

REPUBLIC OF KENYA



MINISTRY OF LANDS

NATIONAL SPATIAL PLAN  
CONCEPT PAPER

DEPARTMENT OF PHYSICAL PLANNING

NOVEMBER 2010

## Acronym

BPOs	Business Process Off shoring
Cap	Chapter
CDF	Constituency Development Fund
DPP	Department of Physical Planning
HE	His Excellence
KEPSA	Kenya Private Sector Alliance
KIPPRA	Kenya Institute of Public Policy Research and Analysis
KNBS	Kenya National Bureau of Statistics
LATF	Local Authority Transfer Fund
M&E	Monitoring and Evaluation
MOE	Ministry of Environment
MoL	Ministry of Lands
MONKAL	Ministry of Northern Kenya and Arid Lands
MoR	Ministry of Roads
MoT	Ministry of Transport
MoWI	Ministry of Water and Irrigation
NESC	National Economic and Social Council
NSP	National Spatial Plan
PS	Permanent Secretary
PSs	Permanent Secretary
Rt. Hon.	Right Honourable
TORs	Terms of references
TWGs	Thematic Working Groups
UDD	Urban Development Department
UON-DURP	University of Nairobi – Department of Urban and Regional Planning

## Preamble

This Concept paper is in reality “a comprehensive road map” towards the realization of a National Spatial Plan. Its preparation is related to the country’s policy framework, the Kenya Vision 2030 and the National Land Policy and goes further to define National Spatial Plan; summarize the challenges that have arisen due to lack of this plan and the benefits expected from its implementation. The concept elaborates the scope, methodology and an estimated budget for its preparation.

The aim of the Concept Paper is to:

- Define the general concept of Spatial Planning and specifically, National Spatial Planning.
- Demonstrate the role, relevance and application of the Spatial Plan in addressing National challenges and its contribution towards realization of Vision 2030.
- Define the scope and outline the methodology to be applied in preparation of the National Spatial Plan.
- Indicate resources requirements for the preparation of the National Spatial Plan and their probable sources.
- Define the strategic areas to be addressed by the plan and the expected outputs of the planning process.
- Determine the outputs of the planning process.

Participation, consultation and consensus are the hallmark of Spatial Planning. In this regard, the Concept Paper invites all stakeholders to think critically and constructively over the matters raised herein with the aim of adding value to Kenya’s first National Spatial Plan.

## Executive Summary

Kenya aspires to be a “globally competitive and prosperous country with a high quality of life by 2030”. This can be achieved through the implementation of key flagship projects set out in the country’s development blue print, the Kenya Vision 2030.

The realization of this desired socio-economic transformation is founded on key national resources, among them, land. In this respect, the Vision lays emphasis on Land Reform and prioritizes the preparation of National Spatial Plan (NSP) as a flagship project. It is envisaged that the Plan will provide a spatial framework for the prudent use of national space and its resources, from which Vision 2030 projects will be implemented.

Due to the crucial role the Plan is expected to play in National Development, the first Vision Medium-Term Plan for 2008-2012 focuses on its preparation. The Sessional Paper No. 3 of 2009 on the National Land Policy also emphasizes the need for its preparation to facilitate sustainable urban-rural development.

The Government of Kenya has therefore commenced the preparation of an ambitious National Spatial Plan (NSP), which will be spearheaded and co-ordinate by the Ministry of Lands through the Department of Physical Planning, in conjunction with Government Ministries, agencies and stakeholders. Since the Plan will touch on nearly every aspect of National life, the meaningful participation of the wider public in its formulation is expected.

A National Spatial Plan is defined in the Concept Paper as an instrument for establishing a long-term sustainable framework for social, territorial and economic development in the country. Its role is to enhance sectoral integration in areas such as Housing, Transport, Energy, Industry and Agriculture. It is also intended to improve local urban and rural development systems, with due consideration of the environment.

The goal of the plan is to achieve optimal and sustainable spatial distribution by stirring up regional competitiveness to ensure full resource exploitation. This will in turn lead to the realization of strong global and national economic

development that will help improve the quality of environment and life of Kenyans as envisaged in Vision 2030.

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

The National Spatial Plan will address socio-economic, political and environmental challenges which include but not limited to the following:-

1. High unemployment rates
2. Rapid urbanization
3. Poor Governance
4. Inefficient, unsafe and skewed transportation systems
5. Diminishing agricultural production
6. Inadequate infrastructure provision
7. Environmental challenges such as: disaster mitigation, encroachment on fragile ecosystems climate change, water, land and air pollution, de-vegetation and deforestation.
8. Population distribution
9. Inter-Intra Regional Imbalances
10. Resource use Conflicts (land, water)
11. Global and Regional competitiveness

Legal and policy regimes and the principles of Spatial Planning will be adhered to in the preparation of the Plan, which will be a highly participatory and consultative process. Research will be undertaken on targeted areas to provide a firm basis for formulating policies, strategies and interventions. In order to accomplish the task within the stipulated time frame:

- A budget line to fund the exercise will be established; and
- A Steering Committee chaired by the Permanent Secretary, Ministry of Lands
- Technical Coordinating Secretariat steered by the Director of Physical Planning to oversee plan preparation
- Formation of thematic teams and working groups

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## 1.0. Introduction

Kenya's development policy, whose aspiration is to be a "globally competitive and prosperous nation with a high quality life for all citizens", is spelt out in its new long-term development blue print, the Kenya Vision 2030. It is believed the Vision can be achieved by the implementation of its key flagship projects, identified under its economic, social and political pillars. These would transform Kenya into "a newly-industrializing, middle-income country with a clean and secure environment."

The realization of this desired socio-economic transformation is founded on key factors among them, land, which is the foundation from which the flagship projects will be implemented. In this respect, the Vision lays emphasis on Land Reforms, with the preparation of the National Spatial Plan (NSP), which is also another flagship project. It is envisaged that the Plan will guide the prudent use of National Space, resources and sectoral co-ordination, thus providing the Spatial Framework for the implementation of Vision 2030 projects.

Due to its urgency and the crucial role the plan is expected to play in National Development, the first Vision Medium-Term Plan for 2008-2012 prioritizes the preparation of "The First National Spatial Plan" that will guide physical development activities over the next 50 years. The Sessional Paper No. 3 of 2009 on the National Land Policy also emphasizes the need to prepare the plan to facilitate sustainable urban-rural development.

For the Kenya Vision projects and the implementation of the National Land Policy to take off, the Spatial Plan must be in place. Similarly, to address the myriad of national social, economic and environmental challenges, the utilization of the National Space and the co-ordination of the sectoral actions must be addressed.

With previous planning being undertaken regionally and locally, there is now need to formulate a Spatial Plan that encompasses the whole National territory. The departure from earlier approaches is premised on the need to upscale planning to a higher national level and to anchor lower level regional and local plans on it. By so doing, it is envisaged that planning will have greater impact than before. In addition, the up-scaling



will enable Spatial and Economic Planning to be synchronized thus providing the appropriate synergies between them.

The Government of Kenya has thus commenced the preparation of the ambitious National Spatial Plan (NSP) spearheaded and co-ordinate by the Ministry of Lands through the Department of Physical Planning. Since it touches on nearly every aspect of national life, other Government Ministries, agencies, stakeholders and the wider public will be engaged in its formulation for a wider, more meaningful and active participation.

The preparation of the Concept Paper by the Ministry in collaboration with stakeholders is the first step towards the realization of the National Spatial Plan (NSP), which is the roadmap to its preparation.

## 2.0. Contextual Setting

### 2.1. Definition

The definition of a National Spatial Plan is the application of spatial planning instruments to inform the future use and distribution of activities on the National Space. It creates better national organization and linkages between different activities within the National Space while protecting the environment.

Spatial Planning co-ordinates and integrates sectoral activities with the aim of achieving a greater distribution of regional economic development. It is in essence a long-term strategy for social, economic and territorial development.

Spatial Planning supersedes Land-Use Planning. It interprets developmental land-use policies and programmes from those that influence both the nature and function of places. These include policies that impact on Land-Use but which cannot be delivered solely or mainly through request or granting of development permission, but which can be implemented by other means.

### 2.2. Plan context

The National Spatial Plan will be prepared within the existing legal and policy frameworks. The Physical Planning Act (Cap 286) is the lead statute

that will guide the preparation of the Plan and give it requisite legitimacy. The Act will be used together with other relevant statutes such as The Local Government Act (Cap 265), The Environment Management and Coordinating Act (1999), The Agriculture Act (Cap 318) etc

The existing policy framework will also guide the process of formulating the NSP. Policies that espouse the broad objectives of Government within given sectors will provide the principles that put them into effect. Among these are:

- Millennium Development Goals
- Kenya Vision 2030 (lead policy)
- The National Land Policy

The Plan will be:

National-A national framework to guide policies, programmes and investment

Spatial- Concerned with location of people, their activities and how different places relate to each other

Strategic-Offer a long term 30 year view for achieving more balanced patterns of development

### 2.3. Conceptual Framework

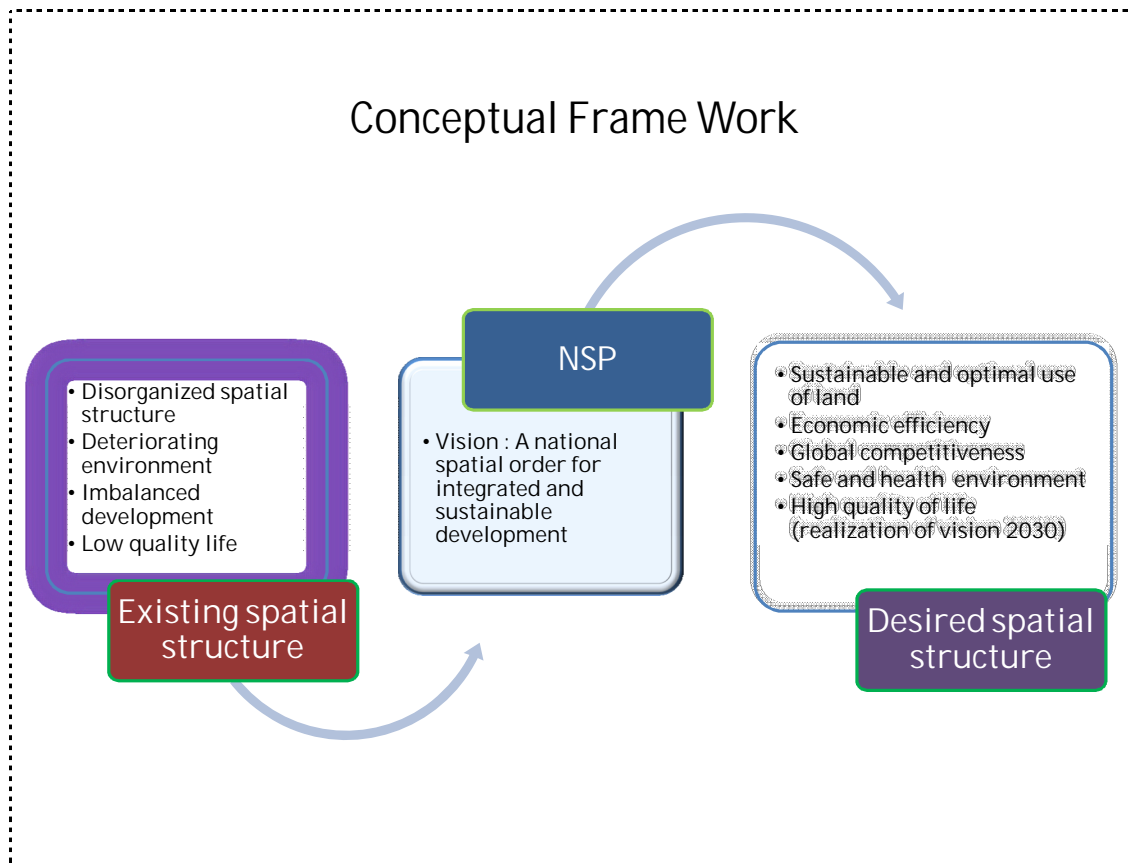
Kenya in its current spatial structure exhibits inappropriate territorial/national organization and governance structures that constrain National Development.

At another level is the desired and more fulfilling spatial structure that meets the citizenry's socio-economic needs better, and provides a higher quality of life.

In this regard, the National Spatial Plan becomes an instrument to be used to restructure from the existing to the desirable end-state.

To realize the Vision, the citizenry in conjunction with Government, planners and experts must take measures and make interventions in certain strategic areas that target key sectors or variables in a process referred to as Spatial Restructuring.

A number of restructuring concepts and components of the existing structures that are desirable would be maintained and reinforced while those that are undesirable would be deconstructed.



### 3.0. Problem Statement

The 1978 Human Settlement Strategy was the first attempt to prepare a national spatial plan. It articulated strategic policies to reduce development disparities between urban and rural areas by concentrating growth in selective service and growth centers across the country while linking them with an integrated transportation and communications network.

In the initial stages, the strategy succeeded in integrating physical planning with economic planning as evidenced in the development of

Rural Trade Production Centers and Small Towns Project. However the strategy was not matched with requisite capital investment and failed to attract private investment. It was therefore not fully implemented and it is against this background that the country is experiencing more complex planning challenges than at independence.

Some of the notable challenges include:

- A deteriorating physical environment: As increasing populations seek to draw sustenance from the environment, it becomes more pressurized. For instance, Kenya's forest cover at 1.7 percent of total land area now falls far below the United Nation benchmark of 10 percent of the National Space. Water bodies, wetlands, fragile areas, national parks and reserves are increasingly targeted for human settlement. This has accentuated environmental degradation, predisposed populations to natural disasters and led to serious human-wildlife conflict. A balance must be found through planning for resource exploitation and conservation, and environmental preservation and enhancement.
- Untapped potential in arid and semi arid areas leading to the long held perception that the areas are highly marginalized. These areas have remained largely neglected and their latent potential for livestock production, irrigation agriculture, tourism, mining, power generation, etc, has remained largely untapped.
- A rapid urbanization process characterized by primacy of Nairobi and the unsustainable emergence of towns in the national landscape. These towns portray serious urban sprawl, poverty, informality and environmental deterioration, among other negative attributes.
- Intra-inter regional inequalities that threaten national Cohesion and integration. Due to historical reasons, among them colonial and post independence policies and actions, certain regions have experienced relatively higher economic development than others. NSP would strive to provide strategies to address such imbalances
- Lack of a clear, consistent and coordinated investment framework. In many instances, there is a glaring mismatch between

infrastructure or service provision and population distribution, and resource exploitation in a scenario also characterized by serious duplication of action by ministries, local and regional authorities, and other government agencies.

- The reality of climate Change whose unpredictability has accentuated rural poverty, since most farmers rely on rain-fed agriculture. Urban squalor is also aggravated since the poor are unprepared to mitigate Climate Change effects.

Kenya urgently requires a coherent strategy for the prudent use of all National Space that will take into account the country's varied potential; turn urbanization from a challenge to an opportunity for national development; strive to provide strategies to address regional imbalances; define space, land and resource utilization more specifically and ultimately lead to equitable and accelerated national development and improved quality of life.

#### 4.0. Purpose

A National spatial plan will provide an overall framework for sustainable exploitation and management of resources. This will be done through:

- Providing a guide for sustainable exploitation of national resources by assessing carrying capacities of various zones, current levels of exploitation and proposing appropriate intervention measures.
- Stimulating integration of spatial, economic, social and environmental planning at both National and county levels by establishing better coordination and implementation machinery.
- Guiding public and private investment on key National infrastructural projects and programmes by identifying and indicating vital National infrastructural requirements.
- Providing broad planning policies and principles to guide development of desirable urban and rural human settlements.
- Providing reference policies and strategies that guide the preparation of lower level plans e.g. county and urban plans

## 5.0 VISION, GOAL & OBJECTIVES

### 5.1 Vision

‘A National Spatial Order for integrated and sustainable development’

### 5.2. Theme

‘Efficient utilization of Kenya’s National Space for sustainable and balanced development’

### 5.3. Goal

To achieve optimal use of national space, enhance global and regional competitiveness, foster equitable development and expand opportunities for improved quality of life for all Kenyans therefore contributing to realization of Vision 2030.

### 5.4. Objectives

1. To appraise the existing spatial development patterns and propose a more desirable spatial order for economic efficiency and global competitiveness
2. To provide an appropriate framework for sustainable and optimal use of land and other natural resources.
3. To provide spatial development strategies that will address regional inequalities to enhance national cohesion and integration
4. To address environmental concerns and promote a safe and healthy environment for high quality of life.
5. To recommend an appropriate institutional framework for the implementation of the National Spatial Plan in line with Vision 2030

## 6.0. JUSTIFICATION

A National Spatial Plan will enable the country tap into the Regional, National and International spatial economics. Additionally, the Plan will promote prudent use of land and natural resources for sustainable development and improve the quality of life for citizens. Specifically, the

NSP will provide a vision and common direction for policies and programmes as well as identifying priority areas for policy.

Its preparation and implementation will generate tangible social, economic and environmental benefits that will result in stable and predictable investment environment.

## 7.0 EXPECTED BENEFITS

The NSP when fully implemented will result in the following benefits:

### Economic Benefits

- Providing equitable and sustainable National Development;
- Identifying land in appropriate locations for Economic Development;
- Ensuring that land for development is well-placed in relation to transport network and population;
- Promoting regeneration and renewal;
- Making more appropriate and consistent decisions;
- Guiding optimal investment location and distribution;
- Gaining a more globally competitive edge;
- Tapping huge unexploited resources in relation to regional and international markets;
- Creating economies of scale;
- Avoiding duplication and misuse of resources;
- Providing a firm, stable and predictable framework that ensures public and private sector investor confidence;

### Social Benefits

- Considering needs of local communities in policy development;
- Improving accessibility in relation to location of development;
- Supporting provision of unavailable local facilities;
- Promoting reuse of vacant and derelict land that impacts negatively on the quality of life and economic development potential;
- Aiding the creation and maintenance of a pleasant, healthy and safe environment;
- Promoting regeneration and appropriate use of buildings and infrastructure.

### Environmental Benefits

- Promoting environmental quality in both urban and rural areas so as to create a more favorable investment and development condition to meet the needs of local communities;
- Promoting the use of previous development (Brownfield) land and maximizing development on (Greenfield) land;
- Conserving important environmental and cultural assets;
- Addressing potential environmental risks e.g., flooding, air quality, etc.;
- Protecting and enhancing recreation and natural heritage facilities;
- Promoting access to development by all modes of transportation;
- Encouraging energy efficiency in the layout and design of development.

#### Other Benefits

- Providing a long-term developmental framework and co-ordinating sectoral policies;
- Providing a vision, common policy, programme direction and identifying their priorities;
- Avoiding duplication of effort by different ministries, developments, local authorities, state agencies, including the co-ordination of sectoral policies.
- Promoting economic growth and investment while guiding the policies for protecting the environment and promoting more efficient use of resources

## 8.0. PLANNING THEMES

### 8.1 Thematic Areas

The National Spatial Plan (NSP) will focus on the following thematic areas:

1. Strengthening and modernizing Agriculture
2. Planning for functional Human settlements
3. Improving state and quality of environment



4. Enhancing and diversifying Tourism
5. Formulating a framework for provision of basic infrastructure
6. Enhancing national, regional and global economic competitiveness
7. Establishing an efficient and integrated transportation system
8. Governance

## 8.2 Thematic Working Groups

The identified eight themes will be the basis for the formation of the Thematic Working Groups (TWGs). The eight teams will comprise of professional and technical experts in various fields.

### Broad Terms of Reference (TORs)

1. Develop a framework for the collection and compilation of baseline data and information on each theme
2. Present the Purpose and scope of the thematic area
3. Provide relevant historical background
4. Analyse existing situation and flag out critical emerging issues
5. Project future trends and build scenarios
6. Formulate suitable policies and strategies to address emerging issues
7. Develop a framework for public participation in the preparation and implementation of the NSP by holding regional workshops
8. Any other consideration that may enable the thematic group operate efficiently

Each TWG will submit to the NSP Secretariat the following: -

1. An Inception Report setting out:
  - Comments on appropriateness of Vision , Goal and Objectives
  - Comments on the terms of reference and proposals for additions and omissions, if any,
  - A work programme with clear timelines,
  - Methodology to be adopted by the working group
  - Support requirements from the Secretariat and

- Destination, timing and justification for any proposed study tours.
  - Budget
  - Consultancy services required
2. Technical thematic reports detailing background statements, problem statements, policy proposals and recommendations in the context of each issue identified.
  3. A Draft National Spatial Plan, which collates the findings of all eight thematic groups, will be produced by the Secretariat.

### Specific Terms of Reference

The specific terms of reference for each theme will be:

1. Strengthening and modernizing agriculture
  - Identification and designation of food, cash crop, aquaculture, horticulture and livestock production areas
  - Identification and designation of areas with irrigation potential
  - Provide an integrated framework for producing, processing and marketing agricultural produce
  - Identify and delineate Technology and research centers
  - Address food security issues
  - Diversification
2. Planning for functional human settlements
  - Managing changing human settlements
  - Identification and delineation of metropolitan areas
  - Delineating and developing a network of National and Regional centers
  - Identifying, delineating and promoting internationally competitive cities
3. Improving state and quality of environment

- Identifying and profiling of natural resources
- Identify and map out areas that require rehabilitation, regeneration and restoration
- Mapping and formulating policies to Promote and protect bio diversity
- Zoning of land uses for sustainable utilization of natural resources
- Delineating wildlife migratory corridors and conservation areas (parks, reserves, forests, wetlands, water towers etc)
- To map out areas with potential for production of various sources of energy

#### 4. Enhancing and diversifying Tourism

- Identifying and planning well-designed resort cities and tourists attraction sites.
- Identifying and mapping eco-tourism areas
- Improve infrastructure in tourism potential areas
- Taking an Inventory ,Mapping and delineating all national heritage and monumental sites
- Isolate and map Safety and security hot spots

#### 5. Formulating a framework for provision of basic infrastructure

- Appraising existing infrastructure
- Prepare national strategies and standards for provision of water, energy, communication, health, education Infrastructure taking into account accessibility and affordability.

#### 6. Enhancing national, regional and global economic competitiveness

- Assess and map out potentials of various regions within the national space i.e. Special Economic Zones, BPOs, cities, metropolitan areas, industrial, trade, commerce, K-regions etc.

## 7. Establishing an efficient and integrated transportation system

- Appraise and map out the existing and proposed transport corridors and integrate it to the National space
- Appraise the transportation modes in order to improve inter and intra connectivity

## 8. Governance

- Establishing an institutional framework for the implementation of NSP (Legal framework, citizen participation, financing, administrative arrangements, M&E, etc)

## 9.0. METHODOLOGY

### 9.1 Plan Formulation process

The preparation of the NSP will be a social and technical process that will be interactive, consultative and developed within a realistic logical timeframe. The Plan-making process will follow a step-wise methodology as outlined hereunder:

#### The Preparatory Phase

This encompasses all activities to be undertaken prior to the inception of the planning process. They include preparation of the Concept Paper, dissemination of the Concept paper, promotion of public debate and general public sensitization, establishment of institutional mechanism, identification of the planning team, technical and support staff, and assembling of resources, including funds and other materials.

#### The Participatory and Investigative Phase

This involves stakeholder analysis, identification of thematic areas, preparation of terms of reference, stakeholder engagement, and identification of research areas, field surveys and sourcing of experts.

#### Consultative and Draft Plan Formulation Phase

Activities undertaken at this point include focus group discussions, data analysis, stakeholder and research reports, consensus meetings, development of strategies policies and draft plan formulation.

## Plan Validation and Finalization

Stakeholders are engaged to help finalize the plan.

## Implementation, Monitoring and Review

This is undertaken after the completion of the plan. It involves the establishment of an NSP delivery secretariat, development of a monitoring and evaluation mechanism, and identification of immediate, medium and continuous action and long-term action areas.

### 9.2 Formation of Thematic Working Groups

The NSP formulation process will be undertaken under eight broad themes with each working group handling a specific theme. Working group members will be drawn from amongst professionals and experts in the relevant fields and other stakeholders through a sector-wide approach. Each working group will be led by an Urban and Regional planner

The identified eight themes will be the basis for the formation of the Thematic Working Groups (TWGs). The eight teams will comprise of professional and technical experts in various fields.

Each technical group will assess and interpret the vision evolved from the stakeholders, the goals and objectives of the plan, and develop a suitable methodology. The methodology must at the very least include the following provisions among others:

- Main analysis approaches
- Main Variables
- Data sources/requirements
- Data collection methods
- Data collection tools
- Target groups

### 9.3 Bench Marking

Kenya, like many other countries in transition, finds a need to address its national challenges by leveraging itself against other countries that have successfully carved a planning niche in the global arena.

Among the countries that Kenya identifies for benchmarking are:

- Ireland
- Hungary
- Malaysia
- South Africa
- Luxembourg
- Singapore
- Egypt
- Denmark

## 1.0. SCOPE OF THE PLAN

### 10.1 Geographical Coverage

The plan will cover 582,644 Square Kilometers, which is Kenya's total territorial area. It will also cover extra territorial space of twelve nautical miles into the Indian Ocean, which forms Kenya's Exclusive Economic Zone. The plan will take cognizance of Kenya's geopolitical position in its intermediate region and global position.

### 10.2 Time Frame

A 50-year time-frame has been provided for and tentatively agreed upon as the planning period in the Vision 2030. It will, however, be subject to discussion and consultation by stakeholders and experts in Spatial Planning.

## 11.0 STRATEGIC ISSUES

The Plan is strategic and will focus mainly on critical issues that impact most on National Development. These include:-

### 11.1. Population and Demographic Dynamics

The Plan will focus on improving the quality of life of the people of Kenya. Currently 52 percent of the population lives below the poverty line. In certain regions and particularly in rural areas, the figure is much higher. The country has recorded a significant increase in population from an estimated population of 37.2 million in 2007 to a projected increase to 42.7 million in 2012, and to 62.6 million in 2030(KNBS,2009). This indicates increased demands by the population, which will impact on the environment.

Other important population dynamics that need consideration are:-

- The uneven national population distribution
- The presence of a large youthful population
- Declining living standards and the deteriorating quality of the rural and urban environments
- Increasing pressure on the natural environment and demand for space.

### 11.2 Environmental Issues

Environmental conservation, preservation and improvement are key objectives of the National Spatial Plan. Kenya's increasing population draws its sustenance from the environment but with negative impacts. This is evidenced by the destruction of ecosystems, loss of biodiversity, declining forest cover, loss of wetlands and the deteriorating urban environment, among others. Climate Change is an additional challenge with its unpredictable weather patterns, resurgence of diseases and vulnerability to disasters. An in-depth understanding of environmental challenges is required to address these problems and mitigate against future negative impacts.

### 11.3 Inter-Intra Regional Imbalances

Regional inequality stemming from colonial and later-day policies is not only a serious drawback to development but a threat to national integration. Most arid and semi-arid areas, particularly in the northern parts Kenya have continued to lag behind in development. Pockets of extreme poverty are evident even in areas classified as high-and-medium-potential, and therefore deemed to be performing well. Serious inequality in urban areas is also evidenced by the duality between affluent and poor communities. A key objective of the National Spatial Plan would be to bridge these divides.

### 11.4 Resource- Use Conflicts

Communal conflicts in the country usually arise from rapid population increase against an unregulated resource base and use. Such conflicts arise from competition for land, water, pasture, mineral resources, etc. Serious human-wildlife conflicts also threaten wildlife habitats, migratory corridors, dispersal areas and food security as animals destroy crops in areas close to parks and wildlife reserves.

### 11.5 Urbanization

Kenya presents one of the highest global urbanization population growths. At a growth rate of 3.9 percent per annum between 2005 and 2010 it is estimated that urbanization levels will have reached 32 percent of the total population by the year 2012, up from 8 percent at independence in 1963(KNBS,2009). This is largely due to mass rural- urban migration fuelled by increasing rural poverty, dwindling land sizes, and the search for new opportunities, including employment.

Rapid and accelerated urban growth has overwhelmed the abilities of national government and local authorities to plan and provide services, infrastructure, shelter and public transportation. This has accelerated environmental degradation, delinquency, poverty and crime. The inability to regulate development, urban sprawl, slums and informal settlements also characterize our townscape.

Nairobi is Kenya's fastest growing town. While this expansion may not be in itself a serious problem, it is an indication of the regional imbalance in the country since Nairobi accounts for 52 percent of the national GDP. Moreover,



due to the unregulated expansion, its growth into very rich agricultural land threatens food security.

## 11.6 Geopolitical Position

Although Kenya is strategically positioned globally, this status is not fully harnessed. As an important route along the Indian Ocean and gateway to East and Central Africa, the port facilities in Mombasa and Lamu can be expanded and developed to full potential. The country can also take advantage of its positioning as a potential short air-route to Asia, Europe and America.

## 11.7 Governance and Socio-Political Structure

Due to lack of coordination, sectoral activities by ministries, government departments and state organs are often duplicated. It has been a challenge to undertake serious regional and local planning in the country. Consequently, planning always appears to lag behind development, particularly in the urban set-up. Recent efforts to devolve funds through the Local Authority Transfer and Funding (LATF) and the Constituency Development Fund (CDF) though commendable have compounded the problem, as funds have been devolved without a spatial framework to guide optimal resource allocation.

## 12.0 INSTITUTIONAL FRAMEWORK

The Ministry of Lands, through the Department of Physical Planning, will coordinate the preparation of the Plan. Relevant Government ministries, departments, local authorities and other agencies will be actively involved in the process.

A National Spatial plan of this nature will require an elaborate and functional organizational structure for it to achieve its desired context. It is suggested that the organizational structure be hierarchical reinforced with easy feedback at all levels.

The three main levels recommended are:

## 1. Policy Level

Minister of Lands

Minister of Planning and National Development

National Economic Social Council (NESC)

Vision 2030 Delivery Secretariat (VDS)

Terms of Reference

- To provide policy guidelines
- Mobilize resources
- Provide linkage to the cabinet and donors

## 2. Steering Committee

### Membership

- Ministry of Lands – Permanent Secretary (Chairperson)
- Ministry of Planning and National development - PS (Member)
- Office of Deputy Prime Minister & Minister of Local Government-PS (Member)
- Ministry of Transport– PS (Member)
- Ministry of Housing - PS (Member)
- Ministry of Roads– PS (Member)
- Ministry of Tourism – PS (Member)
- Ministry of Forestry and Wildlife-PS (Member)
- Ministry of Development Northern Kenya and other Arid lands-PS (Member)
- Ministry of Environment and Mineral Resources – PS (Member)
- Ministry of Regional Development Authorities- PS (Member)
- Ministry of Nairobi Metropolitan Development- PS (Member)
- Ministry of Industrialization-PS (Member)
- Ministry of Agriculture-PS (Member)
- Ministry of Water & Irrigation- PS (Member)
- Ministry of Trade and Industry-PS(Member)
- Heads of Departments (Director of City Planning , Director Urban Development Department)
- The Director, Physical Planning Department (Secretary)

## Terms of Reference for the Steering Committee

- Advise on the preparation of Cabinet memoranda
- Mobilize resources for the plan formulation process
- Participate in major workshops for the plan preparation process
- Ensure that the NSP is linked to national and other sectoral policies.
- Negotiate partnership and pacts.

### 3. Coordinating Unit

#### Membership

- Director of Physical Planning (chairman)
- Technical Coordinator ( to be appointed by the PS – in charge of Physical Planning)-Secretary
- Thematic Group Team Leaders

## Terms of Reference for Coordinating Unit

1. Provide administrative, technical and logistical support for the plan preparation process
2. Ensure efficient utilization of project funds
3. Provide linkages between and amongst the working committees within the plan formulation process
4. Be responsible to the Steering Committee for effective and timely performance of tasks in the plan formulation process
5. Provide guidelines on the required consultancy services
6. Monitor and evaluate the performance of each thematic working group

### 4. Secretariat

#### Membership

- Technical Coordinator
- Coordinating Assistants
- Secretariat Support Staff
  - Logistics / Administrative Officer
  - One coordinating secretary (copy typist)
  - IT /G.I.S expert
  - 2 No. G.I.S assistants
  - 1 Driver
  - 1 subordinate staff

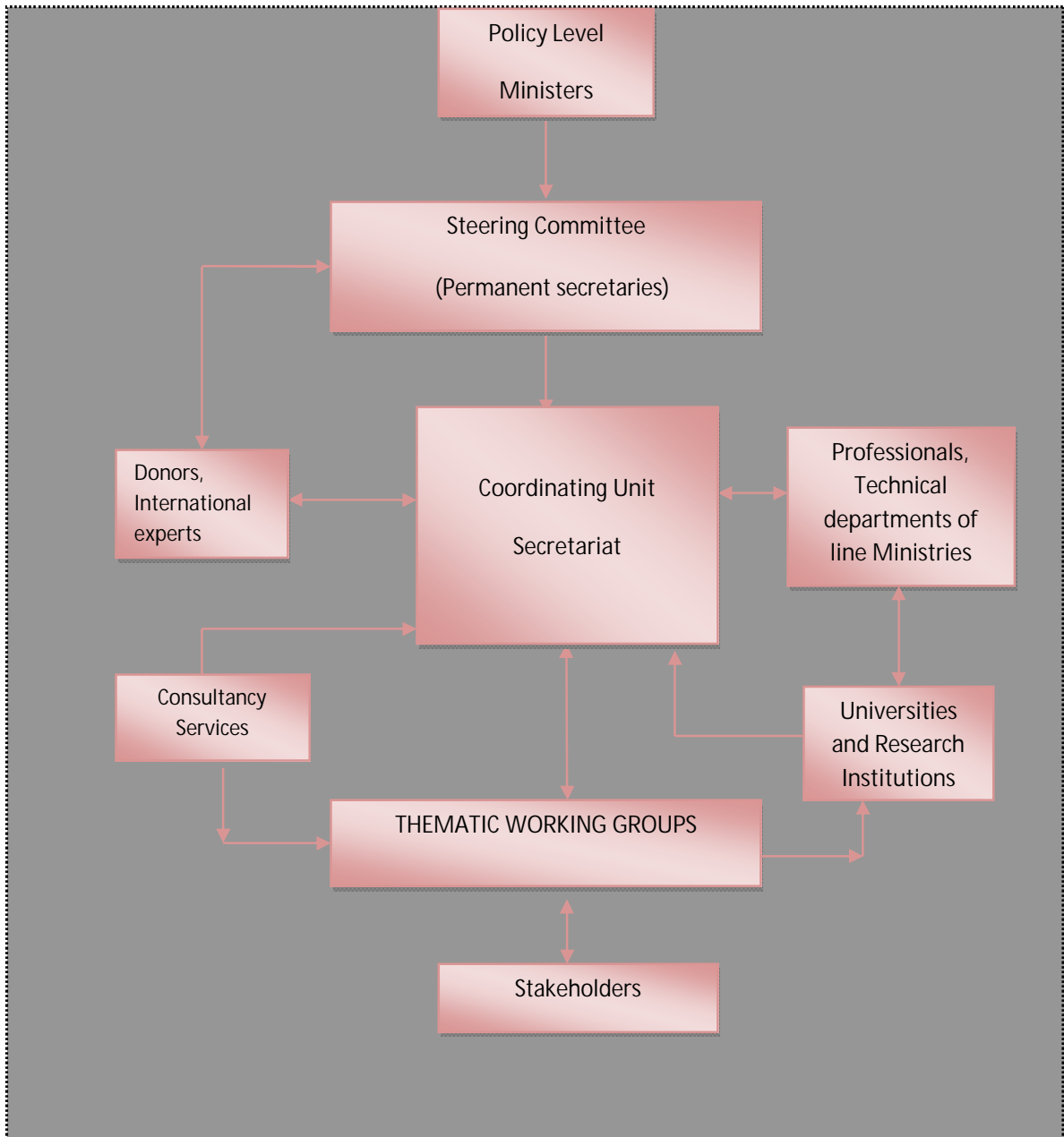
## Terms of Reference for members of the secretariat

1. The Technical Coordinator will be in-charge of the entire secretarial and his work will be coordination of thematic groups and overseeing the efficient daily operation of the Secretariat
2. Technical Coordinator will prepare and disseminate minutes for all meetings, workshops and conferences
3. Coordinating Assistants to receive, analyze, synthesize and harmonize information submitted by thematic working groups.
4. Logistics /administrative officer to oversee all administrative functions, procurements and timely deliveries to the secretariat and the thematic groups.
5. IT/GIS expert to source, document and store data

### 5. Thematic Working Group (TWGs)

Comprising of eight groups, the working groups will report to the Technical Coordinator. They are also to do the following:

- Thematic groups to undertake assignments delegated by the Coordinating unit/secretariat and track the implementation plan
- Thematic group team leaders to harmonize work programmes, identify emerging issues /challenges and prepare reports.
- Appoint a chairperson and secretary amongst themselves for management of their work.
- Recommend to the coordinating unit, consultants to carry out specialized studies
- Hold joint meetings with other thematic working Groups and /or co-opted members to facilitate exchange of information.
- Receive, analyze and synthesize information submitted by the members of the public/professionals and partners.
- Execute what is necessary within their mandate, within the limits of the available resources.



## 13.0 PLANNING APPROACHES

Planning of the exercise will take four main approaches, namely, the:

### The Strategic Approach

This involves envisioning and focusing on key issues, and formulating broad spatial policies and strategies to be effected through the preparation of more specific regional and local physical development plans.

### Participatory and consultative Approach

Stakeholder participation and consultation will be an integral part of the planning formulation. The planning team will seek the concurrence of stakeholders at every stage through workshops, seminars, focal group discussions, electronic and print media. Expert opinion will also be sought on complex issues arising from the process.

### Evidence Base

Research will be undertaken to provide a firm foundation for the plan proposals.

## 14.0 CORE VALUES AND PRINCIPLES

The planning team will be guided by the core values and principles of spatial planning at each stage of the plan preparation process. These include six main principles, namely:-

- The Democratic Principle  
This underscores legitimacy in the process of decision-making through procedures established by law. It also ensures fairness and respect for human rights.
- The Subsidiarity Principle  
This principle recognizes the importance of local-level decision-making as an effective tool in implementing projects while recognizing the role of actors at higher levels.
- The Participation Principle  
It recognizes that communities that are impacted upon by planning decisions should be granted ample opportunity for participation in decision making.

- The Integration Principle  
It appreciates that in planning, individual parts act for the common good of the system.
- The Proportionality Principle  
Its aim is to maintain balance between commitment and flexibility of policy, taking into recognition that firmness can encourage development and resource availability. It is also cognizant of the fact that flexibility is more adaptive to changing trends and may stimulate innovation.
- The Precautionary Principle  
It recognizes the importance of precaution in dealing with adverse effects of development even in the absence of clear and up to date information.

The Plan preparation process will also focus on values which promote:-

- a) Citizen empowerment and participation in development matters
- b) Partnerships
- c) Inclusivity
- d) Sector wide approach
- e) Cost Effectiveness
- f) Transparency and accountability
- g) Integration strategies

## 15. EXPECTED OUTPUT

The Plan will essentially consist of broad Spatial Policy proposals, strategies and guidelines that address national challenges with regard to the use of national territory or space land, natural resources and potentials, in line with the preset goal and objectives.

The following outcomes are expected at the end of the planning period:  
Strategies to redress:-

- Serious national environmental challenges in rural-urban realms, including the adaptation and mitigation of Climate Change;
- Inter-intra regional inequalities, exploitation of potentialities and resources in every area in order to provide services and infrastructure equitably, and to avail opportunities for people and choices for their habitation;
- Resource-use conflicts between communities and human-wildlife;

- Existing urbanization challenges to ensure sustainability by providing urban infrastructure and services to improve rural-urban linkages;
- National competitiveness regionally and globally;
- Poor inter-sectoral co-ordination in planning and delivery of development infrastructure, and regulation by private developers and actors.

## 16. CONCLUSION

The adoption of the Concept Paper by key stakeholders would set the stage for the commencement of the preparation of the National Spatial Plan. The Ministry of Lands through the Department of Physical Planning will spearhead the process which shall also involve other key ministries, Government departments and agencies, universities, local and foreign experts, all political leaders and ordinary citizens

Stakeholder engagement and consultation will be undertaken in all parts of the country, starting from the national level, proceeding to the regional level and finally ending at the local level. Such intensive engagement will not only enrich the document but will also enhance its acceptability and ownership for successful implementation.

A team will oversee the constitution of the steering committee, the thematic working groups and the secretariat. Professional planners will co-ordinate efforts of economists, environmentalists, sociologists, transportation experts and others, in order to come up with realistic solutions to the myriad to national challenges.

Experts with specialized competence and practical experience in Spatial Planning will be sought internationally to augment local expertise and to enhance local capacity.

The finalization of the Plan will pave way for a work plan for its implementation. Since a plan is as good as its execution, it is imperative that as preparations are done in readiness for the impending task of Plan Preparation, the same will be undertaken for the best planning dispensation.

Specifically, there is need for institutional re-engineering in order to enhance capacity that is commensurate with the challenges the country faces, which require a planned response. Seen in this context, the preparation of the National



Spatial Plan is therefore only the first step towards the transformation of the country and indeed, also in the planning of our institutions and governance.

APPENDIX A: WORK PLAN FOR PREPARATION OF NATIONAL SPATIAL PLAN

	Activities	Time (Months)												year				Actors	expected	
		Jan	Feb	March	April	May	June	July	Aug	Sep	Oct	Nov	Dec	2009	2010	2011	2012			
1	Finalization of Concept paper.																		MOL DPP Selected stakeholders	Initial draft  Feedback   4.5 Million
	• Hold Departmental working group session																			
	• Hold ministerial working group sessions																			
	• Identification of key stakeholders																			
	• Circulation to internal & external stakeholders the initial draft of concept paper																			
• Compiling feedback																				
2.	Publicity and Public outreach	Continuous																MOL DPP  Print and electronic media  Selected key stakeholders	<ul style="list-style-type: none"> <li>• Notice in print media</li> <li>• No. of appearances in electronic media (Radio &amp; TV)</li> <li>• Reports of focused group discussions</li> <li>• Views of various people/groups</li> <li>• List of expected sources of</li> </ul>	
	•Notice of Intention to plan																			
	•Notice to Local Authorities																			
	•Topical talk shows in media																			
	•Prepare news paper supplements																			
	•Development of web site.																			
•Focused group discussions																				

	<ul style="list-style-type: none"> <li>• Identification of sources of funds</li> </ul>														<ul style="list-style-type: none"> <li>• Website developed</li> </ul>			
																	30 Million	
3.	<ul style="list-style-type: none"> <li>• Pre-conference meeting with key stakeholders</li> <li>• Notification of strategic stakeholders</li> <li>• Hold pre-conference meetings with strategic stakeholders.</li> <li>• Hold group work sessions with these stakeholders</li> </ul>																MOL DPP Strategic stake holders (KIPPRA, NESC, UON-DURP, MONKAL), KEPSA, MOE etc)	<ul style="list-style-type: none"> <li>• Secretariat formed</li> <li>• Commitment package (Pact) Stakeholder analysis</li> </ul>
																	5 Million	
4.	<ul style="list-style-type: none"> <li>• Hold Stakeholders Conference and launch of National Spatial Plan (NSP) preparation process</li> <li>• Presentation of concept paper and adoption</li> </ul>																Rt. Hon. Prime Minister Minister for Lands Minister for Local Government Minister for Agriculture Minister	<ul style="list-style-type: none"> <li>• Thematic groups Formed</li> <li>• Conference proceedings</li> <li>• Consensus building and adoption of concept paper</li> <li>• Plan preparation process launched</li> </ul>
																	Vehicle hire 2 million	

																		for Planning & Vision 2030	Computers Scanners Photocopies Furniture	
																		PS(s)		
																		Head s of Technical Departme nts		
																		Director		
																		Public		
																		Communi cation Officer		
																		Secretariat		
																		Resource Persons (experts)		
																		Wider stakeholde rs(Invited	5 million	
																		MOL DPP		
	•Finalization of concept paper																			
	• Identification and formation of thematic groups.																	MOL DPP	TWGS Steering Committee	
	•Capacity building workshop																	Sector Team	Consensus on TWGs List of membership of TWGS Secretariat	

																							formed Steering committee
5.	Post stakeholders conference publicity  <ul style="list-style-type: none"> <li>• Topical talk shows in media</li> <li>• News paper supplements</li> <li>• Prepare brochures</li> </ul>																					Secretariat  Ministry of Lands  partners	<ul style="list-style-type: none"> <li>• appearance s in electronic media</li> <li>• No. of news paper supplement s (Part of activity 2)</li> </ul>
6.	Establishment of Institutional Structures  <ul style="list-style-type: none"> <li>• Steering Committee</li> <li>• Technical coordinating unit establishment</li> <li>• Consultancy-preparation of TORs, capacity building activities</li> </ul> Thematic groups meetings to: <ul style="list-style-type: none"> <li>• Interpreting TOR</li> <li>• Identify issues (topical areas) for National Spatial Plan.</li> <li>• Develop thematic groups work plans</li> <li>• Develop thematic group's budgets for identified activities.</li> <li>• Identify cross cutting issues</li> </ul>																					Minister for Lands  PS (s) of relevant Ministries  Secretariat  Resource persons /experts  Members of each thematic group  partners	<ul style="list-style-type: none"> <li>• TORs</li> <li>• Issues reports for National Spatial Plan identified.</li> <li>• Work plans</li> <li>• Budgets</li> <li>• Harmonized work plan</li> <li>• Steering committee and Coordinating unit established</li> </ul>
																							48 Million

	<ul style="list-style-type: none"> <li>Operationalisation of thematic groups</li> </ul>																		
7.	<ul style="list-style-type: none"> <li>Pre- field activities</li> <li>Base maps preparation</li> <li>Identify areas for outsourcing</li> <li>Outsource expertise</li> <li>Develop standards for data collection</li> <li>Develop data collection instruments</li> <li>Develop criteria for field activities</li> <li>Benchmarking with best practices</li> <li>Logistical setting</li> <li>Consultation with support team</li> </ul>																<ul style="list-style-type: none"> <li>Ministry of Lands</li> <li>Department of Physical Planning</li> <li>Thematic groups</li> <li>Secretariat</li> </ul>	<ul style="list-style-type: none"> <li>Tender documents</li> <li>Best practices</li> <li>Checklist of field activities &amp; data checklist</li> <li>Data collection instruments</li> <li>Visits to places of best practice</li> <li>Criteria</li> <li>Data checklist</li> </ul>	15 Million
8.	<ul style="list-style-type: none"> <li>Field activities</li> <li>Thematic base maps preparation</li> <li>Reconnaissance survey /transect survey by all thematic groups</li> <li>Data collection/existing situational analysis</li> <li>Focused group discussions</li> <li>Best practises-criteria for selection, cost</li> </ul>																<ul style="list-style-type: none"> <li>DPP</li> <li>Secretariat</li> <li>Thematic group members</li> <li>Local Authorities</li> <li>Provincial Administr</li> </ul>	<ul style="list-style-type: none"> <li>Thematic base maps</li> <li>Data reports</li> <li>Situational status reports</li> </ul>	

	<ul style="list-style-type: none"> <li>Suggested countries for bench marking( Ireland, south Africa, Hungary, Malaysia, Tanzania and Egypt)</li> </ul>																ation	300 Million
9.	<p>Joint Thematic Groups working session</p> <ul style="list-style-type: none"> <li>Presentation of issues &amp; recommendations reports by various thematic groups.</li> <li>Harmonize work plans &amp; programmes</li> <li>Presentation of joint issues report to steering committee</li> </ul>																<p>Ministry of Lands</p> <p>Department of physical planning</p> <p>Members of</p> <p>Thematic groups</p> <p>Secretariat</p> <p>Resource Persons</p> <p>partners</p>	<ul style="list-style-type: none"> <li>Harmonized work plans, TORS, Programmes &amp; budgets</li> <li>Targeted proposals for funding</li> <li>Cabinet Memo on funding</li> <li>Joint issues and commendations report</li> </ul> <p>3 Million</p>
10	<p>National and Regional stakeholder forums</p> <p>1. Hold one National stakeholder forum</p> <p>2. Hold regional stakeholder forums</p>																<p>Rt. Hon. Prime Minister</p> <p>Minister for Lands</p> <p>PS</p> <p>DPP</p> <p>Thematic</p>	<ul style="list-style-type: none"> <li>Recommendations</li> <li>Written submissions</li> <li>Reports of regional stakeh</li> </ul>

	<ul style="list-style-type: none"> <li>•Presentation of existing status reports for validation /adoption</li> <li>•Discuss proposals, strategies and recommendations</li> </ul>																groups Secretariat Experts	older fora - A report of National Stakeholders meeting	100 Million
11	<p>Formulation of NSP</p> <p>- Issue and recommendation report</p> <p>Develop broad guidelines, strategies and standards for the following thematic areas;</p> <ul style="list-style-type: none"> <li>• Human settlement( Urban and rural space)</li> <li>• Environment and Natural Resource base</li> <li>• Demographic and socio –cultural characteristics</li> <li>• Economic base</li> <li>• Social and Physical Infrastructure</li> <li>• International, Trans-boundary and strategic land use issues</li> </ul>																DPP Thematic groups Secretariat The experts	Draft National Spatial Plan	30 Million



	• Governance/administrative																	
12	<p>National and Regional stakeholders forum</p> <ul style="list-style-type: none"> <li>• Presentation of draft Spatial plan to focused groups</li> <li>• Publicize plan</li> <li>• Communication strategy</li> </ul>																<p>Rt.Hon.Prime Minister</p> <p>Minister for Lands</p> <p>PS</p> <p>DPP</p> <p>Public</p> <p>Communication Office</p> <p>Secretariat</p> <p>Resource Persons (experts)</p> <p>Thematic groups</p>	<p>- Reports on Regional stakeholder forums</p> <p>- Submissions by focused groups</p> <p>- Media report</p> <p>100 Million</p>
13	<p>Plan finalisation-Incorporation of comments and editorial</p> <p>Peer review</p> <p>Reference panel</p> <p>-Two conferences</p> <p>-External tech. advisory panel for review</p>																<p>Secretariat</p> <p>The Thematic groups</p> <p>Experts</p>	<p>- Draft National Spatial Plan</p> <p>20 Million</p>

14	National symposium																		Minister for Lands	PS DPP Public  Communication Office Secretariat Resource Persons (experts)  Thematic groups Development partners	- National Spatial Plan             10 Million
15	Plan finalisation ,Certification and publication																		Minister  Secretariat  DPP  Thematic groups		
16	Launching of the NSP  1.National level  2.Regional level  • Topical shows																		HE The President & Rt. Hon. Prime Minister  Minister	Approved Plan	

	production in media • Production of popular version(Thematic and regional) • Dissemination of approved plan for implementation																		for Lands PS DPP Public Communication Office Secretariat Resource Persons (experts)	130 million
17	-Develop Implementation framework  -Implementation through regional and local plans																			Implementation Framework
GRAND TOTAL																			802.5 million	

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