Kamau observed that only those counties that invest heavily in their people and change opportunities for their people are going to reap the benefits of devolution. He gave the example of the economy of California, which would be the fifth largest globally were California a country. "Liberate your minds and look at what is possible in the county."

## **HE Ambassador Prof. Sam Ongeru, Kenya's Permanent Secretary to the UN-Habitat**

The road towards Habitat III Conference in Quito, Ecuador, is marked with challenges, says Prof Ongeru. Citing traffic congestion in Nairobi City, he adds that rapid urbanisation that is happening in the 47 counties of Kenya currently, calls for adequate preparedness to tackle the challenges that accompany development.

Prof. Ongeru is however quick to add that rapid urbanisation generates its own resource flow that the county governments ought to mobilise based on careful planning and approach to development. He cites slum upgrading, provision of health care, infrastructure development, supply of water and sanitation, industrial development vis-à-vis waste management, as some of the areas the governments can harness for the good of the urban dwellers. "There is need to work together. And the advantage that you Governors have is the presence of UN-Habitat headquarters in Kenya," he emphasises.

## **HE Dr. Julius Malombe, Chairman, Urban Development Committee, Governor of Kitui**

"The counties have appealed to the minister of Land Housing and Urban development to facilitate Kenya's participation in the City Prosperity index." The Urban Development Committee of the Council of Governors was formed with a mandate of getting the counties to speak with one voice on urban issues; and to coordinate county governments' participation in local and international urban development issues and processes, such as Habitat III, among others. The County Governments will liaise with the National Government to harmonise Kenya's participation in Habitat III, with the counties making up the critical mass of the delegation.

The Urban development Committee of the Council of Governors has established a strong advisory group (the Urban Sector Reference Group) made up of governors, national government officials, independent commissions, county government officials, development partners, academia, and other experts, who meet regularly and advise county and national government on urban development issues.



**I am here only to  
recommend to you  
SDGs, since they  
provide a framework  
to transform  
countries' economy  
and environment"**

**HE Ambassador Kamau Macharia,  
Kenya's Permanent Representative  
to the United Nations and Co-Chair  
of Sustainable Development Goals.**

Towards  
Habitat III





*Rapid urbanisation  
generates it's own  
resource flow  
that the county  
governments ought  
to mobilise based  
on careful planning  
and approach to  
development”*

**HE Ambassador Prof. Sam Ogeri,  
Kenya's Permanent Secretary to  
the UN-Habitat**



**The counties have  
appealed to the  
minister of Land  
Housing and Urban  
Development to  
facilitate Kenya's  
participation in the  
City Prosperity Index"**

**HE Dr. Julius Malombe, Chairman,  
Urban Development Committee,  
Governor of Kitui**



The council has also established the caucus of County Executives in charge of urban development, led by Hon. Ali Letura of Kajiado. The Committee has pioneered the SymbioCity Kenya programme with generous assistance from the Embassy of Sweden. This programme will help entrench sustainable urban development in counties.

Spatial planning has started in the counties in earnest, with the guidelines being developed by the National Land commission and the Ministry of Land Housing and Urban Development. The committee has been involved in review and development of policies and legislation on urban development, including the National Urban Development Policy and the revisions of the Urban Areas and Cities Act.

### **HE Wycliffe Oparanya, Chairman Finance Committee, Governor of Kakamega**

“Urban areas are key drivers of economies of county governments and the county as a whole. Although many challenges still exist in their management, partnerships with competent public and private sector agencies will go a long way in optimising urban benefits.” Kakamega is attempting to optimise own revenue through use of ICT. The main issue is trying to reconcile the cost of collection versus revenue collected.

Economic diversification at county level is key to unlocking new revenue sources. Kakamega valuation roll is 10 year old; therefore the county has embarked on reviewing it with a view to maximising on property rates. But this will not be enough. The county has also embarked on mapping of all its assets.

### **Planning in Kisumu**

Kisumu is the only city in a county in Kenya. The city has a planning unit; and the county has a parallel planning

unit. Overlaps in planning mandates between the city and the county sometimes causes conflicts. Despite this, the city has completed its Integrated Sustainable Urban Development (ISUD) supported by the Agence France de Development. The assembly has passed the plan. The current focus is on development of zonal plans and implementation frameworks.

### **HE Josphat Nanok, Governor for Turkana County**

The Governor noted that the constitution of Kenya 2010 essentially created 47 planning hubs for development and urbanisation. There is crucial need of balancing between the needs and requirements of rural areas and emerging urban areas. The County Government Act states that every county needs to have a County Integrated Development Plan (CIDP) to guide implementation of annual programmes.

All counties have done the CIDP. This is a document that is guiding the implementation of annual programmes and plans. The County Government Act requires counties to conduct spatial development planning across the county, which is implemented gradually due to cost constraints. Turkana County has begun county spatial planning. Seven key urban areas are also being planned. The County Integrated Development Plan and the spatial planning involve heavy community participation at the villages, the wards, the sub-county and the county levels. The county is having a joint approach to development planning with the UN family and other development partners.



HE Josphat Nanok,  
Governor for Turkana County





**Urban areas are key drivers of economies of county governments and the county as a whole. Although many challenges still exist in their management, partnerships with competent public and private sector agencies will go along way in optimising urban benefits”**

**HE Wycliffe Oparanya, Chairman  
Finance Committee, Governor of  
Kakamega.**

### **Dr. Herbert Musoga, Director, National Land Commission**

Kenya needs appropriate legislation to do planning. We need to look at the inadequacies of the current planning framework, especially in ordering of the plans. We started with the CIDPs, with no Integrated Urban Development Plans or spatial plans. It should have been the other way round. Planning happens in space; therefore spatial planning is important, as it ties everything.

To this extent, the National Land Commission is developing a programme on National Land Information System to help counties with property and national planning.



Dr. Herbert Musoga, Director,  
National Land Commission

### **HE Dr. David Nkedianye, Vice Chairman, Urban Development Committee, Governor of Kajiado**

The Governor highlighted the following as key legislation guiding urban development:

- The Constitution of Kenya (CoK) 2010;
- The County Government Act 2012;
- Intergovernmental Relations Act, 2012;
- Urban Areas and Cities Act 2011; and
- Various Land Acts, Environmental Acts, and the Physical Planning Act.



The Dr. David Nkedianye,  
Vice Chairman, Urban  
Development Committee,  
Governor of Kajiado

He further highlighted that Integrated Urban Development Plans are provided for in the Urban Areas and Cities Act 2011. They are 10 Year Plans, reviewed every 5 years. They should be part of the County Integrated Plans [CIDP]. CIDPs are in turn linked to budgets and expenditures. Dr. Nkedianye raised concern about sharing data for planning in the country, suggesting that National Government should facilitate access to GIS data.

### **Kinuthia Wamwangi, Chairman, Transition Authority**

“Urban areas need to exist autonomously with autonomous budgets so that what was anticipated in law can be fulfilled.” The Transition Authority supports definition of urban areas as human settlements whose population is above 2000 persons.

In Kenya it is approximated that urban areas contribute more than 70% of the GDP. For Kenya to achieve middle-income status we need to adopt pro-urban policies. This is because the link between development and urbanisation has been established beyond doubt. Most of the county revenues are generated from urban areas. Counties with lower rates of urbanisation record lower percentages of revenue. To optimise this there is need to establish proper governance and management structures, envisaged in Urban Areas and Cities Act 2011. Article 184 of the Constitution establishes principles of governance and management of urban areas, including participation of citizens. Now there is need for formalisation of the policy, a critical factor in the next stage of urban development.

The Transition Authority noted that while earlier engagement with counties on planning was based on complaints, the current framework is based on constructive dialogue. The Transition Authority recommends a National Urban Advisory Group that can be accessed rapidly to advise on urban development issues. There is need to respond



*Urban areas  
need to exist  
autonomously  
with autonomous  
budgets so  
that what was  
anticipated in law  
can be fulfilled*

**Kinuthia Wamwangi,  
Chairman, Transition Authority**



to the intricacies and essentiality of planning before budgeting. The Transition Authority has formed a team to engage County Speakers, Chairmen of County Budget Committees, and Executives in charge of finance.

### **HE Okoth Obado, Governor of Migori County**

“Some urban centres have come up because of some economic activities that have not been sustained. These are mainly because of singular economic activity and natural resources. The following centres come to mind, Macalder in Migori, Muhoroni in Kisumu, and Ramisi at the Coast. These provide special challenges for planning.”



HE Okoth Obado,  
Governor of Migori County

### **HE Jire Siyat Mohammed, Deputy Governor for Tana River**

“Insecurity is a major challenge for planning in Tana River. Kenya’s military involvement in Somali has had spillover effects into Tana River. There have been 135 incidents of terrorism from 2011. There is decline in tourism, loss of life and property, micro economic ramifications,

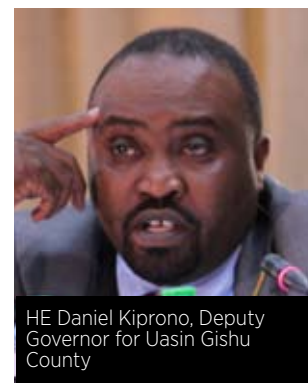


HE Jire Siyat Mohammed,  
Deputy Governor for Tana  
River

and loss of jobs. Although security is a national function, it is clear that counties have an important role to play. There is also insecurity as a consequence of communal land disputes, which is in the purview of county governments.”


### **HE Daniel Kiprono, Deputy Governor for Uasin Gishu County**

Eldoret suffers obsolete plans and rapid growth. The Great North Road and education opportunities, exemplified by the presence of 17 university campuses accommodating over 40,000 students, illustrate the point. Eldoret has reached 38% urbanisation. The County Assembly has passed new regulation for urban development. Mapping is being done to improve revenue generation. Spatial planning for urban centres is on going.



HE Daniel Kiprono, Deputy  
Governor for Uasin Gishu  
County

Eldoret was a farmers’ town. The area allocated for urban development was very small. This, together with land grabbing, pushed development into unplanned dormitory towns. Through the Kenya Informal Settlements Improvement Programme (KISIP), non-motorised walkways have been developed. Solid waste management systems are being developed in collaboration with stakeholders and waste to energy schemes are being planned. Housing improvement and development of new high-rise middle income housing schemes is planned through partnership with NSSF and others.



**F** *The Department is spearheading the National Urban Development Policy to help Kenya develop secure, well governed, competitive and sustainable cities to meet the national development goals in the Constitution of Kenya 2010 and Vision 2030*

**Solomon Ambwere, Directorate of Urban and Metropolitan Development**

## **Solomon Ambwere, Directorate of Urban and Metropolitan Development**

"The Department is spearheading the National Urban Development Policy to help Kenya develop secure, well governed, competitive and sustainable cities to meet the national development goals in the Constitution of Kenya 2010 and Vision 2030."

The Directorate of Urban and Metropolitan Development has just completed spatial planning in nine towns through the Kenya Municipal Programme, funded by the World Bank, the Agence Française de Développement (AFD), and the Swedish International Development Co-operation Agency (Sida). Through KMP, capacity building has been done and spatial plans developed for nine towns. A number of digital maps have been generated. To deal with the issue of data storage a unit has been introduced (the Urban Observatory Unit), to manage and use the resources.

Supportive policies, standards, monitoring and evaluation are important roles the directorate is undertaking. The department supports establishment of an urban development fund to support high capital expenditure

projects in counties, e.g. storm water in Mombasa, which will cost some 2 billion Kenya shillings. "Currently it is not clear who is in charge of towns. Urban areas are starved of resources. While they contribute over 70% of county revenue, only 6% of total county budgets go towards urban development."

## **Dr. Claudio Acioly, Head of Capacity Building UN-Habitat**

"What is it in the international realm that can be relevant for Kenya in optimising urban revenue? China has used provident funds to fund 80% public housing; what conditions made this happen? Canada has the highest level of contribution to the GDP from property tax; how did this happen? It was a result of very good cadastral system. In the US, property tax is transparent and online. This is mainly because for markets to function properly, a high degree of transparency is needed. These and many other examples can provide directions for Kenya".





*HE Governor  
Amason Jeffa  
Kingi, Governor of  
Kilifi County, and  
Chairperson of the  
Session on Finance  
and Legislation,  
compares notes  
with HE Amba-  
sador Prof. Sam  
Onger, Kenya's  
Permanent Rep-  
resentative to the  
UN-Habitat.*



# DRAFT STATEMENT FROM THE COUNTY GOVERNMENTS TOWARDS THE HABITAT III PROCESS

Kenya is a member of the United Nations family. Habitat III is important in shaping the new urban agenda and in implementing the Sustainable Development Goals. The county governments of Kenya are key partners of the national government in urban development. This positions counties to play a direct role in Habitat III, as key partners in implementation of the new urban agenda and Sustainable Development Goals (SDGs). Counties – together with the national government – also play an important role as state parties to Habitat III. Therefore this statement by the county government towards Habitat III serves both as Kenya's vision for urban development and as an emphasis of Kenya's national statement to Habitat III.

## Preamble

1. We the Council of Governors of Kenya
2. COGNISANT of the urban opportunities and challenges facing Counties of Kenya
3. TAKING NOTE of the integral role of citizens in shaping the urban future, especially, in promoting social justice and equality in urban development in Counties of Kenya
4. REAFFIRMING that in 2014, the National and County Governments made contributions towards sustainable urban development, as outlined in the "Republic of Kenya, National Report on Human Settlements and the New Urban Agenda"
5. ACKNOWLEDGING UN-Habitat's formal convening role of bringing together member states to agree on universal policy frameworks to guide human settlements development globally
6. TAKING NOTE that Habitat III will be the first implementing global conference of the post 2015 development agenda, specifically focusing on implementation of Sustainable Development Goal 11 that aims to "Make cities inclusive, safe, resilient and sustainable"
7. TAKING NOTE that the Ministry of Land, Housing and Urban Development is the National Focal Point on Human Settlements issues in Kenya, including preparation of Kenya's National Position towards Habitat III
8. NOW THEREFORE, declare support for the 3rd United Nations Conference on Sustainable Urban Development as the ultimate political space for renewed commitments and shared vision on human settlements.

## The Habitat III Preparatory Process

9. Kenya participated at the Second Conference on Human Settlements held in Istanbul, Turkey in 1996 and endorsed the Habitat Agenda and Istanbul Declaration, agreeing to implement its recommendations through the National Plan of Action.
10. Post Istanbul, the urban landscape in Kenya has evolved and acquired renewed focus and attention as majority of Kenyans take residence in the urban areas.

## Urban Development in Devolution

11. According to the Constitution of Kenya 2010, human settlements and urban development are a shared mandate between County and National governments.
12. The key role of National Government is in policy and legislation. As per Schedule Four (Part 1) of the constitution, National Government is expected to develop the National Housing Policy and national public works; alongside capacity building and technical assistance to counties.
13. Urban governance, management, service provision and planning are roles of county governments. The Constitution, further allocates the roles of transport, survey, mapping, county public works and services, including water supply, storm water management, sanitation, etc. to counties.
14. Centrality of citizens' participation at national and county levels is a core constitutional epithet that is mirrored through a combination of urban legislation.
15. Legislation such as County Government Act No.17 of 2012, Urban Areas and Cities Act No.13 of 2011, Inter-Governmental Relations Act No.2 of 2012, give effect to these constitutional provisions.
16. New urban policy regimes such as the National Urban Development Policy and National Slum Upgrading and Prevention Policy (NSUPP) further entrench the constitutional principles.
17. Therefore, this "Statement by the Council of Governors of Kenya to Habitat III", complements, emphasises and gives life to Kenya's input to the Habitat III process as elaborated through "the Republic of Kenya, National Report on Human Settlements and the New Urban Agenda".
19. On "Urban Demography", the Council reiterates the need for the international community to join hands with Kenya in mitigating continued insecurity and terrorism activities, especially in urban areas while harnessing the social capital inherent in the urban citizenry.
20. On "Land and Urban Planning" we reinforce Kenya's position that there is need to support capacity enhancement of County Governments in land and urban planning, including addressing the challenges of urban agriculture and urban sprawl.
21. On "Environment and Urbanization", we support:
  - The creation, protection and management of additional green and public spaces in urban areas;
  - Development of strategies for provision of infrastructural services in small and upcoming urban areas; and
  - Capacity building and training on disaster management, response and prediction.
22. On "Urban Governance and Legislation" the counties reiterate that there is need for improved technical and civic capacity building and financial support for implementation and strengthening of devolution.
23. On "Urban Finance" we concur that all effort must be made to ensure decent and dignified livelihoods for all urban residents through creation of sustainable economic opportunities.
24. On "Housing and Basic Services" we reiterate Kenya's position to promote social justice and equality through increased funding to address planning, urbanisation, slum upgrading, low-income housing and provision of basic infrastructure and services.

## National Report on Human Settlements and the New Urban Agenda

18. The Council of Governors takes note of the country's achievements, challenges and priorities for human settlements and sustainable urban development highlighted in Kenya's National Report to Habitat III.

## Kenya Counties Contribution to Habitat III Agenda

25. The county Governments are unanimous that Kenya is putting together a foundation that will help realise Sustainable Development Goal 11 and already has insights that can be shared with peers. Elements of this foundation that establish precedence for inclusivity, safety, resilience



and sustainability are highlighted below:

- i. The Constitution of Kenya 2010 (Article 184) makes provision for classification and governance of urban areas.
- ii. The Constitution (Article 43) entrenches socio-economic rights to: housing, water, sanitation, clean environment, education, health, etc.
- iii. The Constitution of Kenya (CoK, 2010) promises to reverse inequalities, promote equitable access to basic services and renew relationships between citizens and their government by embedding public participation as a fundamental governance principle.
- iv. Devolution and decentralisation legislation, including the County Government Act 2012 and the Urban Areas and Cities Act 2011, provides for details for management and service provision in urban areas.
- v. The Constitution makes planning mandatory in Kenya. All the 47 counties have Integrated County Development Plans and several counties have completed Integrated Urban Development Plans. Spatial Planning is also commencing in a number of counties.
- vi. Between 2012 and 2015, County Governments have passed several legislation to guide urban development, including legislation on: urban planning and land use; valuation and rating; urban revenue; waste management; urban transport; water and sanitation, among several others;
- vii. Kenyan counties are developing innovative service oriented governance tools and systems, including: County Budget and Economic Fora; Electronic Revenue and Tax Collection Systems; Online Governance Monitoring Tools; Public Participation Fora; Investment Trading and Licensing Systems; Public Private Partnership

Models for service provision, among several others.

26. The County governments further take cognisance of the fact that they inherited an urban system with challenges expounded in the Kenya National Report to Habitat III. To this end, the National and County Governments must collaborate to:
  - i. Complete national and county urban policies and legislation;
  - ii. Establish urban governance and management structures as envisaged in Urban Areas and Cities Act (UACA);
  - iii. Comply with the legal provisions for development of integrated urban development plans and county spatial plans;
  - iv. Address social justice and equality with emphasis on the growing informal areas in many counties; especially those with poor infrastructure and services;
  - v. Facilitate an environment that supports civic engagement in the urban governance and management affairs of the county governments;
  - vi. Address weak urban economies and increasing urban poverty;
  - vii. Develop and implement a funding mechanism for urban development; and
  - viii. Optimise urban revenue collections and strengthen accountability.
27. In respect whereof, we the Council of Governors reaffirm that we share Habitat III's vision of sustainable urban development premised on making our urban areas more inclusive, safe and resilient for the benefit of current and future generations. We therefore commit to achieve this vision in all the 47 counties by:
  - i. Entrenching democratic and participatory governance and management of cities and towns through institutionalisation of all relevant structural and legislative instruments;
  - ii. Embracing and upholding competitive standards in



## Statement from the County Governments Towards the Habitat III Process

*Arch. Prof. Alfred Omenya, Chairperson of the Urban Sector Reference Group, comparing notes with the Chairman of the Transition Authority, Mr. Kinuthia Wamwangi and Mr Hamisi Mboga, Secretary General, Association of County Governments of Kenya (ACGOK)*

the development and implementation of integrated urban development plans and attendant plans as prescribed in law;

- iii. Improving resilience through institutional mechanisms that guarantee adequate and equitable investment in

infrastructure and services for all; and

- iv. Optimising on revenues generation, which shall be re-invested towards environmental, social-cultural, economic and institutional aspects of sustainable urban development.





*Left to Right: John Gitonga (IGS), Kristina Eisele (UN-Habitat), HE Gov. Okoth Obado (Migori), HE Gov. Dr. Julius Malombe (Kitui), HE Gov. David Nkedianye (Kajiado), HE Gov. Wycliffe Oparanya (Kakamega), Shannon Lovgren (ICLD), HE Gov. Eng. John Mruttu (Taita Taveta), HE Gov. Kinuthia Mbugua (Nakuru), HE Gov. Josphat Nanok (Turkana), Arch. Prof. Alfred Omenya (Eco-Build Africa).*



# PARTNERS

## UN-Habitat

The United Nations Human Settlements Program (UN - Habitat) – the UN agency for sustainable urban development is mandated by the UN General Assembly, to promote socially, economically and environmentally sustainable towns and cities, while advocating adequate shelter for all.

## Council of Governors (CoG)

The Kenyan Council of Governors (CoG) is a non-partisan organization that comprises of the Governors of the 47 counties of Kenya. The CoG facilitates sharing of information on the performance of counties in the execution of their functions. The CoG works through committees that focus on issues including urban development.



The Council of Governors

## Disclaimer

The designations employed and the presentations of the material in this publication do not imply the expression of any opinion whatsoever on the part of the Secretariat of the United Nations concerning the legal status of any country, territory, city or area or its authorities, or concerning the delimitation of its frontiers of boundaries. Views expressed in this publication do not necessarily reflect those of the United Nations Human Settlements Programme, the United Nations, or its Member States. Excerpts may be produced without authorisation, on condition that the source is indicated.

## Acknowledgements:

Coordination: Jacqueline Mogeni, Judy Oduma, Meboh Abuor, Nicodemus Mbwika, (Council of Governors) and Shannon Lövgren (Swedish International Centre for Local Democracy (ICLD)).

Technical Content of the workshop: UN-Habitat (Prof. Banji Oyelaran-Oyeyinka, Thomas Melin, Dr. Grace Lubaale and Jeremiah Ougo).

Contributors: Prof. Alfred Omenya (Eco-Build Africa / Urban Sector Reference Group), Maureen Gikonyo (Eco-Build Africa), Tabitha Onyinge (Deer Leaps Communications Ltd).

Special gratitude :  Swedish International Centre for Local Democracy

## Copyright:

United Nations Human Settlements Programme 2015

All Rights Reserved

United Nations Human Settlements Programme (UN-Habitat)

P.O. Box 30030 – 00100, Nairobi Kenya

Tel: 254-020-7623120 (Central Office)

[www.unhabitat.org](http://www.unhabitat.org)



*John Gitonga (IGS) , Shannon Lovgren (ICLD), HE Dr. Joan Clos, Director General UN Habitat, Under Secretary General of the UN*



**UN HABITAT**  
FOR A BETTER URBAN FUTURE



The Council of Governors

**Design, Layout  
and Printing:**

