

**Report of the
Regulatory Guidelines for Urban Upgrading
(RGUU)
National Workshop**

**Silver Springs Hotel, Nairobi
18th and 19th August 2003**

PROCEEDINGS OF THE NATIONAL WORKSHOP ON RGUU, SILVER SPRINGS
HOTEL- 18TH AND 19TH AUGUST 2003.

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DAY ONE- MONDAY, 18TH AUGUST 2003

OPENING REMARKS

The workshop began with the Regional Director ITDG-EA, MR. Elijah Agevi welcoming all the participants and appreciating their effort to be part of this workshop.

REGIONAL DIRECTOR, ITDG-EA: ELIJAH AGEVI

After acknowledging the participants, the director reiterated ITDG's vision of realising a world free of poverty and injustice where technology is used to benefit all by offering practical solutions to their problems. He highlighted the critical lessons learned through the RGUU process while giving a brief background of the same. These were to be presented in details further on into the workshop.

The need to foster meaningful partnerships and incorporation of the local communities' input into the process of government policy reforms is crucial if any sustainable changes are to be realised. He then proceeded to welcome His worship the Mayor of Mavoko.

HIS WORSHIP THE MAYOR, MAVOKO MUNICIPALITY

The partnership between the Mavoko municipality and ITDG, together with other partners (NACHU, Pamoja Trust) has enabled the community to identify four key domain areas that need urgent intervention as far as the RGUU process is concerned:

- Land allocation procedures
- Plot sizes
- Water and sanitation
- Information and communication

The bottom-up approach has ensured that the community's views are captured and incorporated into the process. Appreciation goes to ITDG for this and other contributions made to the betterment of the of the communities in Mavoko, for example, the construction of a nursery school block using appropriate technologies.

He then gave an invitation to all the participants who may not have visited Mavoko to do so and see the actual progress realised so far.

DIRECTOR OF PHYSICAL PLANNING: MBWAGWA

It is the government's intent to incorporate new ideas into the Revised Version of the Physical planning handbook of 1971. The role of partners is important in achieving this, especially in obtaining information from the grassroots.

There have been great inadequacies within the government in catering for the growing housing needs, particularly in the urban areas. The department places the optimum number of new housing units required at 120,000 per annum as compared to the current 30,000-40,000 units mostly constructed by private developers. This is one of the factors contributing to the rapid growth of informal settlements. In addition, the rate of rural to urban migration is exceedingly higher than the rate of public amenities and infrastructure development. However, bold steps are being taken to formalise informal settlements through an upgrading process. Pilot projects are being done in Voi, Mombasa and Nairobi's Kibera area.

The number of CBOs and NGOs working in these areas is a major point of concern due to the lack of co-ordination leading to duplication of efforts. Measures are being put in place to network these ventures. Previously, planning policies have been 'elitist' and neglected the poor but presently, the government is adopting a participatory planning approach to improving the living standards of the urban poor.

In upgrading, relocation of some households is inevitable but measures to cater for those affected will be carefully considered in the planning process. This will conclusively answer the questions:

- Where will these households be relocated to?
- What solutions are available to those already settled on private land?
- Will adequate social services be provided for those affected and how?

All those with goodwill and ideas are invited to come up and collaborate with the government in addressing these issues.

He then declared the workshop officially opened.

DR. MICHAEL MAJALE: ITDG-UK

INTRODUCTION OF THE PROJECT-The International Perspective

Goal: To increase access of the low-income households and the poor to adequate, safe and secure shelter.

Purpose: To help authorities and their partners to revise and design the regulatory frameworks governing the regularisation and improvement of the low-income communities.

The RGUU is an ITDG International project being undertaken in Sri-Lanka (Colombo), India (Mumbai) and Kenya (Mavoko) with the support of DFID, in collaboration with WEDC and Homeless International. The project aims to reduce the constraints of inappropriate legislation and unsuitable procedures, which negatively affect of the livelihoods of the urban poor. Other organisations in partnership include CBOs, NGOs, professional associations and government authorities. The process has yielded proposals to be adapted as guidelines after further discussions and endorsement.

RAHAB MUNDARA: ITDG-EA

JOURNEY TOWARDS PREPARATION OF THE DRAFT GUIDELINES

Since the project's inception in the January 2000, the project team has worked in partnership with various NGOs (NACHU, Shelter Forum, and Pamoja Trust), local government authorities and associations such as ALGAK and government departments, grassroots representatives, academic institutions, with the Mavoko municipal council as the lead partner.

The project was to review current land and shelter legislation in Kenya and their impact on the urban poor. This process included execution of baseline surveys and cataloguing of the situation on the ground as preliminaries. Four essential domain areas were selected for intervention from these participatory processes: Plot sizes, Land allocation, Water & Sanitation, and information & communication.

The project team also convened for the purpose of information sharing, drafting, testing and disseminating standards for urban upgrading in various forums. These included:

- Project launch and inception (September. 2000)
- Partners workshop
- Cataloguing of regulatory instruments (April 2001)

- Planners' workshop (Nov. 2001) in Machakos whose aim was to workout draft guidelines for urban upgrading.
- International workshop (Jan. 2002) to build consensus on definition and basic terminology of urban upgrading. Different countries shared their experiences.
- E-conferencing and other international forums via radio-conferencing.
- Pre-testing of guidelines in Caanan
- Mavoko level workshop to endorse the proposals

In line with these, the national workshop should set the stage for:

- Agreement on minimum level of change in the regulatory guidelines for upgrading
- Finalization of the Kenyan case study for sharing with government agencies and other international forums

REBECCA KABURA: ITDG-EA

PRESENTATION OF DRAFT GUIDELINES

Appreciation was extended to all who participated and contributed in whatever capacity to the draft guidelines since the process began in 2000. This was followed by the presentation of the same (*see RGUU draft guidelines, Appendix I*).

The presentation covered:

- Expected project output
- How to effect change
- Non-negotiable principles underlining the upgrading process
- Draft proposals on land allocation, plot sizes, water & sanitation, information & communication

Even as the process of review and endorsement commences, the fundamental questions remain:

- What is the international focus and relevance of the project?
- How are we effecting change?
- What are the key and emerging issues?
- How can the resolutions be adopted at the Mavoko level and further at the national level?

PAUL CHEGE: ITDG-EA

In his role as the facilitator, he urged participants to be practical and open in addressing the laid down issues. The community representatives especially, since they understand the problems first hand. In retrospect, he mentioned:

- The existing scenario in respect to plot sizes
- Sub-divisions at KMC, Slota (Kisumu Ndogo), Kimongo and Kaswitu.
- Proposals on plot sizes, minimum requirements and other considerations.
- Water and sanitation
- Challenges in the regulatory review process
- Lessons learned from RGUU

In response to a question on how the current minimum plot sizes were established, the department of physical planning representative pointed out that the population density amongst other factors were determinants.

THE MAVOKO EXPERIENCE

TOWN CLERK MAVOKO: GIDEON MUINDI

Since taking up office in 1995, he has noted that the most critical problems experienced within the municipality in terms of physical planning are:

- The land allocation procedures, where allocations were done straight from Nairobi in the Ministry of lands and settlement.
- The population pressure from Nairobi with Mavoko serving as a satellite town.

Mavoko municipality is situated 30 km from Nairobi's CBD and covers a geographical area of 693 sq. km. The government and private entities own this land. Five main settlements exist, some of which were formed as early as 1972. The current project sites include Kimongo (near Lukenya), KMC, Kisumu Ndogo, City Carton and Kaswitu. Kisumu Ndogo and KMC are formalised but Kaswitu and Kijiji 39 (currently on private land) are yet to be formalised. Canaan is a recently formed settlement.

Mavoko is predominantly an industrial area hosting over sixty industries although there are some low capital commercial investments, residential housing areas and ranches (for example, Siokimau).

Specific challenges have been experienced in establishing and managing the informal settlement in relation to land tenure and service infrastructure.

- Inability to put up with water provision, especially in the event of relocation, for example, in Kisumu Ndogo and Carton (efforts in place to provide water kiosks have been hindered due to lack of secure tenure).
- Inability to put up sanitation blocks due to lack of security of tenure
- Infrastructure (although efforts have been partly supported by the local industries, for example, Portland cement in constructing a bridge)
- Identification of structure owners
- Relocation process (resistance from residents)

The council is keen to incorporate the RGUU in future upgrading procedures. Meaningful partnerships are important in achieving success. So far, the council has computerised 85% of all land rate and water bills in an effort to facilitate easy access of information and improve the planning process.

Appreciation goes to NACHU, Department of physical planning and other partners.

He concluded by lauding the Mayor's initiative to update himself on what was taking place in the settlements as well as being in the forefront of networking various stakeholders.

PLENARY SESSION (I)

The session was opened with the facilitator asking for questions and comments from the floor relating to the presentations.

- There was a need for clarification regarding the plot sizes and land allocation. *"What is wrong with the existing procedures? Or is it just a matter of implementation?"* In his opinion, adequate regulation already exists. (G. Onyiro, Dept. of physical planning)
- An opinion was that the main problem was not the regulations existing in land allocation but rather the recognition of informal settlements. *"What is the safety net in place to contain the growth of informal settlements? What recommendations have been put in place to cater for future influx and how will the planned zoning be implemented?"* (M. Mboi, District Physical planner- Machakos)

- The issue of affordability was raised. *“How will these plots be acquired by the poor? Will they be affordable and what level of ownership (community/individual title deeds) is sustainable?”* (Bare, NCC.)
- *“How has the council finalised the land allocation to the poor, have they been issued with titles and what level of security do they have?”* (R. Mundara, ITDG-EA)

In an attempt to address these issues, some solutions and answers were given:

- The land allocation procedures have not been effectively enforced and the informal settlements need to be accounted for in the planning process. Existing legislation have not been transparent and pro-poor, hence the need for reforms. Political influence has taken advantage of the existing loopholes in regulations. The practitioners of land allocation have propagated this malpractice. (Njenga, Municipal council- Mavoko)
- There is a need to learn from the balloting process used in Mavoko. Previously, the main problems in land allocation were the loopholes leading to dual allocation. (R. Mundara, ITDG-EA)
- Due to inadequate regulations, the process of relocation has left a lot to be desired. Provision of water, high dust levels sanitary problems and lack of infrastructure are among the problems in the new sites. In addition, the process of relocation involves destruction of shelters by council askaris (guards) leading to lose of property. A plea was extended to the government to provide secure tenure. (Rebecca, Kaswitu resident)
- Land allocation should be done in consultation with the local authorities and community representatives. The procedure should be less bureaucratic. (Mbula, Municipal council- Mavoko)
- Large tracts of land remain undeveloped for years. This issue should be addressed critically as most settlements grow on such land and later result in conflict. (Mavoko, resident)
- Land has previously been sold secretly and division done without notification. Residents are not adequately informed on land allocation proceedings. The residents experience hostility from government officers who downplay the residents' plight and frustration. (Alois, Kijiji 39 resident)
- During relocation, some residents have missed out. This has partly been due to incomplete enumeration that omitted those whose houses were destroyed, for example by fire, since the process considers existing structure owners only. Moreover, the new plots are too small, no sanitary facilities exist, play grounds or dumping sites. (Resident, Canaan)

The participants took a break at this point (1.45pm) for lunch.

Later the afternoon session commenced at 2.50pm, with a continuation of the plenary session.

- It is a regrettable fact that not all have been relocated successfully. There has been a problem with political interventions in the allocation process. In addition, private entities have been in possession of large tracts of undeveloped land for long periods. Tax should be imposed on land that is not being used and illegally acquired land reposessed. (Mayor, Mavoko Municipality)

These comments concluded the plenary session.

GEORGE ONYIRO: ASSISTANT DIRECTOR DEPARTMENT OF PHYSICAL PLANNING

PHYSICAL PLANNING REFORMS

The government representative affirmed that enabling laws and policies exist but the main problem has been implementation of the same. Similarly, there are inadequate tools in place to follow-up the same. He then posed the question *“Do we need more?”*

In the process of reformation, the key word is 'CO-ORDINATION'. This should be coupled by teamwork (TEAM standing for Together Everyone Achieves More). There has to be a change in attitude towards land. It should be viewed as a resource and not as a commodity. The department's vision is to become the leading public organisation committed to acquiring optimum use of land resources.

The Ministry of Lands and settlements is divided into five departments: Survey, land adjudication, Settlements, Land overseeing and physical planning. In line with the department's vision, its goals are:

- Facilitate meaningful land allocation
- Enhance participatory planning
- Harmonise various land Acts to a minimum, to increase effectiveness.
- Facilitate efficient and effective management practises and systems, for example, through computerisation.
- Amicable adjudication of land disputes
- Liberalisation of information on land issues to the general public
- Improve management of land
- Procedural and transparent issuing of title deeds

Previously, training of planners considered formal settlements only while neglecting informal ones. The government has realised the importance of informal settlements as a contributor to national development and hence they are currently being incorporated in the process of physical planning.

The department has experienced various challenges:

- Rapid urban population growth and poverty: Strategies have been wanting and so a change in approach has been considered to include community participation in the planning process.
- The role of planners has been limited to formal settlements only. The number of planners is also much lower than the optimum target.
- The emerging need to incorporate environmental considerations in the planning process.

The reforms have included:

- Adoption of a participatory approach in the physical planning Act. Hence, the planners by law must show intent of planning to the concerned stakeholders prior to any activity. Empowerment of local authorities is also an essential theme in the current process.
- Review of the physical handbook, which stipulate procedures and standards in progress.
- Urban squatter rehabilitation programme: This has been piloted in Voi, Kilifi and Kibera. The issues addressed include security of tenure, involvement of local communities in the process of land allocation to minimise relocation conflicts.
- Incorporation of environmental considerations in the planning process.
- Integrating information technology in the planning process.
- Capacity building (Only 100 government planners exist currently. The department goal is to have a ratio of 1:50,000).
- Collaborations with external agencies.

LESSONS FROM MAVOKO

- i. Informal settlements are not recognised hence not incorporated in the physical planning process.

- ii. Some planning standards are not appropriate in informal settlements making the planning process restrictive and regulatory as opposed to being facilitative.
- iii. Information on physical planning is not liberalised, especially in the informal settlements.

From the Mavoko case study the department has:

- Adopted minimum requirement for plot sizes to 75 sq. m from 111 sq. m from the Mavoko case study
- Recognised informal settlements in their planning process, maps and diagrams.

FRANSISCA MAINA: MINISTRY OF LOCAL GOVERNMENT, DEPT. OF URBAN PLANNING.

KENYA LOCAL GOVERNMENT REFORM PROGRAMME (KLGRP)

Its main aims include:

- Improvement of local service delivery
- Enhance proper economic governance of public funds
- Alleviate poverty through increasing efficiency, accountability and citizen ownership.

Commencement of this programme was in 1990 and there has been noted progress:

➤ Conceptualisation phase -Early 1990

Studies were undertaken and a secretariat formed.

➤ Take-off phase –Late 1990

Local authority transfer fund was inaugurated through the Local Authority Service Delivery Action Plan (LASDAP), as well as the single business permit.

➤ Consolidation phase –2002 onwards

This stage was characterised by decentralisation of operation, review of the local government Act, public sector reforms, Economic recovery plan and capacity development.

The KLGRP reform component include:

- i. Rationalise central and local government financial reforms
- ii. Improve local authority financial management and revenue publication, for example, through public issuance of budgeting proceedings, financial management status and financial statements.
- iii. Strengthening participatory planning and stakeholders' ownership, for example through the LASDAP process, community contracting and community audits.

LOCAL AUTHORITY TRANSFER FUND (LAFT)

OBJECTIVES

- Improve service delivery to the public
- Improve financial management and accountability
- Eliminate all outstanding debts in five years

PROGRESS

- Continuous flow of public funds from central government to local authorities. For example, Kshs. 3.7B has been set aside for the financial year 2003/2004
- Council debts are being repaid
- Council projects being implemented

LAFT STRUCTURE

The transfer fund was enacted in the year 1999 with an advisory committee set up to manage its activities. This was headed in collaboration with the private sector. Administration support was provided by the KLGRP secretariat that operated under the permanent secretary in the ministry of local government.

What is LASDAP?

This is a recurrent three-year participatory process linking local authorities' development plans with the central government's budgets and whose aim is to improve service delivery to the poor and is financed by LAFT. The delivery plan was arrived at after a series of consultative meetings with the various stakeholders.

The LASDAP guidelines have been adapted nation-wide with the first submission being in Feb. 2002. Revision of the same is still in progress.

POTENTIAL AREAS OF LINKAGES

- Formation of an urban development policy, which is at its initial stages
- Current legal reforms especially in the existing by-laws
- The decentralisation process
- Capacity building of local authorities
- Institutionalisation of the norms of good governance
- Poverty reduction strategy

Some of the direct initiatives by the ministry in the development of informal settlements include:

- Assessment of the informal settlements (2002)
- Participation in the national committee on informal settlements
- Piloting of the minimum intervention approach to informal settlements upgrading in Kilifi, Voi, and Ol'kalau. This has been characterised by provision of land tenure security, community participation in land allocation, infrastructure improvement and enhancement of productive land use.

MICHAEL ARUNGA: SHELTER FORUM

THE INFORMATION AND COMMUNICATION PROCESS

Information and communication has for a long time been top-down and one way, therefore bearing little emphasis on feedback. This has been particularly so in the government's process of information dissemination. A challenge goes to the Ministry of Information and broadcasting to take up as a priority to improve communication channels to cater for feedback, especially from the residents of the informal settlements who happen to be the majority in urban areas.

Information should not only be regulatory and educative but should create proactiveness amongst the recipients of the same. Creation of awareness should lead to appropriate response. The principles of transparency and openness should be central as information shapes attitudes. It is therefore fundamental that effective structures be in place that will ensure extensive transmission of information, which will guide the upgrading processes.

Currently, there is an information revolution similar to the Agrarian and industrial revolution and its consequences are clearly unfolding. This new wave has been brought about primarily due to technological developments in the digital information systems. Digital information has become a fundamental aspect in all the major areas of economics, development, military and agriculture and hence there is a critical need to embrace this new wave.

The term *Development Communication* was first used by Prof. Nora Quebral (1992) to mean the process of transmitting and communicating new knowledge related to rural development, which seeks to improve the living conditions of the disadvantaged. Many scholars agree that development communication is the exchange of information in order to contribute to the resolutions of a development problem in order to improve quality of life of a specific target group. The local media should realise this and take affirmative action to capture and report what actually happens in the informal settlements. Media is a powerful tool for mass action and its potentials are unlimited.

The RGUU should learn from the mistakes of the post World War II conference whose aim was to create a pattern for development for the poor nations but failed to incorporate their views. Thus, the process was rendered unsustainable and had minimal effect.

Common communication channels that are applicable in our situation include the press, radio, TV, notice boards, circulars, barazas (community meetings), web sites and email (currently very limited), folk media.

In conclusion, the following suggestions have the potential of improving the current flow of information, back and forth within the community:

- Adoption of a multi-media approach which incorporates a main medium and other support media
- Provision to enable the participation of all stakeholders is critical
- Promotion of community media will empower the 'voiceless'
- National mass media must be involved to pave way for information liberalisation.
- Literacy levels of the targeted populace should be considered. (Community radio is the most empowering mass medium in Kenya)
- Community driven, development focused newsletters that allow stakeholders to contribute are powerful tools for change
- Folk media, which is a peoples' medium, plays an important role in preservation of culture and language and this should be encouraged.

PLENARY SESSION (II)

The facilitator extended this opportunity to the participants to air their view, questions and comments.

- There is need to lower the minimum plot sizes as some of the plots, for example in 39 are actually less than 75sq. M. (Kariuki, Mavoko Municipality)
- *What information technology strategies are being put in place to facilitate co-ordination and efficiency in the management of government data and how is information being liberalised to eliminate bureaucracy and brokerage? What criterion is used in allocation of LASDAP funds?* (Njenga, Mavoko Municipality)

- *Previously there was corruption and malpractices in the media-reporting sector. One had to offer bribes to ensure his/her event received appropriate coverage. What is the current status?* (Busuru, NACHU)
- A lot happens at the top level and the community is involved minimally since available data, reports, presentations, statistics and other facts exist in a format that the illiterate and semi-illiterate cannot comprehend. *“What is the government and other concerned organisations doing to change this so as the local communities can actively participate without feeling marginalised in such forums?”* (Alois, resident 39)
- The issue of transportation and accessibility should be addressed critically especially in the event of flooding. *“What will be done? I have been a squatter since 1972, for how much longer?”* (Betty Saa, Kaswitu resident)
- The local community input is disregarded in the decision making process that affect them. *“How will the poor be empowered to participate meaningfully in the appropriating their legal rights considering even the cost of hiring legal counsel is beyond them?”* (Rose Ndunda, Slota resident)
- *“Why do the residents lack secure tenure and how can this be obtained?”* (Agnes, Slota resident)
- Any action affecting the local communities should be communicated to them prior. *“How will we ensure that their contributions to such processes will be acted upon, as opposed to it just being a formality?”* (Rose Nyambura, ALGAK)

The presenters were given an opportunity to address these questions and comments:

- The criteria used in LASDAP fund allocation is as follows: - There is a minimum allocation of Kshs. 1.5 M to every local authority - Any additions considers the population density (data sourced from Kenya Bureau of statistics) and previous performance of the local authorities'. There is however a complaint provision where councils can appeal the allocation and surprisingly none has ever so far! 60% (sixty) of the fund is released when councils submit their budgets and the remaining 40% (forty) after issuance of revenue statements, debtors and debt repayment plan. (F. Maina, Min. Of local government)
- To improve communication effectiveness a multi-media approach should be adopted, for example simultaneous use of TV, Radio, press, posters and newsletters. However, an audience analysis should be carried out. Community media is also effective and has been successful in Zambia. Channels to facilitate feedback should also be considered. (M. Arunga, Shelter Forum)
- It is true that the government has neglected the informal settlements for a long time and apologies were in order. At the moment, we seek a new partnership amongst all stakeholders, acknowledging that previously the government's approach has neglected the key players who are residents of the informal settlements. There are on going negotiations where relocation has brought about conflict and unrest. Future proposals will incorporate the local resident, especially in land allocation. There is also an initiative to formalise all informal settlements. An information system is already in place, for example at Mavoko, to enable easy access to information. All information will be decentralised to the relevant stakeholders in a manner that they can comprehend. This is the government's goal but the challenges are immense. (G.Onyiro, Dept. Of Physical planning)

In closing, the facilitator thanked the participants for their contributions.

DAY TWO - TUESDAY 19TH AUGUST 2003

The second day's proceedings commenced at 9.35am with the facilitator welcoming all the participants. An introduction session followed and each individual given a chance state their names.

Four groups were created under each domain area and the key issues were to be discussed. The facilitator encouraged all, and especially the community representative to engage fully with the remark, "*The shoe wearer knows where it hurts the most.*"

However, a presentation from the community representatives preceded these discussions.

PRESENTATION BY THE COMMUNITY REPRESENTATIVES

Five short presentations were done:

- A Swahili song; 'The community's cry for positive change'
- A recital by a Kijiji 39 resident thanking all partners for their contributions towards urban upgrading
- A recital by a Slota resident extending a plea for help to improve the shelter structures in the settlements
- A recital by another resident of Slota (Roselyn) asking the government to implement their pledges of infrastructure improvement
- A final recital by a Slota resident (Mulinge) extending a plea for further development interventions in the informal settlements. The representatives concluded with a repetition of the chorus song.

GROUP WORK

Participants split into smaller groups under the themes: Plot sizes, Land allocation procedures, Water & Sanitation and Information & Communication, according to their expertise and interest.

The guidelines for the group discussion were:

- The context of change
- Principles, for example, affordability, equity
- What ought to change?
- How to achieve change?
- What are the practical interventions at various levels, for example, government, NGOs, Community, and Individuals?
- Time frame for change

After a productive session of group evaluation and review of the proposals, the sub-groups converged to share their recommendations.

Endorsement and approval of the proposals was the general consensus. Nevertheless, a few questions and additional suggestions were raised.

GROUP ONE: INFORMATION AND COMMUNICATION

The current modes of communication within the settlement were highlighted as:

- Door to door/ Rumours
- Village elders, through community meetings (barazas)
- Social and religious groups
- Cell phone
- Radio and TV (limited)

The most effective modes were singled out as:

- Community newsletters

- Folk media, songs, dance, poems (However this was to be re-visited in further discussions)
- Newspapers
- Colourful posters and banners
- The group endorsed the proposals on information and communication with the addition of adapting a multi-media strategy where various communication channels are used in information dissemination. In addition, the group recommended a partnership with Daystar University who have an existing local communication strategy. The Mayoral press conferences should also be regular and should highlight local developments and further plans. This would attract support from interested parties.
- Other channels should be created to capture information that originates from the grassroots.

SUGGESTIONS AND QUESTIONS FROM THE FLOOR:

- The community leaders should seek to communicate 'what's new' in the regular reporting
- The barazas (communal meeting) should be viewed with greater importance, as is the case in Tanzania, to encourage maximum participation and hence effective dissemination of information. (Bare, NCC)
- The role of the media is threefold as it should educate, inform and entertain. All these dimensions should be covered appropriately (Nation Newspaper correspondent)
- A challenge was extended to the media houses to fully and actively participate in such development seminars and workshops. (G.Onyiro, Dept. Of Physical planning)
- Focus should be centred on information based on development. Minutes of the local councils proceeding are always available to the general public. In addition, these meetings are open to anyone who wishes to attend. The local community should be proactive in obtaining council's budgets, financial management statements, plans and plot allocation procedures. A monthly bulletin should be in print emphasising progress at the grassroot level. Absence of a structure to capture the community's views renders the communication process incomplete. (Mayor, Mavoko)
- ITDG-EA is in the process of piloting community notice boards.

GROUP TWO: PLOT SIZES

The non-negotiable principles are pivotal in this process.

The group endorsed three proposals in the draft guidelines with a few changes.

- Existing scenario would place the minimum plot at 15 by 50 ft / 45 by 15 m.
- The minimum room considerations after much debate was a 9 by 9 ft floor.
- The plot considerations were 40 by 20 ft / 12.5 by 6 m. This was adopted since, for example, three-roomed houses (3 units) can fit such a plot. It can also allow for the construction of single storey structures (as maximum expansion). A suggestion was that one of the rooms could be considered for commercial purposes, for example, as a shop.
- Planning considerations should include: dispensary every 1.0 km, allowance for corner shops and a small market to contain hawking activities that cause obstruction of passageways.

SUGGESTIONS AND QUESTIONS FROM THE FLOOR

- *"Is there a need for minimum plot sizes/spaces especially in areas under special planning?"* (R. Weru, Pamoja Trust)

This question brought about a prolonged heated debate with some sections viewing it as a hindrance to the planning process. There were views that restrictive legislation is disadvantageous to general development while some viewed it as a measure to provide a standard that would guarantee human decency by offering 'dignified' space. *"This space will enable the government to provide infrastructure and improve accessibility"* (G. Onyiro, Dept of Physical planning). The debate ensued thus:

- Plot sizes should factor in average household sizes; therefore, a minimum space is compulsory. (Bare, NCC)
- There is a need for innovation and professionalism in planning for informal settlement as most bear unique features. Enforcing minimum plot will not be sustainable in the long run especially with the rapid population growth. Further thought should be given to this. Successful building projects have been established on less space per person, for example, in Huruma. (R. Weru, Pamoja Trust)
- Innovation is key in development, but consideration should be given to the rapid population growth. Without minimum plot sizes, over-congestion is inevitable, for example in Mathare where the situation is outright chaotic! (M. Majale, ITDG-UK)

The facilitator intervened at this point to clarify that there exists a difference between plot ratio and plot coverage, and the two cannot be used interchangeably.

- Openness should be encouraged in town planning to accommodate other partners. (Kariuki, Mavoko Municipality)
- The actual deliberations reached in such forums should be implemented and monitoring mechanisms put in place. (Mayor, Mavoko)
- Lack of minimum standards can be applicable only in 'perfect situations', which in essence do not exist due to corruption, improper planning, lack of policy implementation etc. There has to be basic guidelines. (Busura, NACHU)

GROUP THREE: LAND ALLOCATION

The recommendations reached by the group are as follows (most of these recommendations are in the land allocation proposals)

- Allocation has to be preceded by comprehensive participatory planning
- Zoning specific area for the urban poor, a certain percentage set aside for them
- Planners should recognise the informal settlement and incorporate them in urban plans
- Allotment should be criteria based, with the minimum period of stay being 6 months, consideration given on the total household income and size.
- The leasehold period should be a minimum of 33 years and special consideration attached to the certificate of leasehold prohibiting selling of undeveloped land. Conditions reached should consider the poor and low-income earners.
- Government and local authorities should enforce laws on leasing and land/plot allocation.
- Public subsidies should be given to the developers.
- Social facilities and amenities should be provided, this should incorporate all stakeholders.

SUGGESTIONS AND QUESTIONS FROM THE FLOOR

- Services should include waste disposal facilities and provision of water. Areas to cater for such facilities should be outside the designated plot areas. (Resident, Mavoko)

- The commissioner of land has excessive power and monopoly in land allocation. This should be devolved. (Mayor, Mavoko)
- Land allocation problems are also pegged on 'information poverty.' Allocation should be transparent to allow for reaction on affected parties. (M. Arunga, Shelter Forum)

GROUP FOUR: WATER AND SANITATION

The following recommendations and principles were agreed upon at the group level as additions to the proposals:

- Management of water kiosks should be done by both the local councils and community members
- Water for domestic use should not be rationed. Individuals should not use water meant for domestic use for other purposes, for example, in car washes, irrigation, construction. Priority should be given to domestic water provision over industrial use.
- The local councils should seek alternative water sources to complement the conventional system
- Commercialisation of the water distribution is key in improving efficiency. However, this should be regularised by the local council, and in collaboration with the community, members exercise price control.
- The issue of human waste management should be highlighted in the draft proposals, besides general waste management. Disposal of this should be regularised, for example, specific manholes constructed, proper exhaustion methods enforced, minimum sewerage diameters considered
- Physical planning department to provide plots for 'neighbourhood toilets' and place incinerators as well as waste disposal sites. The local authority should construct these and the community to manage them
- Solid waste existing in the human waste (sanitary pads, plastics, condoms,) should be catered for in planning the disposal standards
- The public health Act should be enforced especially in exhausting latrines

SUGGESTIONS AND QUESTIONS FROM THE FLOOR

- Incinerators are needful in latrine exhaustion since a fraction of the contents are not biodegradable. This should be catered for in the local council's mandate to provide social amenities.
- There are water reforms in progress. Stakeholder involvement is key to guide the process. In addition, the role of waste producers and waste managers should both be factored in its management. (Mbula, Mavoko municipality)
- Important lessons can be learned from previous projects, for example, Maji Na Ufanisi's Kiambio project. In commercialisation, priority should be given to the poor to take up distribution. (Bare, NCC)
- There should be by-laws to curb the plastic paper bags menace. Usage should be limited to minimum

The facilitator suggested creation of follow-up sub committee to conclude the final draft of the recommendations:

- Plot sizes - Busuru, Salome, Alois, Kariuki
- Land allocation - Mutua (others to be proposed)
- Water and sanitation - Josiah, Agnes, Njenga, Joyce, Barasa
- Information and communication - Arunga, Nduku, Joyce, Janet, Vivian

These groups will formulate ways of disseminating the information obtained from the conference as well as doing a comparison of the workshop proposals and the existing draft guidelines.

He informed the community representatives that a focal point to air any further views has been created at Njenga's office in Mavoko. Alois will take lead amongst 39 residents, Agnes in Slota, Mutua in Kaswitu and Wambua in Canaan.

FOLLOW UP:

DR. MICHAEL MAJALE: ITDG-UK

There will be other workshops in Sri-Lanka and India between the 22nd and 24th of September 2003. Kenyan representatives will take part, including the Town clerk of Mavoko. The subsequent workshop will produce a booklet and CD-ROM incorporating all the lessons learned from the international process. He then gave a vote of thanks to all the participants of the conference.

Others who gave votes of thanks included the Mayor Mavoko, G. Onyiro (Dept. Of Physical planning), and J. Nyambura (ALGAK). All reiterated the need for partnership and adoption of a participatory approach in policy formulation. The conference concluded at this note with a word of prayer at 3.15pm.