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**MINISTRY OF LANDS, PUBLIC WORKS, HOUSING AND  
URBAN DEVELOPMENT**

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**LOCAL PHYSICAL & LAND USE DEVELOPMENT PLAN  
NANGENI INFORMAL SETTLEMENT (2023-2027)**



**THE WORLD BANK**

**CERTIFICATE**

**This plan has been prepared and published as per requirements of the Physical and  
Land Use Planning Act of 2019**

.....

.....

**Signed**

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Bungoma County Assembly

Departmental Reference No.....

Approved Local Physical and Land Use Development Plan No.....

**ABBREVIATIONS AND ACRONYMS**

CBD	Central Business District
CEC	County Executive Committee
DEM	Digital Elevation Model
DXF	Drawing Interchange Format
EMCA	Environmental Management and Coordination Act
EMP	Environmental Management Plan
GIS	Geographical Information Systems
GRC	Grievance Redress Committee
ID	Identification Document
KENSUP	Kenya Slums Upgrading Programme
KISIP	Kenya Informal Settlements Improvement Project
LIS	Land Information System
LP&LUDP	Local Physical & Land Use Development Plan
NaMSIP	Nairobi Metropolitan Services Improvement Project
NEMA	National Environment Management Authority
NLC	National Land Commission
NZOWASCO	Nzoia Water and Sewerage Compaby
OP	Operational Policy
PAD	Project Appraisal Document
PCT	Project Coordinating Team
PDP	Part Development Plan
PPA	Physical Planning Act
RAP	Resettlement Action Plan
SEC	Settlement Executive Committee
ToR	Terms of Reference
UTM	Universal Transverse Mercator



## EXECUTIVE SUMMARY

The planning and surveying of Nangeni informal settlement has been undertaken by Kenya Informal Settlement Improvement Project (KISIP 2), which is being implemented by the Kenya Government in partnership by the World Bank. The project development objective is to improve access to basic services and tenure security of residents in participating urban informal settlements and strengthen institutional capacity for slum upgrading in Kenya. This is being achieved by investing in infrastructure based on plans developed in consultation with beneficiary communities; by supporting planning, surveying and issuance of land documents for residents of informal settlements; and by strengthening capacity of county administrations to deliver on their mandates.

KISIP 2 comprises of the following four components:

- i. Component 1: Integrated Settlement
  - a. Subcomponent 1.1: Tenure regularization
  - b. These activities include: (i) development of a local physical and land use development plan for the settlement; (ii) surveying with physical placement of beacons (pegging) to demarcate the parcels as per the plan; (iii) preparation and issuance of letters of allotment based on the survey plan; and finally (iv) issuance of titles.
  - c. Component 1.2: Infrastructure Upgrading
- ii. Component 2: Socio-Economic Inclusion Planning
- iii. Component 3: Institutional Capacity Development for Slum Upgrading
- iv. Component 4: Program Management and Coordination

The sub-component of land tenure regularization supports a chain of activities that are required to regularize tenure for people living on uncontested public land.

The overall project development objective of KISIP 2 is to improve access to basic services and tenure security of residents in participating informal urban settlements and strengthen institutional capacity for slum upgrading in Kenya.

The Local Physical and Land Use Development Plan (LPLUDP) for Nangeni informal settlement has been prepared in compliance with the applicable laws and regulations. The planning issues identified and addressed by the plan are: inadequate infrastructure and services (roads, water supply, sanitation and solid waste management); lack of security of tenure; high incidence of poverty; and poor housing.

The vision of the plan is “a well-planned and developed settlement providing a clean and healthy environment and residents enjoying high standards of living”, while the mission of the plan is to facilitate the plot owners in improving security of tenure and development of basic social and physical infrastructure. The objectives of the plan are: to enhance security of tenure of the plots; to develop and maintain appropriate physical and social infrastructure; to enhance livelihoods through small scale enterprises; and to promote youth empowerment.

The strategies proposed to realize the objectives are: to enhance tenure security through surveying and titling; improve basic infrastructure and services (roads, water supply, sanitation, & electricity), improve housing, support viable economic activities for employment creation; and promote youth empowerment through training and skills improvement.

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## 1. INTRODUCTION

### 1.1. Background

Kenya Informal Settlement Programme (KISIP) was started in June 2011 and it was initially expected to end in 2016. Following the promulgation of the Constitution of Kenya 2010, it was realigned to the new constitutional dispensation. The programme was initiated in response to the urbanization phenomenon in the country that has been characterized with informal settlements with attendant socio – economic and environmental issues. Since independence in 1963, the country’s urbanization rate rose from 8 per cent to the current figure of 35 per cent. From independence to date the country’s population has risen from 8 to 40 million. Over 50 per cent of the urban population lives in informal and they continue to grow increasing pressure on urban authorities to provide the much-needed services. Informal settlements are characterized with inadequate infrastructure and services, informality, poverty, inequality, insecure land tenure, unemployment, etc. Therefore, the Kenya Government with the support of the development partners, i.e. World Bank, French International Development Agency (AFD), and Swedish International Development Agency (SIDA) initiated KISIP to better respond to the challenges of informal settlement. Following successful implementation of KISIP, the Kenya Government in partnership with the development partners prepared KISIP 2 running from 2020 – 2025 to ensure that the benefits reach a majority of the needy informal settlements in other parts of the country.

The project development objective is to improve access to basic services and tenure security of residents in participating urban informal settlements and strengthen institutional capacity for slum upgrading in Kenya. This will be achieved by investing in infrastructure based on plans developed in consultation with beneficiary communities; by supporting planning, surveying and issuance of land documents for residents of informal settlements; and by strengthening capacity of county administrations to deliver on their mandates. KISIP 2 comprises of the following four components:

- i. Component 1: Integrated Settlement
  - o Subcomponent 1.1: Tenure regularization
  - o These activities include: (i) development of a local physical plan for the settlement, which lays out land parcels and infrastructure (roads, etc.); (ii) surveying with physical placement of beacons (pegging) to demarcate the parcels as per the plan; (iii) preparation and issuance of letters of allotment based on the survey plan; and finally (iv) issuance of titles.

- Component 1.2: Infrastructure Upgrading
- ii. Component 2: Socio-Economic Inclusion Planning
- iii. Component 3: Institutional Capacity Development for Slum Upgrading
- iv. Component 4: Program Management and Coordination

The sub-component of land tenure regularization supports a chain of activities that are required to regularize tenure for people living on uncontested public lands. These activities include:

- ✓ Enumeration of beneficiaries
- ✓ Development of a local physical plan for the settlement, which lays out land parcels and infrastructure such as roads, drainage, water, sewer, etc.);
- ✓ Surveying with physical placement of beacons (pegging) to demarcate the parcels as per the plan;
- ✓ Preparation and issuance of letters of allotment based on the survey plan;
- ✓ Issuance of titles.

## **1.2. Purpose and Objectives**

The overall project development objective of KISIP 2 is to improve access to basic services and tenure security of residents in participating informal urban settlements and strengthen institutional capacity for slum upgrading in Kenya. The project contributes to the overall Government goals for Vision 2030 through priority interventions in the following areas:

- i. Institutional strengthening;
- ii. Improving the security of land tenure and investing in infrastructure in informal settlements based on plans developed in consultation with communities; and
- iii. Support to proactive planning to better anticipate population growth and help develop options to dampen formation of new informal settlements.

## **1.3. Technical Approach and Methodology**

In undertaking this assignment, we fully adhered to the constitutional, policies and legislative provisions at both National and County Governments. We ensured that the principle of public participation is complied with. The Constitution of Kenya 2010, Vision



2030, National Land Policy, Physical & Land Use Planning Act 2019, County Government Act of 2012, Urban Areas and Cities Act 2011, and Survey Act, etc guided the planning and surveying of Nangeni Informal Settlement in Bungoma County.

In planning and surveying of Nangeni Informal Settlement both secondary and primary data have been used. Secondary data sources included published and unpublished government documents and other sources. Secondary data already collected on the informal settlement, i.e. maps and GIS data have been used in the assignment. Primary data was obtained from the households and institutions in the informal settlements as well as National and County Government institutions.

In an effort to undertake this assignment, we undertook reconnaissance survey late 2023 of the informal settlement. In addition, we visited key institutions relevant to this study. In particular, we visited County Government, conducted series of meetings with communities as well as with National and County Government officials, and Settlement Executive Committee (SEC). The key persons met were: CEC in charge of Physical Planning, and Chief Officer in Charge of Physical Planning / Director of Physical Planning. Also, we met KISIP Bungoma County Coordination Committee. The community in the informal settlement was represented by SEC. In the informal settlement, the County Government was represented by Ward Administrator.

Therefore, public participation was achieved through three key institutions: Settlement Executive Committees, National Government (KISIP (Nairobi) supervisors, County Government of Bungoma, and KISIP Bungoma County Coordination Committee. Apart from the Coordinator, other members of the Committee are representatives from Lands, Physical Planning, Survey, and Social Development. The Coordination Committee is directly answerable to the Director of Physical Planning who in turn is answerable to the CEC. At the local level, local communities are represented by SEC with a membership. SEC for the settlement represented the local community in the planning and survey of the informal settlement. Also, during planning and surveying, research and survey assistants were recruited from the project informal settlements. This enhanced public participation as they were the face of the local community in the exercise.

Public consultation has been realized through workshop-based approach, focused group discussions, transect walks, and participatory mapping and planning. In the informal settlement, series of focus group discussions were conducted targeting different segments of stakeholders, i.e. SEC, etc. A minimum of three workshops were conducted in the informal settlement, i.e. at the beginning of the socio – economic survey, LPLUDP preparation, presentation of the draft LPLUDP plans and reports, and approval of the final basemaps, socio – economic reports, LPLUDP and other reports.

Appropriate identification documents (National Identity Cards, ownership documents issued by lawful authority) were assessed to form the basis for issuance of identification documents to the enumerated households, businesses and institutions. Participatory mapping captured social and physical infrastructure, other land uses, and bio-physical characteristics in each informal settlement. Biophysical characteristics including wetland, biodiversity, and other environmentally sensitive areas, etc, were mapped.

#### **1.4. Preparation of Local Physical and Land Use Development Plan**

##### **1.4.1. Preparation of Settlement Physical and Land Use Development Plans**

The preparation of settlement physical development plan was done in line with the requirements of Physical & Land Use Planning Act of 2019. Therefore, public participation as provided in the Act including Notice of Intention to Plan, Notice of Completion of the Plan, publishing the approved plan was done by the Client in collaboration with the Bungoma County Government. The engagement of the County Government, County Assembly and the MCAs of the areas where settlements fall was critical in ensuring that the plans are adopted by the County Assembly and approved by County Executive. The approach and methodology adopted was participatory to ensure that the needs, priorities and aspirations of a cross-section of stakeholders are taken care of; and consensus built to ensure the plans are locally owned, and that they achieve a long-term social, economic, political and environmental sustainability. The following methodology was adopted in drafting the development plans for the settlements.

##### **1.4.2. Reconnaissance survey**

The physical and economic standings of the settlements was understood by secondary data collection and analysis, the physical profiles, socio-demographic data, economic, cultural, and environmental and even the political context of the informal settlements.

A detailed review of the relevant planning policies and legal documents that was relevant to this assignment was undertaken. The specific activities in this phase were as follows:

- i. Profiling: At this stage, scoping on general aspects of the settlements and their environs was undertaken to appreciate the challenges and opportunities and to facilitate refinement of site-specific problems and objectives.
- ii. Detailed Transect Survey/Reconnaissance of the project areas: This involved undertaking of reconnaissance survey in the project area including:
- iii. Identification and appreciation of major planning issues, challenges and opportunities of the informal settlements.

- iv. Delineation of the planning areas and consolidation of the base maps.
- v. Review of literature: some of the literature that were reviewed include:
  - Physical & Land Use Planning Act of 2019
  - Urban Areas and Cities Act (2011)
  - Vision 2030 and Mid Term Plans
  - Previous and ongoing policies and government initiatives on slum upgrading in Kenya
  - County government strategic plans
  - Various sector strategic plans
  - Housing and population Census (2019)
  - Kenya National Housing Policy (2003)
  - Environmental Management and Coordination Act.
- vi. Thematic Mapping and Analysis of Baseline Surveys and Socio-economic Surveys Data.
- vii. Preparation of socio-economic reports: Both spatial and non-spatial data was analysed using various methods including use of statistical methods for socio-economic data and GIS aided programs for analysis and integration of both spatial and non-spatial data. LER Consultants prepared socio-economic report for the informal settlements, including:
  - Outputs of the field studies, including mapping reports
  - Detailed analysis and interpretation of the physical and socio-economic data
  - The team's observation on information gaps and appropriateness of existing data.
  - Land use base maps
  - Identified issues, priority needs, opportunities and constraints.
  - Stakeholder meetings/workshops: Consultative workshops with the community leaders, client and other stakeholders were conducted by LER

consultants to share the findings of the baseline surveys and the project proceedings. The comments and suggestions received during the meeting were incorporated in the project proceedings. The consultative meetings helped in putting forth the concerns and aspirations of the stakeholders and increase community participation in the final decision making.

#### **1.4.3. Visioning**

In order to have greater community participation in planning and proposals a workshop with the SEC, the community and key stakeholders was conducted. In this session structured discussions were held concerning the community's aspirations and vision about their settlement. The session was important for identification, prioritization of community needs and development of community vision.

#### **1.4.4. Preparation of development proposals**

Using the output of previous activities, LER Consultants prepared at least two development options for the settlements along with explanations and justifications for both along with recommendations. Consultations with the major stakeholders was instrumental in obtaining feedback on the development options. This was a participatory activity involving the community and the key stakeholders. Based on the discussions with the Client and other stakeholders, the best development option was finalized.

#### **1.4.5. Preparation of local physical and land use development plans**

The settlement physical and land use development plans were prepared based on the finalized development option. The settlement physical and land use development plans include the following:

- i. Reports containing analysis and proposed land uses and strategies
- ii. Base maps showing existing land uses and community approved list of beneficiaries.
- iii. A survey report in respect of the area to which the plan relates.

The draft plan will be presented to the CEC in charge of planning for comments and suggestion, before being revised and submitted to the County Assembly for adoption, thereafter the final plans will be submitted to the CEC for approval.

## **2 . CONSTITUTION, POLICY AND LEGISLATIVE CONTEXT**

### **2.1. Constitutional Context**

The preparation of this plan is in conformity with the Constitution of Kenya (2010). Article 184 of the Constitution creates structures for classification, urban governance and management of urban areas and cities in the country. Part 2, number 8 of the fourth schedule of the Constitution, states that planning and development is a function of County Government. These planning and development functions are elaborated in the County Government Act 2012. While undertaking these planning functions, county governments need to speak to national planning principles, standards, regulations and guidelines. Also, County Governments are required by the Constitution to cooperate with other counties and National Government in planning especially, inter – county planning.

#### **2.1.1.National values and principles of governance**

Article 10 (1) of the Constitution of the Constitution of Kenya 2010 states that the national values and principles of governance in this Article bind all State organs, State officers, public officers and all persons whenever any of them—

applies or interprets this Constitution;

enacts, applies or interprets any law; or

Makes or implements public policy decisions.

(2) The national values and principles of governance include—

- i. Patriotism, national unity, sharing and devolution of power, the rule of law, democracy and participation of the people;
- ii. Human dignity, equity, social justice, inclusiveness, equality, human rights, non-discrimination and protection of the marginalised;
- iii. Good governance, integrity, transparency and accountability; and
- iv. Sustainable development.
- v. Protection of right to property

Article 40 (1) states that subject to Article 65, every person has the right, either individually or in association with others, to acquire and own property—

- i. Of any description; and
- ii. In any part of Kenya.

(2) Parliament shall not enact a law that permits the State or any person—

- i. To arbitrarily deprive a person of property of any description or of any interest in, or right over, any property of any description; or
- ii. To limit, or in any way restrict the enjoyment of any right under this Article on the basis of any of the grounds specified or contemplated in Article 27 (4).

(3) The State shall not deprive a person of property of any description, or of any interest in, or right over, property of any description, unless the deprivation—

Results from an acquisition of land or an interest in land or a conversion of an interest in land, or title to land, in accordance with Chapter Five; or

Is for a public purpose or in the public interest and is carried out in accordance with this Constitution and any Act of Parliament that—

Requires prompt payment in full, of just compensation to the person; and

Allows any person who has an interest in or right over, that property a right of access to a court of law.

### **2.1.2.Environment**

Article 42 of the Constitution states that every person has the right to a clean and healthy environment, which includes the right—

- i. To have the environment protected for the benefit of present and future generations through legislative and other measures, particularly those contemplated in Article 69; and
- ii. To have obligations relating to the environment fulfilled under Article 70.

This article 42 of the Constitution makes a clean and healthy environment a human right. The realization of this article involves a combination of processes; including proper spatial planning, development control, and development of appropriate infrastructure and requisite services.

### **2.1.3.Minorities and marginalized groups**

Article 56 of the Constitution states that the State shall put in place affirmative action programmes designed to ensure that minorities and marginalised groups—

- i. Participate and are represented in governance and other spheres of life;
- ii. Are provided special opportunities in educational and economic fields;
- iii. Are provided special opportunities for access to employment;
- iv. Develop their cultural values, languages and practices; and

- v. Have reasonable access to water, health services and infrastructure.

#### **2.1.4.Principles of National Land Policy**

Article 60 (1) of the Constitution states that land in Kenya shall be held, used and managed in a manner that is equitable, efficient, productive and sustainable, and in accordance with the following principles—

- i. Equitable access to land;
- ii. Security of land rights;
- iii. Sustainable and productive management of land resources;
- iv. Transparent and cost-effective administration of land;
- v. Sound conservation and protection of ecologically sensitive areas;
- vi. Elimination of gender discrimination in law, customs and practices related to land and property in land; and
- vii. Encouragement of communities to settle land disputes through recognised local community initiatives consistent with this Constitution.

#### **2.1.5.Public land**

Article 62 (1) of the Constitution states that public land is—

- i. Land which at the effective date was un-alienated government land as defined by an Act of Parliament in force at the effective date;
- ii. Land lawfully held, used or occupied by any State organ, except any such land that is occupied by the State organ as lessee under a private lease;
- iii. Land transferred to the State by way of sale, reversion or surrender;
- iv. Land in respect of which no individual or community ownership can be established by any legal process;
- v. Land in respect of which no heir can be identified by any legal process;
- vi. All minerals and mineral oils as defined by law;
- vii. government forests other than forests to which Article 63 (2)
- viii. (d) (i) applies, government game reserves, water catchment areas, national parks, government animal sanctuaries, and specially protected areas;
- ix. all roads and thoroughfares provided for by an Act of Parliament;

- x. all rivers, lakes and other water bodies as defined by an Act of Parliament;
- xi. the territorial sea, the exclusive economic zone and the sea bed;
- xii. the continental shelf;
- xiii. all land between the high and low water marks;
- xiv. any land not classified as private or community land under this Constitution; and any other land declared to be public land by an Act of Parliament—
  - ✓ In force at the effective date; or
  - ✓ Enacted after the effective date.

(2) Public land shall vest in and be held by a county government in trust for the people resident in the county, and shall be administered on their behalf by the National Land Commission, if it is classified under—

Clause (1) (a), (c), (d) or (e); and

Clause (1) (b), other than land held, used or occupied by a national State organ.

(3) Public land classified under clause (1) (f) to (m) shall vest in and be held by the national government in trust for the people of Kenya and shall be administered on their behalf by the National Land Commission.

(4) Public land shall not be disposed of or otherwise used except in terms of an Act of Parliament specifying the nature and terms of that disposal or use.

### **2.1.6. Relationships between Governments (National and County Governments)**

The Constitution creates structures for performance of functions by the different levels of Government. Both levels of Governments are constitutionally required to respect and assist, support, consult, cooperate and exchange of information with each other. This applies to this exercise where National Government and County Government of Bungoma are expected to work together. Article 189 of the Constitution states that:

(1) Government at either level shall—

Perform its functions, and exercise its powers, in a manner that respects the functional and institutional integrity of government at the other level, and respects the constitutional status and institutions of government at the other level and, in the case of county government, within the county level;

Assist, support and consult and, as appropriate, implement the legislation of the other level of government; and



Liaise with government at the other level for the purpose of exchanging information, coordinating policies and administration and enhancing capacity.

(2) Government at each level, and different governments at the county level, shall co-operate in the performance of functions and exercise of powers and, for that purpose, may set up joint committees and joint authorities.

## **2.2. Policy Framework**

### **2.2.1.Vision 2030**

Vision 2030 takes cognizance of rapid rate of urbanization that is set to see the country predominantly urban by the year 2030. The policy recognizes poor urban planning in the country and the need to plan for decent and quality urban life. The Vision prioritized preparation of spatial plans as an important means of realizing sustainable development. The policy seeks to address urban planning problem by initiating nationwide urban planning and development campaign starting with major municipalities and towns. Similarly, the Vision has identified waste management as an important means of addressing environmental degradation associated with urbanization. This plan contributes towards the realization of Vision 2030's political, economic and social pillars and promoting sustainable development, by improving the quality of life of those living in informal settlement.

### **2.2.2.National Spatial Plan (2015-2045)**

The National Spatial Plan (NSP) is Kenya's first spatial vision that defines the general trend and direction of spatial development for the country. It is a Kenya Vision 2030 flagship project aimed at distributing the population and activities on the national space to sustainable socio-economic development. The Plan envisages transforming the country into a globally competitive and prosperous nation, offering a high quality of life for all citizens in a clean and secure environment for the next thirty (30) years as envisioned by Vision 2030.

The Plan addresses the disconnect between economic and spatial planning that has led to uncoordinated and unguided development by establishing a broad physical planning framework that provides physical planning policies to support economic and sectoral planning. The National Spatial Plan further provides a spatial structure that defines how the national space will be utilized for the realization of optimal and sustainable use of land. The Plan provides a spatial framework upon which the various sectoral plans and policies

will be anchored and is a basis for preparation of County and Local Physical Development Plans.

#### **2.2.2.1. Vision of the National Spatial Plan**

The NSP envisions spatial development of the country in a manner that promotes the competitiveness, prosperity and a high quality of life for the citizens in line with the aspirations of Kenya Vision 2030.

#### **2.2.2.2. Objectives of the Plan**

Specifically, the National Spatial Plan aims at creating a spatial planning context that enhances economic efficiency and strengthens Kenya's global competitiveness, promotes balanced regional development for national integration and cohesion, optimizing utilization of land and natural resources for sustainable development, creating livable and functional human settlements in both urban and rural areas, securing the natural environment for a high quality of life and establishing an integrated national transportation network and infrastructure system. The objectives of the National Spatial Plan are:

- i. To create a spatial planning context to enhance economic efficiency and strengthen global competitiveness;
- ii. To promote balanced regional development for national integration and cohesion;
- iii. To optimize utilization of land and natural resources for sustainable development;
- iv. To create livable and functional Human Settlements both urban and rural;
- v. To secure the natural environment for high quality of life

#### **2.2.2.3. Purpose of the National Spatial Plan**

The NSP provides a national spatial planning framework for integration of social, economic and political policies. Its principle objectives are to:-

- i. Strengthen national economic planning by anchoring national economic policies;
- ii. Coordinate sectoral agencies by providing the spatial expression to sector policies to mitigate duplication and wastage of resources.
- iii. Formulate physical/spatial planning policies to support socio-economic and sectoral planning, and
- iv. Guide the preparation of regional, county and local physical/spatial development plans.

#### **2.2.2.4. Principles of the National Spatial Plan**

The following principles guided the preparation of NSP and form the basis upon which all future spatial plans including Regional Spatial Development Plans, County Spatial Plans and Local Physical Development Plans shall be prepared. These are the principles that guide planning of Nangen informal settlement, Bungoma County.

- i. Effective Public participation: All plans shall be prepared in a participatory and consultative manner with relevant stakeholders and sectoral actors.
- ii. Urban containment/Compact cities: Local plans shall strive to limit and control urban growth within the set urban boundaries to protect rich agricultural land, mitigate urban sprawl and reduce cost of infrastructural provision.
- iii. Livability: The planning of urban areas shall enhance the livability index in the area of housing, environment, transportation, health, and social engagement. The urban areas must be economically viable, socially inclusive and ecologically sustainable.
- iv. Smart and green urban growth: Plans shall promote sustainable use of energy, creation of green spaces, reduce the need for car travel, and promote use of local materials, support businesses, protection of heritage and creation of unique character.
- v. Sustainable development: Balancing social, economic and environmental dimensions of development and catering for current and future generations.
- vi. Promotion of ecological integrity: Plans shall promote the protection and conservation of ecologically sensitive areas.
- vii. Promote public transportation: Favour public transportation over private transport to ensure efficiency, minimal congestion and functionality of urban places.

#### **2.2.3.National Land Policy, Sessional Paper No 3 of 2009**

##### **2.2.3.1. Vision of the Policy**

Section 3 of National Land Policy states the vision of the policy that will guide the country towards efficient, sustainable and equitable use of land for prosperity and posterity.

#### **2.2.3.2. Mission of the Policy**

Section 4 of the policy states the mission as follows: to promote positive land reforms for the improvement of the livelihoods of Kenyans through the establishment of accountable and transparent laws, institutions and systems dealing with land.

#### **2.2.3.3. Objectives of the Policy**

Section 5 of the policy outlines the objectives of this policy. The overall objective of the National Land Policy is to secure rights over land and provide for sustainable growth, investment and the reduction of poverty in line with the Government's overall development objectives. Specifically, the policy shall offer a framework of policies and laws designed to ensure the maintenance of a system of land administration and management that will provide:

- i. All citizens with the opportunity to access and beneficially occupy and use land;
- ii. Economically viable, socially equitable and environmentally sustainable allocation and use of land;
- iii. Efficient, effective and economical operation of land markets;
- iv. Efficient and effective utilization of land and land-based resources; and
- v. Efficient and transparent land dispute resolution mechanisms.

#### **2.2.3.4. Land Policy Principles**

Section 7 details land policy principles. The formulation of this Policy was guided by the following principles:

- i. Equitable access to land for subsistence, commercial productivity, settlement, and the need to achieve a sustainable balance between these uses;
- ii. Intra- and inter- generational equity;
- iii. Gender equity;
- iv. Secure land rights;
- v. Effective regulation of land development;
- vi. Sustainable land use;

- vii. Access to land information;
- viii. Efficient land management;
- ix. Vibrant land markets; and
- x. Transparent and good democratic governance of land.

#### Guiding Values

Section 8 of the policy provides the guiding values. The national land policy formulation process was designed to be:

- i. Consultative;
- ii. Participatory;
- iii. Interactive;
- iv. Inclusive;
- v. Consensus-based;
- vi. Timely and professional;
- vii. Transparent;
- viii. Gender sensitive;
- ix. Innovative; and
- x. Cost effective.

#### **2.2.3.5. Public Land**

Section 59 of the policy states that public land comprises all land that is not private land or community land and any other land declared to be public land by an Act of Parliament.

Section 61 of the policy states that to secure tenure to public land, the Government shall:

- i. Repeal the Government Land Act (Cap 280);
- ii. Identify and keep an inventory of all public land and place it under the National Land Commission (NLC) to hold and manage in trust for the people of Kenya;

- iii. Rationalize public land holding and use;
- iv. Establish an appropriate fiscal management system to discourage land speculation and mobilise revenue;
- v. Establish mechanisms for the repossession of any public land acquired illegally or irregularly;
- vi. Establish participatory and accountable mechanisms for the allocation, development and disposal of public land by the NLC; and
- vii. Establish an appropriate system for registering public institutional land.

#### **2.2.3.6. Overall Tenure Principles**

Section 69 of the policy focuses on tenure principles. The principles guiding the acquisition, use and disposal of land rights shall include:

- i. The equal recognition and enforcement of land rights arising under all tenure systems;
- ii. Non-discrimination in ownership of, and access to land under all tenure systems;
- iii. The protection and promotion of the multiple values of land; and
- iv. The development of fiscal incentives to encourage the efficient utilization of land.

#### **2.2.4. World Bank Safeguard Policies**

World Bank projects and activities are governed by Operational Policies, which are clearly spelt out in the Bank's Operational Manual ("Bank Procedures" and "Good Practices"). The World Bank's safeguard policies are designed to ensure that projects proposed for Bank financing are environmentally and socially sustainable, and thus improve decision-making.

These operational policies relevant to this project include: OP 4.01 Environmental Assessment; OP 4.04 Natural Habitats; OP 4.11 Cultural Heritage; OP 4.10 Indigenous People; and OP 4.12 Involuntary Resettlement.

Both the World Bank's Policy on Involuntary Resettlement (OP 4.12) and the Resettlement Policy Framework (RPF) require the development and implementation of a Resettlement Action Plan (RAP) to address any anticipated displacement impacts of a Bank-financed project.

According to OP 4.12, any World Bank assisted project/program must comply with the provisions of OP 4.12 for impacts associated with land acquisition and displacement. OP 4.12 applies to all components of the project that result in involuntary resettlement, regardless of the source of financing. This policy covers direct economic and social impacts that both result from World Bank assisted projects, and are caused by the involuntary taking of land resulting in:

- i. Relocation or loss of shelter;
- ii. Loss of assets or access to assets and services; or
- iii. Loss of income sources or means of livelihood, whether or not the affected persons must move to another location.

#### **2.2.4.1.Application of requirements of OP 4.12**

The potential economic and social impacts of the project will be assessed in the ESIA study; Project-affected persons, host communities will be consulted; and RAP will be prepared to address any social impacts associated with likely displacement.

#### **2.2.5.Environmental Impact Assessment Guidelines**

The environmental impact assessment guidelines require that environmental impact assessment be conducted in accordance with the issues and general guidelines spelt out in the second and third schedules of the regulations. This include coverage of the issues on schedule 2 (ecological, social, landscape, land use and water considerations) and general guidelines on schedule 3 (impacts and their sources, project details, national legislation, mitigation measures, a management plan and environmental auditing schedules and procedures).

#### **2.2.6. Physical Planning Handbook**

The purpose of the planning handbook is to provide a supplemental guidance and standards on the process and practice of land use planning. Land use planning includes regional plans and local physical development plans as provided for in Section 16 and 18 of the Physical Planning Act of 1996 (repealed).

##### **2.2.6.1. Purpose of the Physical Planning Handbook**

The physical planning handbook is a set of gazetted rules and regulations that guide the standardization of physical planning process and practice. The preparation of physical development plans is guided by this handbook that spells out, guidelines, methodologies, standards and planning considerations.

### **2.2.6.2. Objectives of the Handbook**

- i. To operationalize Physical Planning Act Chapter 286 of the Laws of Kenya and subsequent legislations
- ii. To develop a comprehensive land use planning guidelines and standards for emerging opportunities and challenges
- iii. To integrate physical planning guidelines and standards with other relevant parliamentary statutes.

### **2.2.6.3. Classification of settlements**

The physical planning handbook classifies settlements as a local centre, market centre, rural centre and urban centre based on its catchment population. This is shown in Table 1-1. The handbook goes further to describe the facilities in each settlement.

Table 2-1: Classification of settlements

	<b>Catchments</b>	<b>Resident population</b>
<b>Local centre</b>	5000	-
<b>Market centre</b>	15,000	<2000
<b>Rural centre</b>	40,000	2,000 to 10,000
<b>Urban centre</b>	100,000-150,000	5000>

Source: Physical Planning Handbook

#### **Designated local centre**

A local centre, should serve a catchment population of 5000 people. The local centre should contain:

- i. Full primary school;
- ii. Several shops;
- iii. A dispensary;
- iv. A public water supply systems'
- v. An open air market.



Nangeni informal settlement in Bungoma County can be classified as a local centre. It is anticipated that the above facilities are provided within the catchment population of the settlements.

### **Designated market centre**

A market centre should be planned to serve a catchment population of 15,000 to support a primary, a secondary school and a health centre. The market centre should the following facilities:

- i. A public water supply
- ii. Post office
- iii. Telephone facilities
- iv. A police post
- v. A local bus service
- vi. Other social commercial and local administrative services.

Market centres should to be served by a minor road as a minimum and should have a residential population of less than 2000.

### **Designated rural centre**

The rural centre should serve a catchment population of 40,000 and accommodate a residential population of 2,000 to 10,000. This centre should represent the lower end of the urban hierarchy. The following facilities should be provided:

- i. A secondary school of at least form four standard
- ii. A health centre with maternity facilities
- iii. Development of better shopping facilities
- iv. Markets and Banking facilities
- v. A piped water supply and sewerage disposals systems
- vi. Electricity and telephone services postal

Rural centres should be planned to have secondary roads

### **Designated urban centre**

An urban centre is designated to a resident population of over 5000 and a catchments population of 100,000-150,000. An urban centre should have the following facilities:

- i. A hospital
- ii. A secondary school
- iii. Commercial, industrial, administrative and recreational services

## **2.3. Legislative Context**

### **2.3.1. County Government Act, 2012**

#### **2.3.1. Principles of Planning and Development Facilitation (County Government Act)**

Following the passage of the Constitution of Kenya 2010, the country has made efforts to institutionalize planning in the country. The Constitution has made planning an integral part of the development process. In particular, County Government Act 2012 provides for elaborate planning and development facilitation principles. In undertaking planning and development in the county, County Governments are expected to comply with these principles. The principles of planning and development facilitation in a county shall:

- i. Integrate national values in all processes and concepts;
- ii. Protect the right to self-fulfilment within the county communities and with responsibility to future generations;
- iii. Protect and integrate rights and interest of minorities and marginalized groups and communities;
- iv. Protect and develop natural resources in a manner that aligns national and county governments policies;
- v. Align county financial and institutional resources to agreed policy objectives and programmes;
- vi. Engender effective resource mobilization for sustainable development;
- vii. Promote the pursuit of equity in resource allocation within the county;

- viii. Provide a platform for unifying planning, budgeting, financing, programme implementation and performance review; and
- ix. Serve as a basis for engagement between county government and the citizenry, other stakeholders and interest groups.

### **2.3.2. Objectives of County Planning (County Government Act, 2012)**

In an effort to institutionalise planning in the country, County Government Act went a step further by clearly stating the objectives of planning in the country. The objectives of planning more or less provide framework of operation for all planning entities in the counties. Different types of plans, including spatial/physical planning are provided for in the Act. The objectives of county planning shall be to:

- i. Ensure harmony between national, county and sub-county spatial planning requirements;
- ii. Facilitate the development of a well-balanced system of settlements and ensure productive use of scarce land, water and other resources for economic, social, ecological and other functions across a county;
- iii. Maintain a viable system of green and open spaces for a functioning eco-system;
- iv. Harmonize the development of county communication system, infrastructure and related services;
- v. Develop urban and rural areas as integrated areas of economic and social activity;
- vi. Provide the preconditions for integrating under-developed and marginalized areas to bring them to the level generally enjoyed by the rest of the county;
- vii. Protect the historical and cultural heritage, artefacts and sites within the county; and
- viii. Make reservations for public security and other critical national infrastructure and other utilities and services;
- ix. Work towards the achievement and maintenance of a tree cover of at least ten per cent of the land area of Kenya; and
- x. Develop the human resource capacity of the county.

### **2.3.3. Obligation to plan (County Government Act 2012)**

Pursuant to the Constitution of Kenya 2010, County Government Act 2012 obliges County Governments to prepare plans as a basis for expending public funds. Of relevance to this study, the Act advocates for integrated planning framework. The framework shall integrate economic, physical, social, environmental and spatial planning. The planning obligations are:

- i. A county government shall plan for the county and no public funds shall be appropriated outside a planning framework developed by the county executive committee and approved by the county assembly.
- ii. The county planning framework shall integrate economic, physical, social, environmental and spatial planning.
- iii. The county government shall designate county departments, cities and urban areas, sub-counties and Wards as planning authorities of the county.
- iv. To promote public participation, non-state actors shall be incorporated in the planning processes by all authorities.
- v. County plans shall be binding on all sub-county units for developmental activities within a County.

### **2.3.2. Physical and Land Use Planning Act 2019**

Section 37, the objects of a county physical and land use development plan shall be —

- i. To provide an overall physical and land use development framework for the county;
- ii. To guide rural development and settlement;
- iii. To provide a basis for infrastructure and services delivery;
- iv. To guide the use and management of natural resources;
- v. To enhance environmental protection and conservation;
- vi. To identify the proper zones for industrial, commercial, residential and social developments;
- vii. To improve transport and communication networks and linkages;
- viii. To promote the safeguarding of national security; and

- ix. Any other purposes that may be determined by the planning authority.

Section 46 of the Act states that a County Government shall prepare a Local

Physical and Land Use development plan for —

- i. Zoning, urban renewal, or redevelopment;
- ii. Guiding and co-ordinating the development of infrastructure;
- iii. Regulating the land use and land development;
- iv. Providing a framework for coordinating various sectoral agencies; and
- v. Providing a framework and guidelines on building and works development in the city, municipality, urban area, or other smaller urban centres including local centres, and market centres.

Part A — Matters Which May Be Dealt with In a Local Physical and Land Use Development Plan, 2nd Schedule of PLUPA 2019

1. Vision

2. Objectives

3. Statements of the problem

- i. Aspects of housing, unemployment, traffic congestion, pollution, land tenure, lack of services, terrain, soils;
- ii. Opportunities in tourism, fishing, manufacturing; etc.
- iii. Combating climate change.

4. Objectives Statement

- i. Ways of alleviating the problems.
- ii. Ways of maximization of utility and opportunities.

5. Analysis

(a) Spatial analysis accompanied by physical and land use and suitability maps and charts focusing on—

- i. The terrain, soils and climate;
- ii. Existing land uses and development;
- iii. Potential pattern of development;
- iv. Land tenure system; and
- v. Cadastral outlay of all development.

(b) Population analysis;

- i. Population growth.
- ii. Migration.
- iii. Density.
- iv. Distribution, age and sex structure.
- v. Household sizes.
- vi. Rates of household formation.

(c) Economic analysis focusing on;

- i. Employment and incomes and places of work.
- ii. Development trends and
- iii. Problems of service delivery.
- iv. Agricultural potential of the urban region.
- v. Problems of transforming the agricultural land into urban use.

(d) Contextual analysis

- i. Peri-urban slum settlements and problems they pose.
- ii. Potential, distribution and size of service centres within and outside the urban boundary.

- iii. Evaluation of urban boundary extension.
- iv. Evaluation of the importance of such factors as commerce and tourism within extended areas.
- v. Historical patterns and conditions.

(e) Housing and infrastructure analysis

- i. Housing occupancy rates, accommodation density, housing requirements, type of residential areas and industrial locations.
- ii. Education.
- iii. Recreation areas and other public purpose land uses.
- iv. Power lines and way leaves.
- v. Water and sewerage networks.
- vi. Housing and infrastructure programmes.

(f) Transportation and communication analysis

- i. Roads networks, footpaths, cycle ways, railway lines, depots, water ways, docks, etc.
- ii. Telephone lines.

6. Projections

Land Use Projection Tables

7. Maps and modelling

- i. Existing land use map
- ii. Sieve maps of the physical and land use constraints or thresholds to development
- iii. Development model map indicating land use designation and distribution as well as a clear transport and communication network.

### **2.3.3. National Land Commission Act, 2012**

#### Functions of National Land Commission

Section 5 (1) Pursuant to Article 67(2) of the Constitution, the functions of NLC shall be

---

- a. To manage public land on behalf of the national and county governments;
- b. To recommend a national land policy to the national government;
- c. To advise the national government on a comprehensive programme for the registration of title in land throughout Kenya;
- d. To conduct research related to land and the use of natural resources, and make recommendations to appropriate authorities;
- e. To initiate investigations, on its own initiative. or on a complaint, into present or historical land injustices, and recommend appropriate redress;
- f. To encourage the application of traditional dispute resolution mechanisms in land conflicts;
- g. To assess tax on land and premiums on immovable property in any area designated by law; and
- h. To monitor and have oversight responsibilities over land use planning throughout the country.

(2) In addition to the functions set out in subsection (1), the Commission shall, in accordance with Article 67(3) of the Constitution—

- a. On behalf of, and with the consent of the national and county governments, alienate public land;
- b. Monitor the registration of all rights and interests in land;
- c. Ensure that public land and land under the management of designated state agencies are sustainably managed for their intended purpose and for future generations;
- d. Develop and maintain an effective land information management system at national and county levels;



- e. Manage and administer all unregistered trust land and unregistered community land on behalf of the county government; and
- f. Develop and encourage alternative dispute resolution mechanisms in land dispute handling and management.

#### **2.3.4. Land Act, 2012**

##### **2.3.4.1. Management of public land**

Section 8 of Land Act 2012 states that in managing public land on behalf of the national and county governments, the Commission —

- (a) Shall identify public land, prepare and keep a database of all public land, which shall be geo-referenced and authenticated by the statutory body responsible for survey;
- (b) Shall evaluate all parcels of public land based on land capability classification, land resources mapping consideration, overall potential for use, and resource evaluation data for land use planning; and
- (c) Shall share data with the public and relevant institutions in order to discharge their respective functions and powers under this Act; or
- (d) May require the land to be used for specified purposes and subject to such conditions, covenants, encumbrances or reservations as are specified in the relevant order or other instrument.

##### **2.3.4.2. Allocation of public land (Land Act 2012)**

Section 12 (1) States that NLC may, on behalf of the National or county governments, allocate public land by way of —

- (a) Public auction to the highest bidder at prevailing market value subject to and not less than the reserved price;
- (b) Application confined to a targeted group of persons or groups in order to ameliorate their disadvantaged position;
- (c) Public notice of tenders as it may prescribe;
- (d) Public drawing of lots as may be prescribed;
- (e) Public request for proposals as may be prescribed; or

- (f) Public exchanges of equal value as may be prescribed.
- (2) The Commission shall ensure that any public land that has been identified for allocation does not fall within any of the following categories—
- (a) Public land that is subject to erosion, floods, earth slips or water logging;
  - (b) Public land that falls within forest and wild life reserves, mangroves, and wetlands or fall within the buffer zones of such reserves or within environmentally sensitive areas;
  - (c) Public land that is along watersheds, river and stream catchments, public water reservoirs, lakes, beaches, fish landing areas riparian and the territorial sea as may be prescribed;
  - (d) Public land that has been reserved for security, education, research and other strategic public uses as may be prescribed; and
  - (e) Natural, cultural, and historical features of exceptional national value falling within public lands;
  - (f) Reserved land; or
  - (g) Any other land categorized as such, by the Commission, by an order published in the Gazette.
- (3) Subject to Article 65 of the Constitution, the Commission shall set aside land for investment purposes.
- (4) In fulfilling the requirements of subsection (3), the Commission shall ensure that the investments in the land benefit local communities and their economies.
- (5) Subject to the Constitution and any other law, the Commission may, in consultation with the National and county governments, allocate land to foreign governments on a reciprocal basis in accordance with the Vienna Convention on Diplomatic Relations.
- (6) At the expiry, termination or extinction of a lease granted to a non-citizen, reversion of interests or rights in and over the land shall vest in the national or county government as the case may be.
- (7) Public land shall not be allocated unless it has been planned, surveyed and serviced and guidelines for its development prepared in accordance with section 16 of this Act.

(8) Public land allocated under this section shall not be sold, disposed off, sub-leased, or sub-divided unless it is developed for the purpose for which it was allocated

(9) Where the land allocated under subsection (8) is not developed in accordance with the terms and conditions stipulated in the lease, that land shall automatically revert back to the national or county government, as the case may be.

(10) In an allocation of public land under this section, the Commission may impose any terms, covenants, stipulations and reservations that the Commission considers advisable, including—

(a) That the applicant shall personally occupy and reside on the land for a period set by the Commission;

(b) The applicant shall do such work and spend such money for permanent improvement of the public land within the period specified by the Commission; or

(c) The consideration that must be paid for a disposition of public land.

### **2.3.5. Environment Management & Co-ordination Act, 1999, Revised in 2015**

Part II of the Environment Management & Co-ordination Act, 1999 states that every person in Kenya is entitled to a clean and healthy environment and has the duty to safeguard and enhance the environment. In order to ensure that this is achieved part VI, section 58, of the same Act directs that any proponent of a new project should carry out an environmental impact assessment and prepare an appropriate report for submission to the National Environmental Management Authority (NEMA), who in turn issues a license as appropriate. The second schedule of the same Act lists proposed development activities that should undergo environmental impact assessment.

### **2.3.6. Intergovernmental Relations Act 2012**

#### **2.3.6.1. Objects and purposes of the Act**

Intergovernmental Relations Act 2012 seeks to ensure proper functioning of the 48 Governments as the Constitution obliges all these Governments to consult and cooperate. It is for this reason that this Act provides specific objectives. The objects and purposes of this Act are to—

- i. Provide a framework for consultation and cooperation between the national and county governments;
- ii. Provide a framework for consultation and cooperation amongst county governments;
- iii. Establish institutional structures and mechanisms for intergovernmental relations;
- iv. Provide a framework for the inclusive consideration of any matter that affects relations between the two levels of government and amongst county governments;
- v. Give effect to Articles 187 and 200 of the Constitution, in respect of the transfer of functions and powers by one level of government to another, including the transfer of legislative powers from the national government to the county governments; and
- vi. Provide mechanisms for the resolution of intergovernmental disputes where they arise.

#### **2.3.6.2. Principles of intergovernmental relations**

Intergovernmental Relations Act is founded on a number of principles. For example, the principles recognize the two levels of Government and calls for respect of the functional and institutional integrity of the two levels of government – between National and County Governments on the one hand and among County Governments on the other. The intergovernmental relations structures established under this Act shall be based on the following principles—

- i. Recognition of the sovereignty of the people as provided for under Article 1 of the Constitution;
- ii. Inclusive and participatory governance;
- iii. Respect for the functional and institutional integrity of the two levels of government;
- iv. Promotion of national values and principles of governance provided under Article 10 of the Constitution;
- v. Respect for the constitutional status of the levels of government and the institutions of government established at either level of government;
- vi. Promotion of equality and equity in service delivery;
- vii. Objectivity and impartiality in decision making;

- viii. The requirement for consultation and cooperation as provided under Article 6 (2) of the Constitution;
- ix. The need to minimize intergovernmental disputes while co-operating in exercising their functions;
- x. Promotion of accountability to the people in decision making and actions taken; and
- xi. Institutionalized protection of marginalized groups.

### **3 . SITUATION ANALYSIS**

#### **3. 1. Location, size and extent**

Nang'eni informal settlement is in Maraka Ward in Webuye Municipality. The Nangéni informal settlement is characterized by a few permanent and temporary structures. The informal settlement is located opposite the residential houses of Pan Paper Factory, constructed by National Housing Cooperation. The informal settlement measures about 5.6 Ha. The coordinates of the informal settlement is Northern end (Latitude: 0.599804°, Longitude: 35.021575°), Western end (Latitude: 0.598120°, Longitude: 34.778881°), Southern end (Latitude: 0.595798°, Longitude: 34.777925°), and Eastern end (Latitude: 0.597916°, Longitude: 34.777565°).

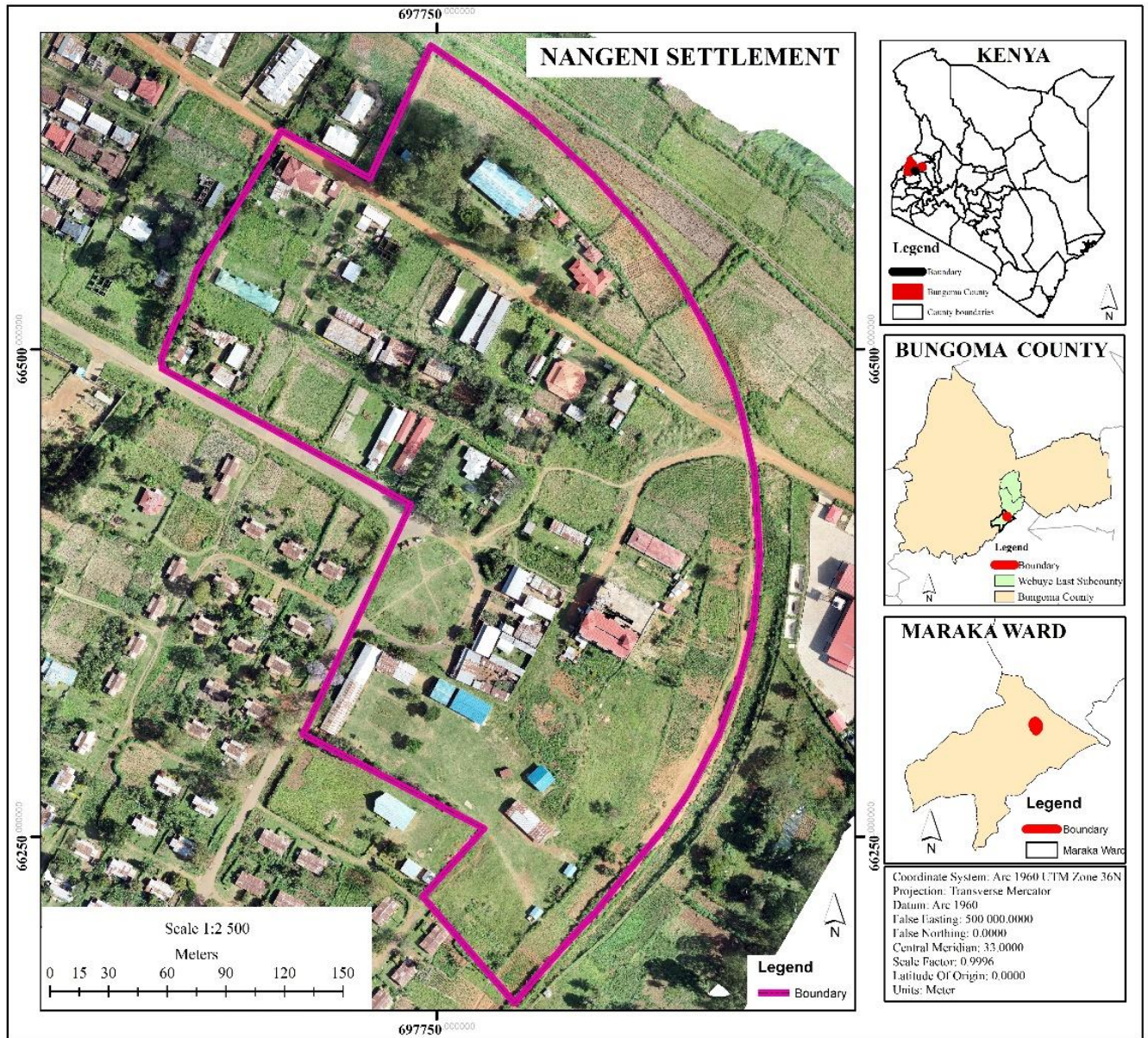


Figure 3-1 Location of Nangeni informal settlement



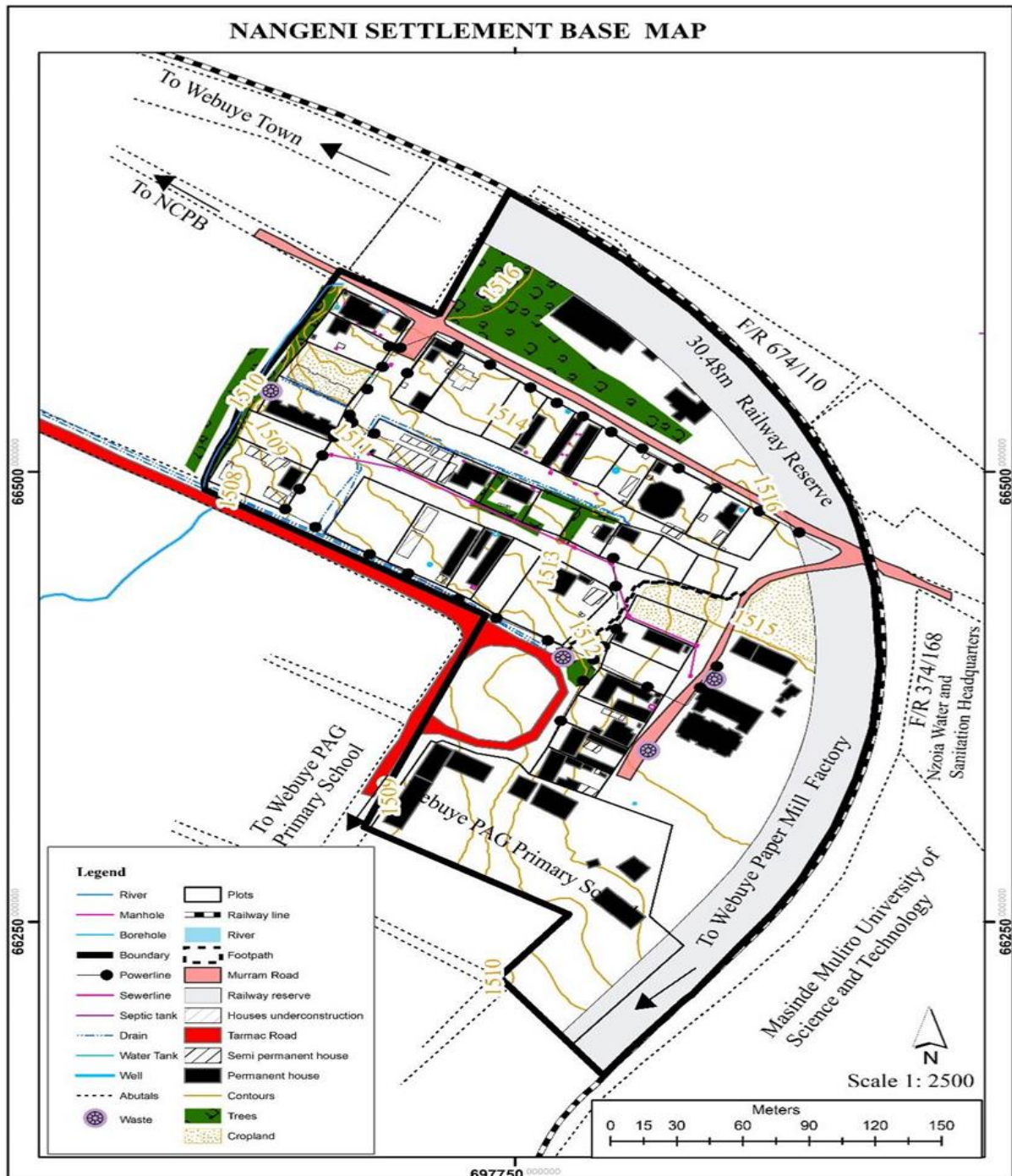


Figure 3-2 The Basemap of Nangeni informal settlement



### **3. 2. Settlement History**

The history of Nang'eni informal settlement dates back to 1966. It was originally located near the Pan Paper Factory. In 1979, the residents were moved and relocated to the current Nang'eni informal settlement by Webuye Town Council. In 2001, the beneficiaries were issued with allotment letters and permitted to put up permanent structures though not all have been able to do so possibly due to lack of security of land tenure.

### **3. 3. Topography and Drainage**

The informal settlement is gently sloping from northern to southern direction. On the northern side, there is a relatively steep sloping area draining towards Nangeni informal settlement bringing storm water and silt & debris. Run – off flows by gravity towards the stream within the settlement while some of it is absorbed within the site i.e., open green areas. Increased surface run-off is anticipated with increased urbanization, i.e. water collected from roofs of buildings; drive ways and parking spaces, which are partially impervious. As the informal settlement is planned, surveyed and developed there is need for well designed and developed storm water drainage system. The plate below shows the storm water drainage challenges in Nangeni informal settlement.



Source: Field survey, 2023

Plate 3-1 A section of a stream adjacent to the informal settlement

### **3. 4. Soil and Geology**

The soil in the area is well drained fertile alluvial soil characterized with high moisture retention. The informal settlement receives silt deposits from the hilly section to the northern side of the informal settlement. The rock in the area is gravel, which is suitable for urban development.



Source: Field survey, 2023

Plate 3-2 Soil type in Nangeni informal settlement

### **3. 5. Climate**

The larger Webuye region climate is classified as tropical. It experiences two rainy seasons; the long rains occur between March and July and short rains occur between August to October. The average annual rainfall in the County is 600mm. The average annual temperature in the County is 10°C on the lower side and 21°C on the higher side. The average wind speed is 6.1 km/hr. In the last decade, the county has experienced increasing variance in rainfall and temperature patterns which have influenced changes in human activity seasons especially in the agricultural sector.

### **3. 6. Ecology**

The settlement is partially developed with no known ecological resource requiring conservation. There are a few exotic trees and shrubs in the informal settlement. The vegetation cover plays an important role in regulating soil erosion. There will be need to improve vegetation cover after surveying, planning, titling and infrastructure development to improve environmental quality.



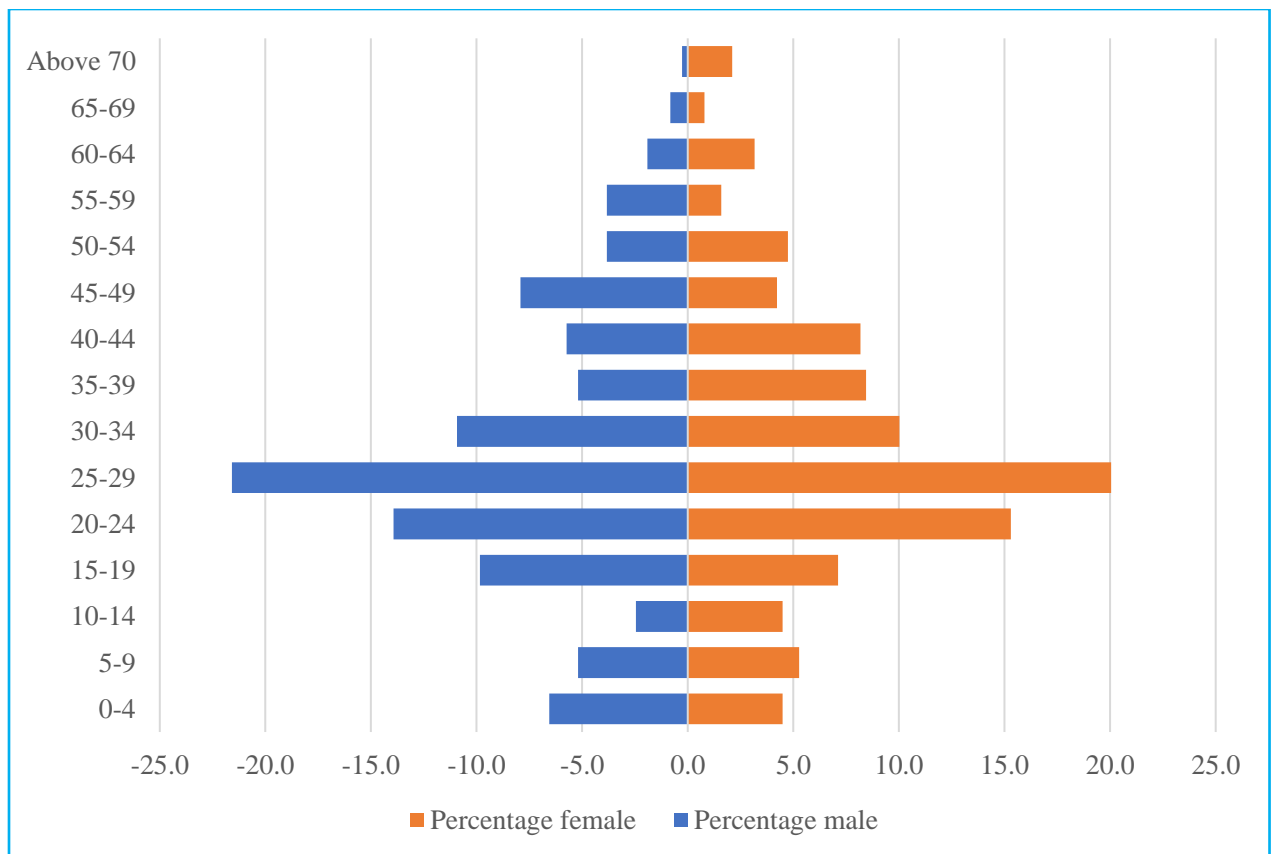


Source: Field survey, 2023

Plate 3-3: A section of some vegetation/crops in Nangeni informal settlement

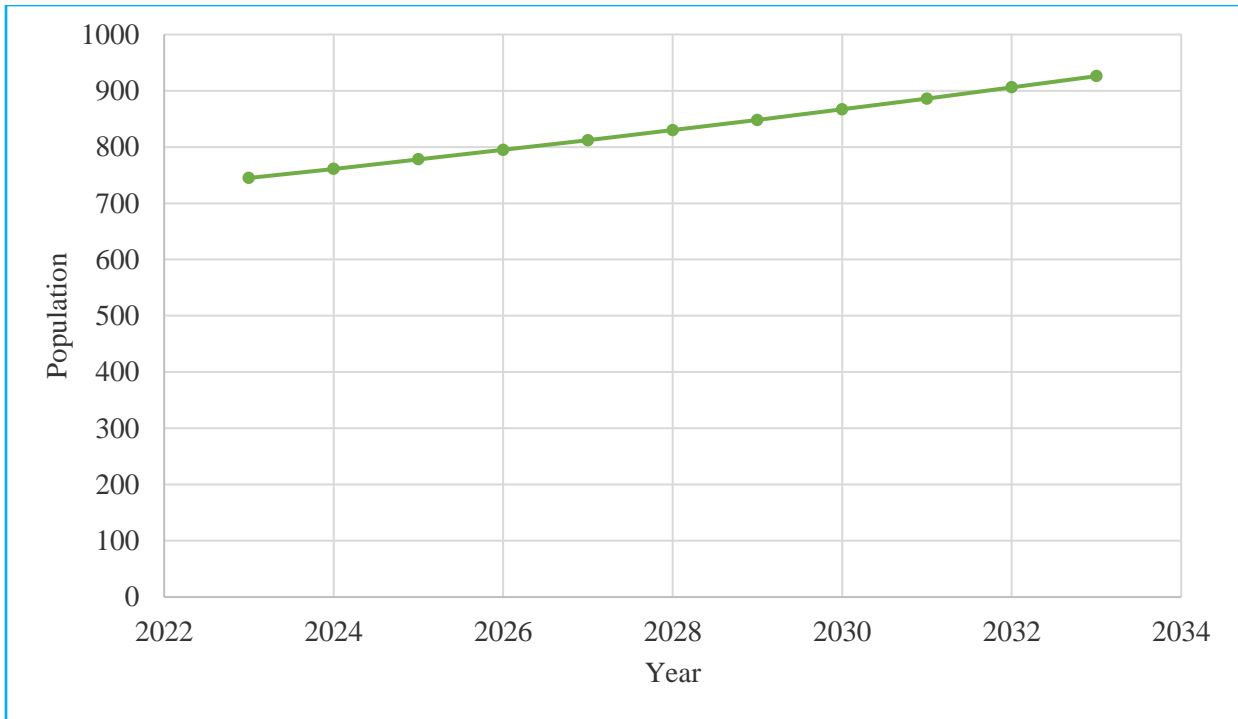
### **3. 7.        Population and demographics**

Nang'eni informal settlement has 40 plots. It has a population of approximately 745 people. It is composed of 79 households with a mean household size of five. The mean household size in the informal size is much higher than the national average of 3.5 persons for the urban areas. It is even higher than the mean household size for the rural areas in Kenya, which stand at 4.7 persons. The population is projected to rise to 926 in 2033 at a growth rate of 2.2% (KNBS 2019). As shown below, the population pyramid is heavy in the middle 20 – 34 years old suggesting that the population is maturing.



Source: Field survey, 2023

Figure 3-3 Population pyramid for Nangeni informal settlement



Source: Field survey, 2023

Figure 3-4 Population growth of Nangeni informal settlement

The age profile of the beneficiaries in Nang'eni informal settlement as shown in the figure below indicates that 18% of the beneficiaries are 70 years old and above. Senior citizens aged 60 years and above usually have special needs in society, i.e. health care. Nearly a third of the population falls within the age bracket of 60 to 69 years old, while nearly a half of the population fall with the age bracket of 30 to 59 years old. Surprising a very small proportion of the population are below 30 years of age.

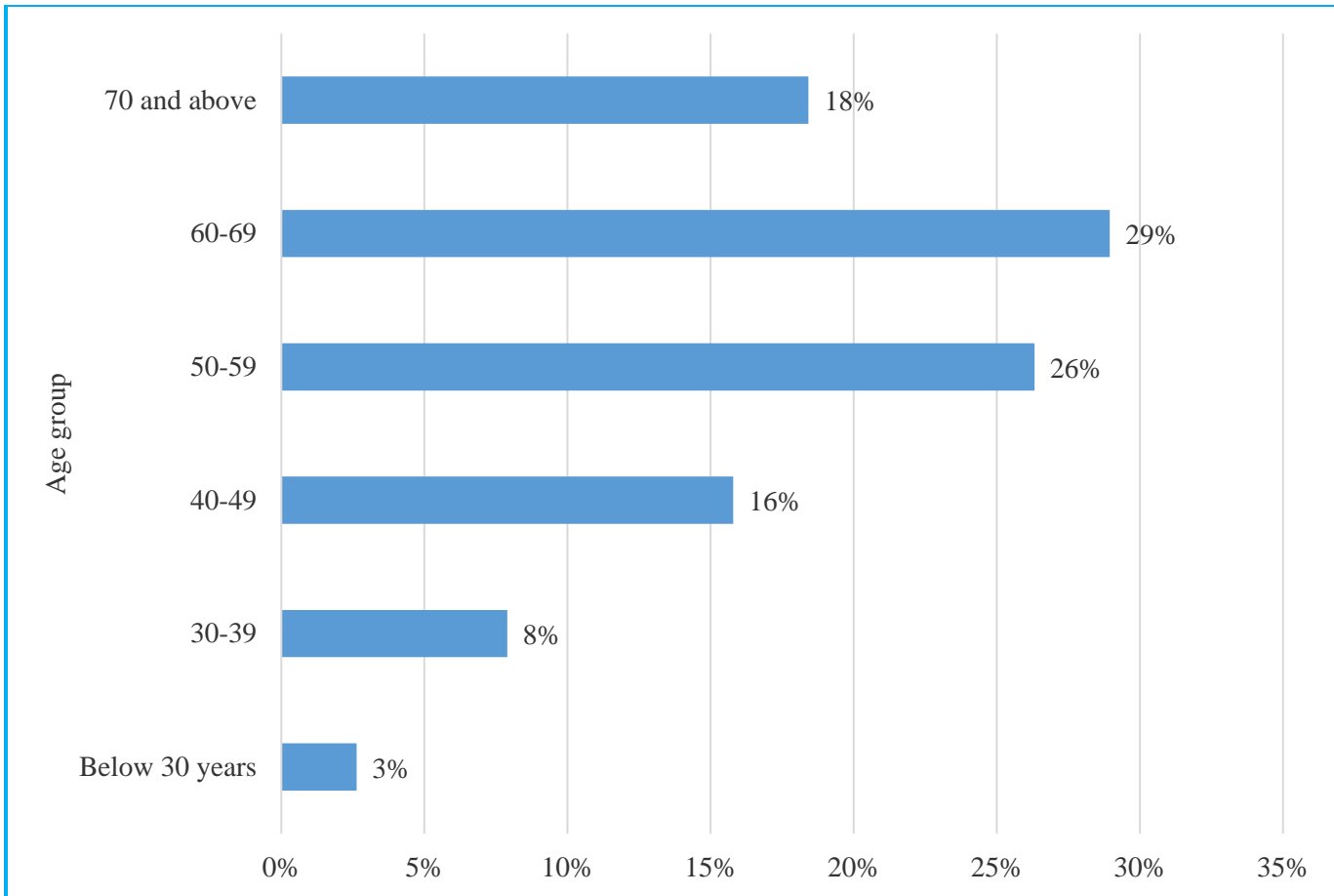


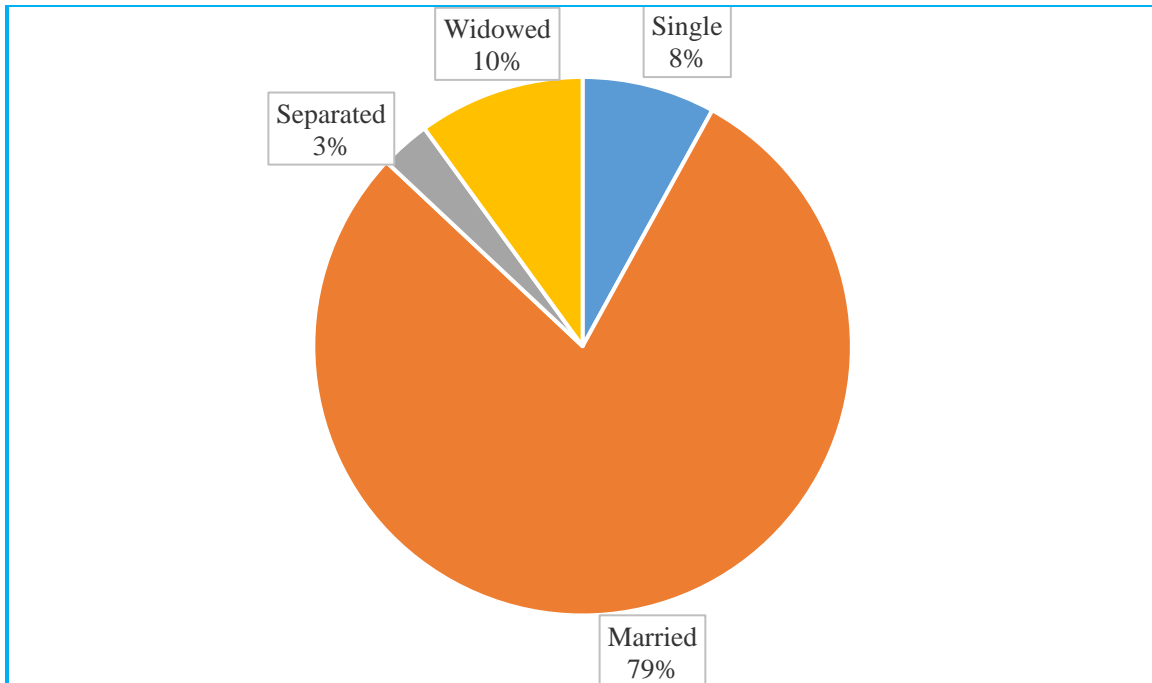
Figure 3-5 Age bracket of the beneficiaries

Source: LER Consult, 2023

### 3. 8. Marital status and gender of the beneficiaries

A significant proportion of the beneficiaries are women standing at 60 percent. Other beneficiaries are religious institutions.

A significant proportion of the beneficiaries in Nangeni informal settlement are married at 79 percent, 8 percent are single, while 10 percent are widowed and 3 percent are separated. Given that majority of the beneficiaries in Nangeni informal settlement are married households, tenure regularization will offer them opportunity for livelihood improvement.

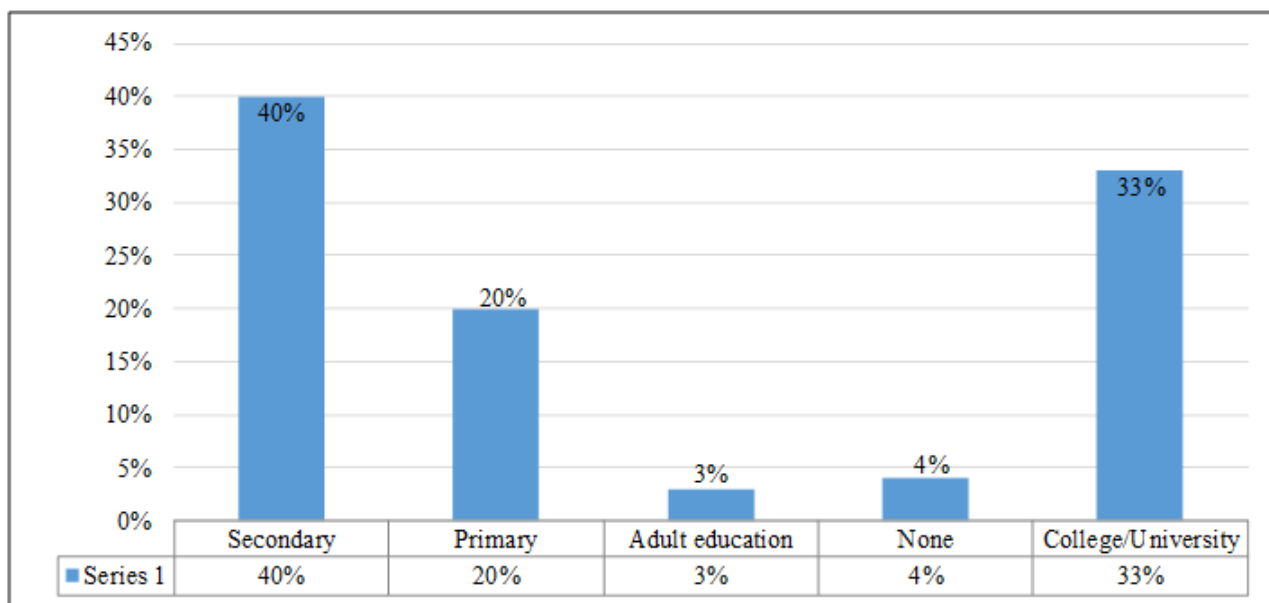


Source: Field survey, 2023

Figure 3-6 Marital status of the beneficiaries in Nangeni informal settlement

### 3. 9. Education level of the beneficiaries

A significant proportion of the beneficiaries in Nang’eni informal settlement attained secondary school level of education (40%), while 20% attained primary school level of education. A reasonable proportion of the beneficiaries (33%) have attained tertiary level of education. Higher level of education empowers the beneficiaries to gainfully participate in the development process.



Source: Field survey, 2023

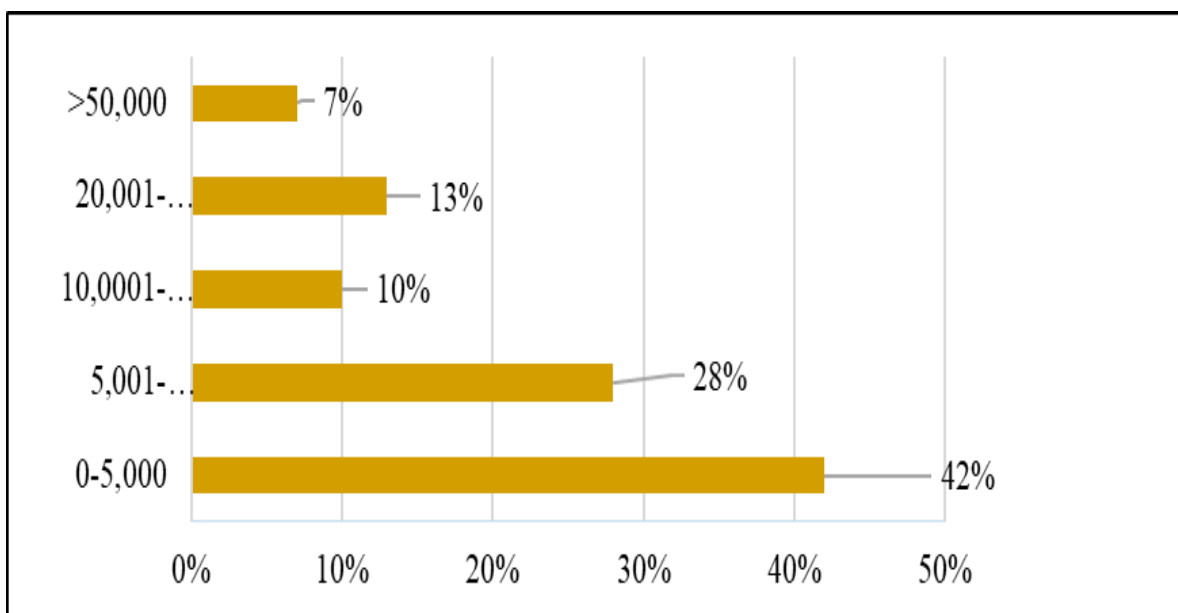
Figure 3-7 Education level of the beneficiaries in Nangeni informal settlement

### 3. 10. Employment and income of beneficiaries in Nangeni informal settlement

Survey results of beneficiaries in Nang'eni informal settlement shows that 50% are self-employed, 12% are civil servants, 4% are casual labourers while 20% are unemployed. The rate of unemployment in the informal settlement is double the national average of 10.5% pointing to livelihood risks there.

The distribution of monthly household income as shown in the figure below indicates that around 42% of the beneficiaries in Nang'eni informal settlement survive on slightly less than five thousand Kenyan shillings a month, which is way below the national mean household income of Ksh 20,123/=. This indicates high incidence of poverty in the informal settlement.





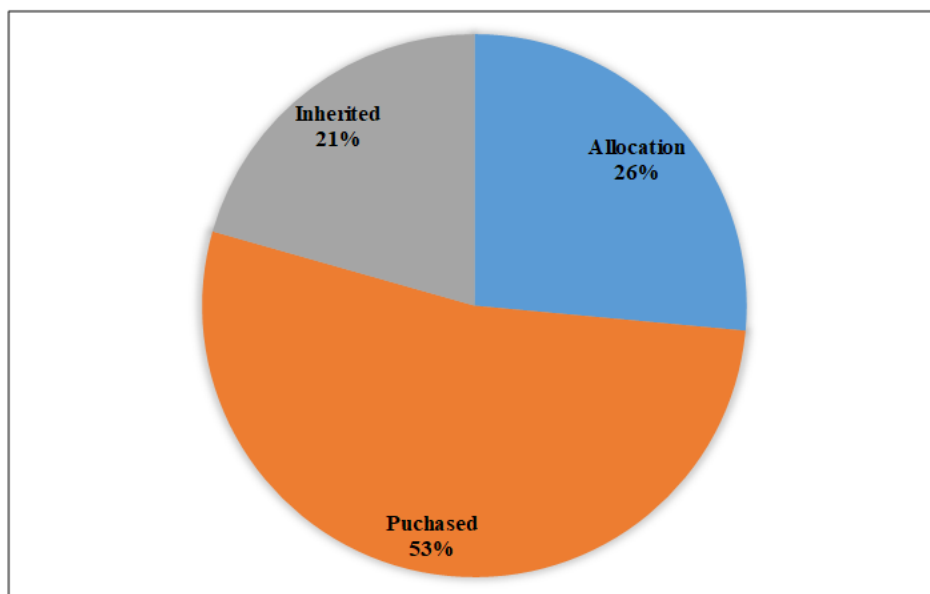
Source: Field survey, 2023

Figure 3-8 Income profile for beneficiaries in Nang'eni informal settlement

More than a half (54%) of the beneficiaries in Nangeni informal settlement work outside the settlement.

### 3. 11. Mode of acquisition of the land

Results on how the beneficiaries acquired the land in Nangeni informal settlement shows that land was acquired through purchase, inheritance and allocation. As shown in the figure below, fifty-three (53%) of the beneficiaries purchased the plots from earlier beneficiaries, 21% inherited the plots from their parents and close relatives while 26% acquired the plots through allocation by the Government. A large number of beneficiaries purchased land lacking requisite documents exposing them to risk of losing their investment. The on-going planning and tenure regularization will enable the beneficiaries to own the land, thus secure their investment.



Source: Field survey, 2023

Figure 3-9 Mode of plot acquisition in Nang'eni informal settlement

Nang'eni informal settlement is located within Webuye Municipality, so most of the beneficiaries migrated into the settlement for economic reasons (47 percent). Twenty-nine percent of the beneficiaries were faced with domestic issues thus opting to move to the area, 3% moved to the settlement due to eviction while 21% moved to the settlement due to other reasons. This is in tandem with Kenya National Bureau of Statistics which states that 42.5 % of migrations in and out of various towns in Kenya is due to economic reasons (KNBS, 2022).

### 3. 12. Road network

Nangeni informal settlement is located within Webuye Municipality in proximity to good network. The informal settlement has good connectivity. However, the roads connecting the informal settlement are poorly maintained, lacking proper drainage to manage storm water originating from the hinterland. The roads within the informal settlement are not properly designed and developed. After the ongoing planning, surveying and titling, it will be possible to develop the road network.

### 3. 13. Social infrastructure

#### Education facilities

Although there is no educational institution within Nangeni informal settlement, but in its proximity there are a number of educational institutions accessible to the residents. The educational institutions ranging from primary to secondary schools are either public or private or religious. Once Nangeni informal settlement is planned, surveyed and

Figure 3-10 Proximity of Nangeni informal settlement to educational facilities (radius of 3km)

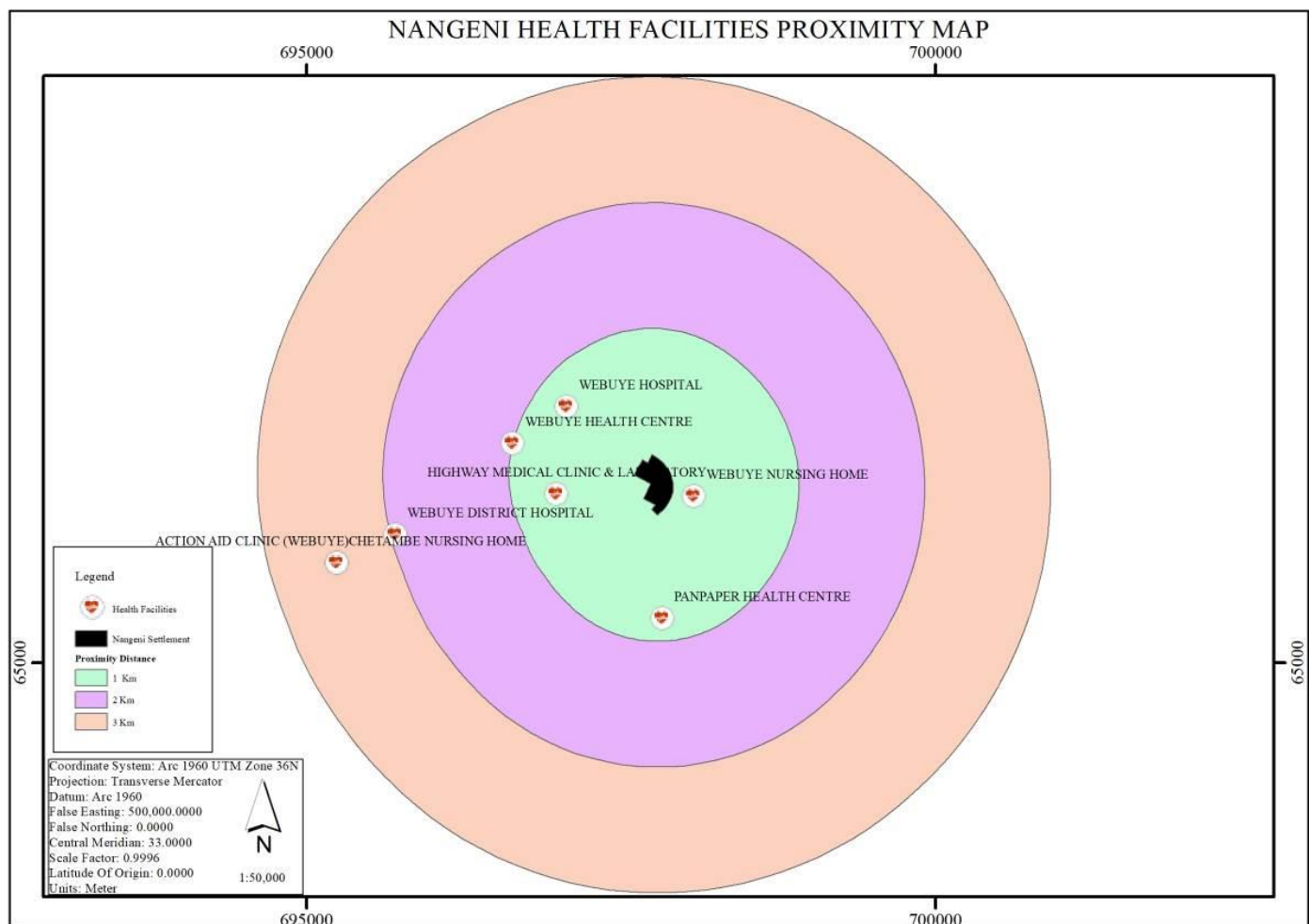


Source: Field survey, 2023

Plate 3-4: A section of Webuye PAG Primary School neighbouring Nangeni informal settlement

### **Health facilities**

The location of Nangeni informal settlement in Webuye Municipality in proximity to many health institutions represents a big advantage to the beneficiaries. Within Webuye Municipality, there is a level four hospital, i.e. Webuye Sub – County Hospital. In addition, there are a number of private healthcare service providers. Therefore, the beneficiaries of Nangeni informal settlement will continue accessing these healthcare institutions even after the area is planned, surveyed and developed. The figure below shows the distribution of healthcare institutions within a radius of 3km from Nangeni informal settlement.



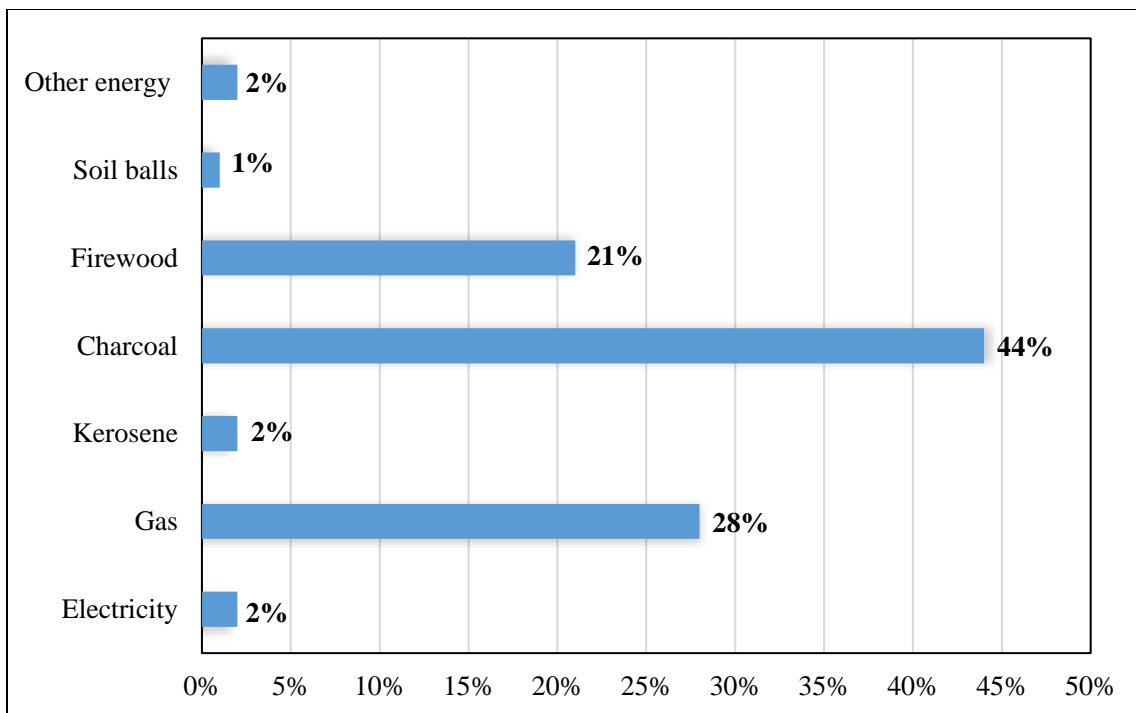
Source: Field survey, 2023

Figure 3-11 Proximity to health facilities in Nangeni settlement

### 3. 14. Access to Energy

Biomass energy sources are the most popular energy sources for cooking, while electricity is the most important one for lighting. Majority of the households in the informal settlement use charcoal (44%) as their main source of cooking energy while gas comes in second at 28%. Other households supplement their cooking energy with firewood (21%), kerosene (2%) and other energy sources accounting for (2%). The least preferred cooking fuel is soil balls which accounts for only 1%. National data indicate that 55.1% of households in Kenya use firewood for cooking while 23.9% use gas (KNBS, 2019). As shown in the plate below, it is quite clear the risk of using biomass energy, i.e. firewood, particularly if it is used in an enclosed room. Use of biomass energy has high risk of indoor population with serious ramification on the users.





Source: Field survey, 2023

Figure: Sources of energy of the beneficiaries in Nangeni informal settlement



Source: Field survey, 2023

Plate 3-5 Use of firewood by beneficiary households in Nangeni informal settlement

Although informal settlement is connected to the national electricity, but not all households are connected to it. Lack of access to reliable energy is a major obstacle to economic development in the informal settlement, as it limits the ability of small businesses to expand. The use of renewable energy sources such as solar power in the settlement was also spotted. Some households use solar power systems for lighting and powering small appliances, which is cost-effective and environmentally friendly. However, the adoption of these clean energy solutions is still relatively low in the area due to lack of awareness, high cost of the equipment, lack of financial support and technical support. It is expected that with tenure regularization more households will be connected to electric power and other sources of clean energy.

### **3. 15. Water and Sanitation**

Field survey results show that a reasonable proportion of the beneficiaries are connected to municipal water supply standing at 56 percent. Some of the beneficiary households still use river water whose safety cannot be guaranteed. Compared with the national average of 34 percent, a much higher proportion of the surveyed beneficiaries have access to clean municipal water supply (KNBS, 2019). With tenure regularization, it is expected that more beneficiaries will have access to safe municipal water supply.



Source: Field survey, 2023

Plate 3-6 A section of protected community spring water source in Nangeni informal settlement

Concerning sanitation, Nangeni informal settlement is relatively better off as just 41 percent of the beneficiaries use pit latrines to dispose of faecal matter. Some beneficiaries (26 percent) are connected to municipal sewerage system or have septic tank. With the on-going planning, surveying and titling, it is possible to expect increased sewerage connection, thus contribute to a clean and healthy environment in Nangeni informal settlement.

### **3. 16. Solid Waste Management**

Solid waste management in Nangeni informal settlement is a serious challenge as there is no functioning solid waste management system. Solid waste is haphazardly disposed off as shown in the plate below. While 41 percent of the surveyed beneficiaries in the informal settlement dispose off waste in the designated bins, about 27 percent of them dispose off waste in dumpsites, 17 percent dump waste in nearby river/stream. Therefore, the existing waste dispose mechanisms pose serious environmental and public health risks.



Source: Field survey, 2023

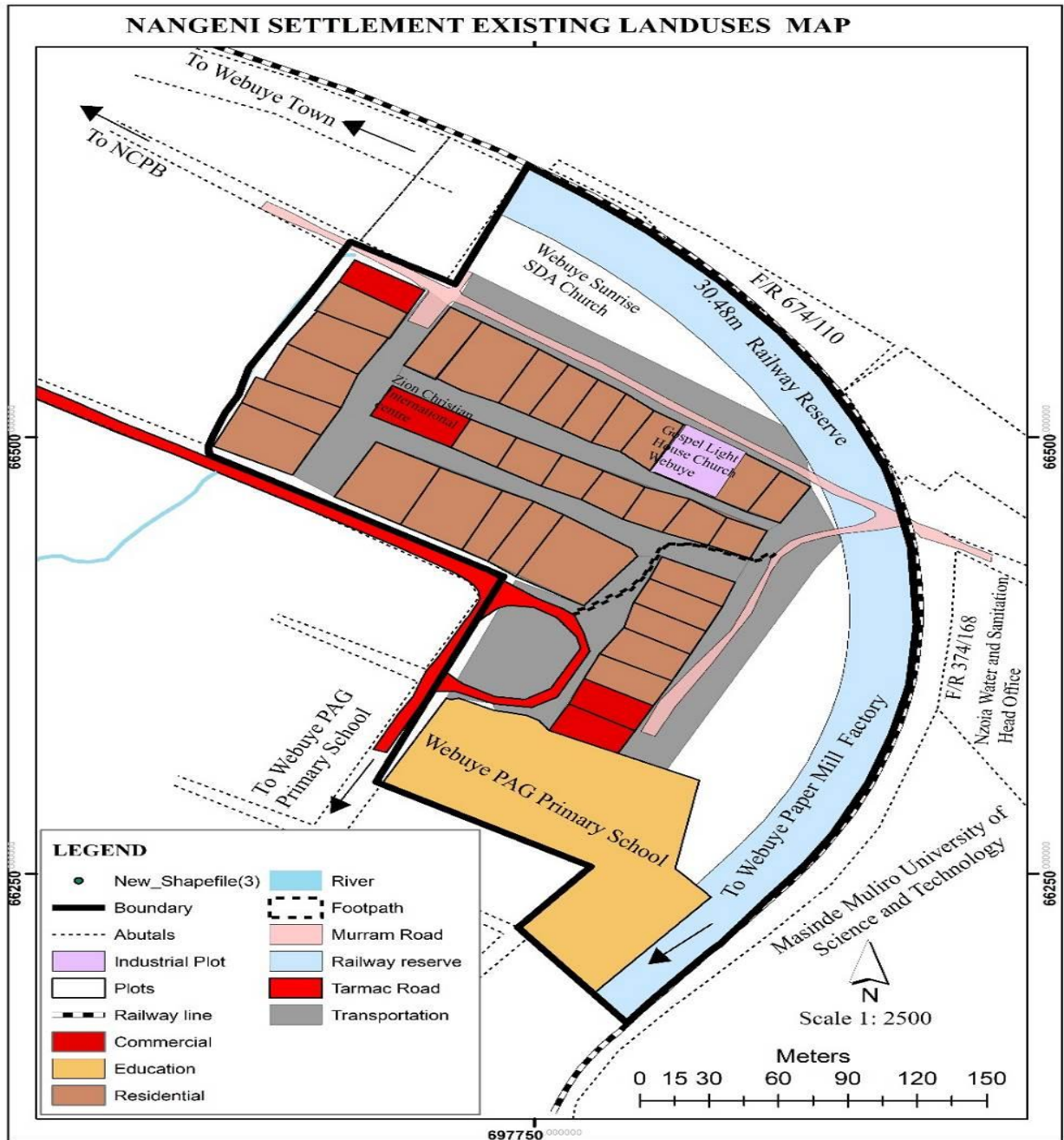
Plate 3-7 An example of haphazard solid waste dumping in Nangeni informal settlement

From the field survey majority (87%) of the household indicated that they don't sort their solid waste at the household level. A part from sorting solid waste, 23% of households don't store waste generated in the households. Analysis of the transportation mode of solid waste from the dwelling units to collection point revealed that Mkokoteni (handcart) and wheelbarrows account for 56%.



### 3. 17. Land uses

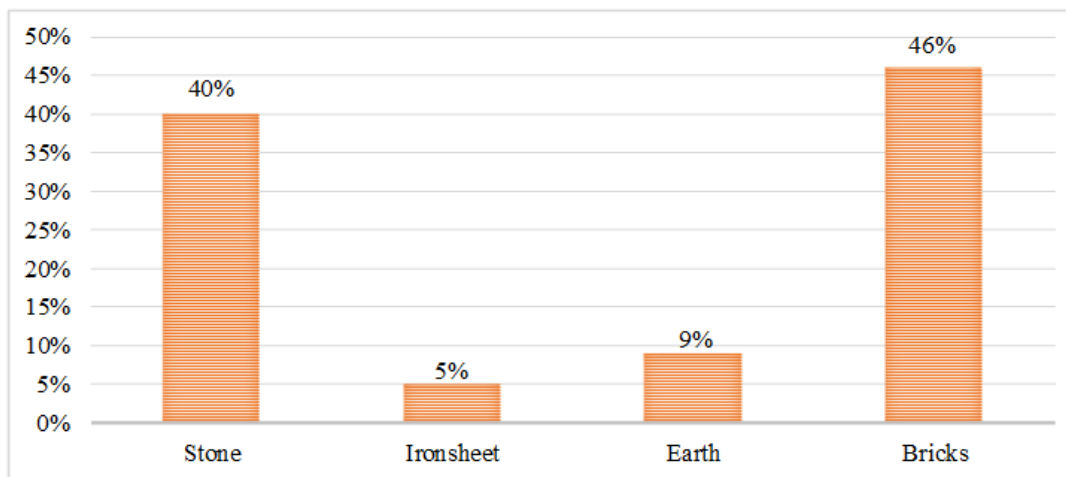
Nangeni informal settlement is a predominantly residential area, a few institutions, i.e. primary school, religious institutions and a few commercial land uses. The settlement is relatively well laid out although some roads are of varying sizes that should be standardized. The structures within the informal settlement are basically permanent.



Source: Source: Field survey, 2023

Figure 3-12 Land uses in Nangeni informal settlement

Nangeni informal settlement is a relatively stable settlement as a significant proportion of the structures are permanent, i.e. 40 percent of the walls are made of stone, while bricks wall account for 46 percent, mud - walled structures account for 9% while iron sheet walls account for 5%. This is a sharp contrast to the national average where dominant materials used for wall construction in informal settlement is mud/cow dung 27.3%, stone with lime 16.5%, concrete wall 16.3 % (KNBS, 2019)



Source: Field survey, 2023

Figure 3-13 Materials used to construct walls in Nangeni informal settlement

Classification by floor type indicates that 80% of household have earth floor while 19% have cement floors. While national data indicate that favourite floor material is concrete/cement 43.7% and earth/sand at 30% (KNBS, 2019).

Roofing classification indicates that 99% of the surveyed beneficiary households had iron sheets as roofs while other materials accounted for 1%. This is much higher than the national average, which shows that 80.3% use iron sheets as main roofing materials (KNBS, 2019).



Source: Field survey, 2023

Plate 3-8 An example of semi – permanent structures in Nangeni informal settlement



Source: Field survey, 2023

Plate 3-9 An example of permanent structures in Nangeni informal settlement

## **4 . PLANNING ISSUES, PLAN PREPARATION OPTIONS, LAND USE PROPOSALS AND STRATEGIES**

### **4.1.Key Planning Issues in Nangeni Informal Settlement**

Study of Nangeni informal settlement identified the following key planning issues:

#### **4.1.1.Lack of security of tenure**

Like most informal settlements in Kenya, occupiers of Nangeni informal settlement lack tenure security of the parcels of land. This makes it impossible for them to develop the plots as they have no legitimate claim on the plots of land they occupy. However, since it is public land, it is prudent to provide tenure security to enable the current beneficiaries to develop the land. This makes the proposed tenure regularization important in improving the livelihoods of the beneficiaries.

#### **4.1.2.Inadequate infrastructure and services: roads, water supply, sanitation and solid waste management**

Just like most informal settlements in Kenya, Nangeni lacks basic infrastructure and services. There are no defined roads and existing ones are not fully developed. A large number of beneficiaries lack safe domestic water supply predisposing the residents to environmental and public health risks. Sanitation remains an issue as a large number of beneficiaries are not connected to sewerage system, which is already in the informal settlement. They are instead using dysfunctional pit latrines. Similarly, there is no mechanism for proper solid waste management.

#### **4.1.3.High incidence of poverty**

Households in the informal settlement suffer under the burden of urban poverty as most of them are lacking well – paid jobs, petty traders, lacking reliable source of income. The rate of unemployment in the informal settlement is (20%) double the national average (10.5%).

## 4.2. Plan Preparation Options

Table 4-1 Plan preparation options

	<b>Option one</b>	<b>Option two</b>	<b>Option three: the preferred option</b>
<b>Options</b>	Prepare LPLUDP based on base map	Prepare LPLUDP based on planning standards	Prepare LPLUDP based on adoptive planning standards and wishes of the beneficiary communities
<b>Strengths</b>	It has no discernible strengths.	Create settlement that is in compliance with the planning standards, i.e. roads.	<p>The LPLUDP will be aligned to local context of the informal settlement, beneficiary communities' acceptance of narrow roads, small plots, etc.</p> <p>This option will avoid high rate of displacement and PAP will be restricted to boundary realignment to create access road and storm water management</p> <p>Less disruptive and amenable to progressive improvement</p>
<b>Limitations</b>	It will perpetuate informality, thus undermine the essence of sustainable development	It will lead to high rate of displacement with a large number of PAP, which will increase the cost of the project to the County Government that will bear cost of PAP	The plan may miss out on certain basic infrastructure and services associated with conventional planning standards.

### **4.3. Land use Proposals and strategies**

#### **4.3.1. Vision, Mission & Objectives**

##### **Vision**

A well planned and developed settlement providing a clean and healthy environment and residents enjoying high standards of living

##### **Mission**

To facilitate the plot owners in improving security of tenure and development of basic social and physical infrastructure

##### **Objectives**

To enhance security of tenure of the plots;

To develop and maintain appropriate physical and social infrastructure;

To enhance livelihoods through small scale enterprises; and

To promote youth empowerment



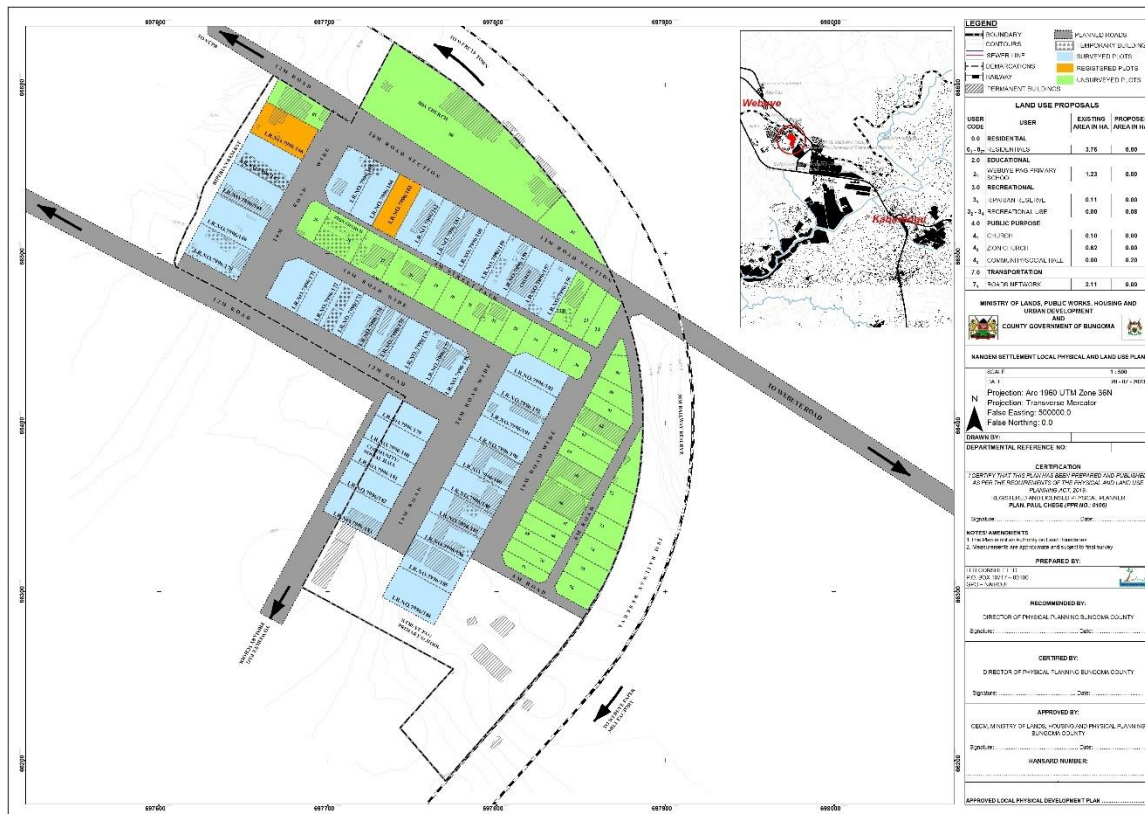


Figure 4-1 Proposed Land Uses in Nangeni Informal Settlement

## 4.4. Development Control Framework

### 4.4.1. Development Control Mechanisms

Development control in Nangeni settlement will be undertaken in conformity with the Constitution of Kenya 2010, applicable laws (County Government Act, Urban Areas & Cities Act, Physical & Land Use Planning Act, Building Code, etc) and other guidelines (i.e. Draft Physical Planning Handbook). Creating framework for development control in the whole of Webuye Municipality will require preparation of zoning regulations/ bylaws detailing standards, regulations and guidelines that will operationalize the above legislations at the local level.

### 4.4.2. Principles of Planning and Development Facilitation

Development control in Nangeni settlement will be guided by the principles of planning and development facilitation stated in County Government Act (2012). The principles of planning and development facilitation in a county shall:

- i. Integrate national values in all processes and concepts;
- ii. Protect the right to self-fulfilment within the county communities and with responsibility to future generations;
- iii. Protect and integrate rights and interest of minorities and marginalized groups and communities;
- iv. Protect and develop natural resources in a manner that aligns national and county governments policies;
- v. Align county financial and institutional resources to agreed policy objectives and programmes;
- vi. Engender effective resource mobilization for sustainable development;
- vii. Promote the pursuit of equity in resource allocation within the county;
- viii. Provide a platform for unifying planning, budgeting, financing, programme implementation and performance review; and
- ix. Serve as a basis for engagement between county government and the citizenry, other stakeholders and interest groups.

#### **4.4.3. Objectives of Development Control**

As stated in the County Government Act, development control in Nangeni settlement will seek to achieve the following objectives:

- i. Ensure harmony between national, county and sub-county spatial planning requirements;
- ii. Facilitate the development of a well-balanced system of settlements and ensure productive use of scarce land, water and other resources for economic, social, ecological and other functions across a county;
- iii. Maintain a viable system of green and open spaces for a functioning eco-system;
- iv. Harmonize the development of county communication system, infrastructure and related services;
- v. Develop urban and rural areas as integrated areas of economic and social activity;
- vi. Provide the preconditions for integrating under-developed and marginalized areas to bring them to the level generally enjoyed by the rest of the county;
- vii. Protect the historical and cultural heritage, artefacts and sites within the county; and



- viii. Make reservations for public security and other critical national infrastructure and other utilities and services;
- ix. Work towards the achievement and maintenance of a tree cover of at least ten per cent of the land area of Kenya as provided in the constitution; and
- x. Develop the human resource capacity of the county.

The objectives of development control (section 55(1), PLUPA, 2019) are:

- i. To ensure orderly physical and land use development;
- ii. To ensure optimal land use;
- iii. To ensure the proper execution and implementation of approved physical and land use development plans;
- iv. To protect and conserve the environment;
- v. To promote public safety and health;
- vi. To promote public participation in physical and land use development decision-making;
- vii. To ensure orderly and planned building development, planning, design, construction, operation and maintenance; and
- viii. To promote the safeguarding of national security

#### **4.4.4. Proposed land uses in the settlement**

The proposed major land uses are:

- i. Residential;
- ii. Commercial;
- iii. Roads;
- iv. Public purposes; and
- v. Conservation/recreational/green spaces

#### **4.4.5. Planning Authority**

According to the Constitution of Kenya 2010, planning is a devolved function, so the Planning Authority is vested in the County Government. According to Urban Areas & Cities Act, County Government is responsible for development control on behalf of the County Government.

#### **4.4.6. Planning Permission**

Planning permission will be obtained by potential developers (new buildings, change/extension of use, extension of lease, rehabilitation of old building, etc) from the County Government following prescribed procedure as will be defined in the bylaws. Planning permission will be sought for any development within the planning the planning authority. Relevant department and committees as constituted by the County Government will process development permission. No development will be implemented without requisite planning permission. Approved development shall be implemented as such and for any modification approval is required. Development permission will be granted based on standards, regulations and guidelines prepared by the Country Government.

#### **4.4.7. Municipal Bylaws**

The County Government will facilitate the preparation and passage of bylaws covering the whole of Webuye Municipality to put into effect national legislations. The bylaws will consolidate provisions of County Government Act, Urban Areas and Cities Act, Physical & Land Use Planning Act, Building Code and Physical & Land Use Planning Handbook. The bylaws will provide standards, regulations and guidelines appropriate to the local conditions.

#### **4.4.8. Zonal Spatial Policy Framework**

Table 4-2 Zonal Spatial Policy Framework

<b>Item description</b>	<b>Proposed development (2023/2033)</b>	<b>Future improvement (2023/2043)</b>
<b>Plot sizes</b>	Plot sizes and shapes have been provided to avoid displacement	Where there will be need for improvement of basic infrastructure and services calling for adjustment of plot sizes, then that will be undertaken taking into consideration commensurate compensation including: increase in the number of floors, waiver of rates for a period of time, actual financial compensation or any other mutually agreed on compensation in compliance with applicable Kenyan laws

<b>Roads</b>	In compliance with tenure regulations, we have provided for minimum 6m road reserves, Where permissible road sizes in compliance with conventional planning standards have been provided	In the long – run, roads can be further improved informed by the level of economic development and accompanied economic transformation: 6m road reserve can be increased to 9m and above to accommodate increased demand;  Increase in road size will be compensated by permissible number of floors depending on the local context
<b>Residential</b>	Low/medium density residential development	Densification will be permissible (up to 4 floors excluding ground floor and basement) on condition that there is corresponding improvement on basic infrastructure
<b>Commercial</b>	Business – cum residential development (mixed use development)	Densification will be permissible on condition that there is corresponding improvement on basic infrastructure
<b>Recreational/ green spaces</b>	Some limited spaces have been provided for forest recreational/green spaces  They should be surveyed, titled, fenced, rehabilitated and regularly maintained	The conservation/green areas should be regularly maintained for the benefit of the present and future generation

## 5 . PLAN IMPLEMENTATION

### 5.1. Issues, Strategies and Plan Implementation Matrix

Table 5-1: Plan Implementation Matrix

Planning issues	Strategies	Activities	Time – frame			Responsible institution
			ST	MT	LT	
<b>Insecure land tenure</b>	Enhance security of tenure	Planning Surveying Titling	√			National and County Governments
<b>Inadequate physical infrastructure &amp; services (roads, water, sanitation, solid waste management &amp; electricity)</b>	Improve infrastructure & services: roads, water, sanitation, solid waste management & electricity	Open up & gravel/tarmac the roads  Design and develop domestic water supply  Design and develop storm water drainage  Support households to connect electricity  Install security lights  Design and develop sanitation system  Design and develop solid waste management system	√	√	√	County Government, SEC, Water Company, Kenya Power

<b>Livelihood improvement</b>	Support viable economic activities for employment creation	Support micro and small scale enterprises, i.e. agro – processing, metal works, carpentry, etc	√	√	√	County Government & SEC
<b>Youth empowerment</b>	Promote youth empowerment	Support education and training of the youth in demand - driven skills improvement	√	√	√	County Government & SEC

ST = short – term, MT – medium term, LT – long - term ST = 3 years, MT = 5 years, & LT = 10 years,

## 5.2. Plan implementation framework

For effective implementation of this plan and better management of the settlement, we recommend establishment of a governance and management regime. Planning and management of a settlement like this is the responsibility of the County Government of Bungoma. To facilitate effective public participation of the beneficiary community, it is important to consider establishment of a means through which they can engage with the County Government. Therefore, we recommend the establishment of Settlement Management Committee.

- i. Transform SEC into Settlement Management Committee (SMC).
- ii. Settlement Management Committee elected by the households and other plot owners in the settlements will be responsible for development control, development and management of infrastructure and other common services, i.e. water, sanitation, waste management, roads, etc. The Committee will work closely with the County Government in the delivery of infrastructure and services including roads, electricity, water supply and waste management. The Committee can be constituted along the commonly known neighbourhood association.
- iii. Settlement Management Committee should be formally registered under relevant laws and recognized by the County Government with powers to manage the settlement. The Committee should have a constitution governing its operation for the good of the residents.
- iv. The Settlement Management Committee should lobby and negotiate with the County Government on the development and management of infrastructure and social amenities
- v. The Settlement Management Committee will have powers to initiate any other

- development in the settlement, i.e. affordable housing.
- vi. SMC should mobilize resources for its operation including levying charges for management of the settlement, e.g. waste management.
  - vii. SMC should develop monitoring and evaluation framework

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## ANNEXES

### 1. Draft list of beneficiaries

PLOT NO.	FIRST NAME	MIDDLE NAME	LAST NAME	ID NO.	PIN NUMBER
01	VIOLET	MORAA	GISEMBA	10018734	A00168733G
22B	GRACE	WANJIRU	MWAURA	6233868	
23	FRANCIS	MUSAMALI	MUDOGO	2404634	
24	COUNTY GOVERNMENT OF BUNGOMA				P051418654N
25	ZION	CHURCH			
26	ZION	CHURCH			
27	MARY	BOIYO			
28	TABITHA	WANJIKU	NJOROGE	10772720	
29	COUNTY GOVERNMENT OF BUNGOMA				P051418654N
30	ROSE	NAFULA	WAMBULWA	10858005	
31	JOHN	MUIRURI	NGIGI	13432418	
32	DANIEL	KIHARA	KIRAGURI	13415096	
33	MICHAEL	KIRAGURI		39639605	
34	JOHN	KABUI	NGURU	34285237	
35	MARIA	GACIKO	MACHARIA	6329233	
36	DIANAH	NANGEKHE		27085496	
59	RASHID	KISAKA	BARASA	23385349	
60	HUXLEY	GEORGE	JABALI	41363287	
61	WELLINGTON	OMIDO	AKIDIVA	6098153	
62	PRISCA	TENGE	MULATI	22051968	
63	STELLA	BARASA		23231976	
64	WILLIAM	JUMA	WAFULA	7611438	A001111329R
65	JOHN	ONGWAE	MOSONGO	9111708	
66	HERNAN	ONGWAE	ONGAWE	38953846	A015504032H
67	MARY	NDUTA	KAMAU	4696164	
68	JOSEPH	GATHAGU	NDUTA	29451241	
69	COUNTY GOVERNMENT OF BUNGOMA				P051418654N
70	COUNTY GOVERNMENT OF BUNGOMA				P051418654N
71	COUNTY GOVERNMENT OF BUNGOMA				P051418654N
72	DANIEL	SIKUKU	NYONGESA	24162003	
73	MOSES	EKINA	MAKOKHA	4148389	
74	COUNTY GOVERNMENT OF BUNGOMA				P051418654N
75	COUNTY GOVERNMENT OF BUNGOMA				P051418654N
76	COUNTY GOVERNMENT OF BUNGOMA				P051418654N
80	SUNRISE	SDA	CHURCH		
81	COUNTY GOVERNMENT OF BUNGOMA				P051418654N
LR.NO.7996/166		As registered			
LR.NO.7996/163		As registered			
Block 1					
LR.NO.7996/167		No further dealing until verified and confirmed by the County Government of Bungoma			
LR.NO.7996/168					
LR.NO.7996/169					



LR.NO.7996/170	
<b>Block 2</b>	
LR.NO.7996/165	No further dealing until verified and confirmed by the County Government of Bungoma
LR.NO.7996/164	
LR.NO.7996/162	
LR.NO.7996/161	
LR.NO.7996/160	
LR.NO.7996/159	
LR.NO.7996/158	
LR.NO.7996/157	
LR.NO.7996/156	
<b>Block 3</b>	
LR.NO.7996/171	No further dealing until verified and confirmed by the County Government of Bungoma
LR.NO.7996/172	
LR.NO.7996/173	
LR.NO.7996/174	
LR.NO.7996/175	
LR.NO.7996/176	
LR.NO.7996/177	
LR.NO.7996/178	
<b>Block 4</b>	
LR.NO.7996/179	No further dealing until verified and confirmed by the County Government of Bungoma
LR.NO.7996/180	
LR.NO.7996/181	
LR.NO.7996/182	
LR.NO.7996/183	
<b>Block 5</b>	
LR.NO.7996/193	No further dealing until verified and confirmed by the County Government of Bungoma
LR.NO.7996/192	
LR.NO.7996/191	
LR.NO.7996/190	
LR.NO.7996/189	
LR.NO.7996/188	
LR.NO.7996/187	
LR.NO.7996/186	
LR.NO.7996/185	
LR.NO.7996/184	



**PHYSICAL PLANNING, CADASTRAL SURVEY AND DETAILED  
TOPOGRAPHICAL SURVEY OF 9  
SELECTED INFORMAL SETTLEMENTS IN SIAYA, HOMABAY, BUNGOMA,  
TRANS NZOIA AND**

**WEST POKOT COUNTIES: LOT V CLUSTER 3  
REFERENCE NO: KE-MOTI-235021-CS-QCBS**

**Nangeni Draft list of beneficiaries**

PLOT NO.	FIRST NAME	MIDDLE NAME	LAST NAME	ID NO.	
1	VIOLET	MORAA	GISEMBA	10018734	A00168733G
2	LILLIAN	AMOO	AKACHO	26893537	
3	ANNE	NYAMBURA	KAMAU	14461546	
4	JOHN	KAIYEHE	KARANJA	5358083	A001123605U
5	COUNTY GOVERNMENT OF BUNGOMA				
6	AMINA	SAIDI	HASSAN	1199700	
7	COUNTY GOVERNMENT OF BUNGOMA				
8	CHRISTOPHER	KHAEMBA	WANJE KEJE	0492468	
9	JOSEPH	NJOROGE	MBURU	5134268	
10	JOSEPH	NJOROGE	MBURU	5134268	
11	HANAH	NJOKI	MWANGI	5102838	
12	IRINE	NEKESA	WEKHWELA	24046346	
13	GEORGE	WINDO	MALUMASI	8003189	
14	COUNTY GOVERNMENT OF BUNGOMA				
15	PETER	BARASA	CHRISTOPHER	0406779	
16	LEAH	NEKESA	MUSI	222224415	
17	NAFTARY	NGARUIYA	KIGURU	12417945	
18	COUNTY GOVERNMENT OF BUNGOMA				
19	MARY	MWIIHAKI	KINUTHIA	5641391	
20	MARY	MWIIHAKI	KINUTHIA	5641391	
21	GOSPEL LIGHT HOUSE CHURCH			10961072	
22	GRACE	WANJIRU	MWAURA	6233868	
23	FRANCIS	MUSAMALI	MUDOGO	2404634	
24	FRANCIS	MUSAMALI	MUDOGO	2404634	
25	CHURCH ZION				
26	CHURCH ZION				
27	MARY	BOIYO			
28	TABITHA	WANJIKU	NJOROGE	10772720	
29	COUNTY GOVERNMENT OF BUNGOMA				
30	ROSE	NAFULA	WAMBULWA	10858005	
31	JOHN	MUIRURI	NGIGI	13432418	

*12 JUN 2024*



32	DANIEL	KIHARA	KIRAGURI	13415096	
33	MICHAEL	KIRAGURI		39639605	
34	JOHN	KABUI	NGURU	34285237	
35	MARIA	GACIKO	MACHARIA	6329233	
36	DIANAH	NANGEKHE		27085496	
37	COUNTY GOVERNMENT OF BUNGOMA				
38	COUNTY GOVERNMENT OF BUNGOMA				
39	BEN	SIMIYU	WATA	1238268	
40	BEN	SIMIYU	WATA	1238268	
41	FRED	WANYAMA	SIMIYU	0917686	
42	FRED	WANYAMA	SIMIYU	0917686	
43	FRED	WANYAMA	SIMIYU	0917686	
44	RUTH		KUNDU	0333343	
45	JANE	KAROCHI	ANDAYI	6141274	
46	KATHLEEN	MUKITE	MUKANDO	22048046	A005906816B
47	KAARI	IGOKI	GATIMBU	25284653	
48	MICHELLE	GAITI	GATIMBU	26722406	
49	RITA	ABDUL		13341064	
50	SIMON	KARIUKI	WANGECI	11340531	
51	ROSELYN	NASIMIYU	LUNANI	1436586	
52	JULIUS	NJORA	GATHUNGU	10330660	
53	ANDREW	MNYALO			
54	ANDREW	MNYALO			
55	WILSON	MUIGAI	GITAU	8240178	
56	FRANCIS	MITHAMO	NJENGA	20812658	
57	DANIEL SARAH	WAFULA MOUREEN	WEPUKHULU WEPUKHULU	7603316 0569864	
58	ESTHER	KANYI	NGURU	3055309	
59	RASHID	KISAKA	BARASA	23385349	
60	HUXLEY	GEORGE	JABALI	41363287	
61	WELLINGTON	OMIDO	AKIDIVA	6098153	
62	PRISCA	TENGE	MULATI	22051968	
63	STELLA	BARASA		23231976	
64	WILLIAM	JUMA	WAFULA	7611438	A001111329R
65	JOHN	ONGWAE	MOSONGO	9111708	
66	HERNAN	ONGERE	ONGAWE	38953846	A015504032H
67	MARY	NDUTA	KAMAU	4696164	
68	JOSEPH	GATHAGU	NDUTA	29451241	
69	COUNTY GOVERNMENT OF BUNGOMA				
70	COUNTY GOVERNMENT OF BUNGOMA				
71	COUNTY GOVERNMENT OF BUNGOMA				
72	DANIEL	SIKUKU	NYONGESA	24162003	
73	MOSES	EKINA	MAKOKHA	4148389	
74	COUNTY GOVERNMENT OF BUNGOMA				
75	COUNTY GOVERNMENT OF BUNGOMA				
76	COUNTY GOVERNMENT OF BUNGOMA				
77	WEBUYE PAG PRIMARY				

12 JUN 2024

78	COUNTY GOVERNMENT OF BUNGOMA RESERVED FOR COMMUNITY SOCIAL HALL	
79	COUNTY GOVERNMENT OF BUNGOMA RESERVED FOR RIPARIAN RESERVE	
80	SUNRISE SDA CHURCH	
81	COUNTY GOVERNMENT OF BUNGOMA RESERVED FOR RECREATIONAL SPACE	





## 2. Minutes and lists of attendants for plan preparation process



**PHYSICAL PLANNING, CADASTRAL SURVEY AND DETAILED TOPOGRAPHICAL  
SURVEY OF 9 SELECTED INFORMAL SETTLEMENTS IN SIAYA, HOMABAY, BUNGOMA,  
TRANS NZOIA AND WEST POKOT COUNTIES: LOT V CLUSTER 3  
REFERENCE NO: KE-MOTI-235021-CS-QCBS**

**MINUTES OF THE TECHNICAL MEETING DURING PRESENTATION AND JOINT  
REVIEW OF BASE MAP, ENVIRONMENTAL SCREENING AND SOCIO-ECONOMIC  
REPORT FOR NANG'ENI INFORMAL SETTLEMENT HELD AT THE WEBUYE EAST SUB  
COUNTY OFFICE ON 16/03/2023**

### **Present**

- 1 . Bungoma County Officials
- 2 . KISIP 2 National Representatives
- 3 . LER Consult Ltd

(Attendance list in annex)

### **Agenda**

1. Introductions
2. Overview of the project
3. presentation by consultants
4. Plenary
5. Wayforward
6. AOB

### **MIN 1-15/03/23 PRELIMINARY**

The meeting was called to order by the Director Physical Planning, at 11:13am followed with a word of prayer. It was followed by introductions.

### **MIN 2-15/03/23 OVERVIEW OF THE PROJECT**

The KISIP 2 National representatives briefed that the technical meeting was important so that consultants present the Base map, socio-economic and environmental screening findings so that they can get input and comments from the stakeholders to be incorporated in the final versions of the reports. KISIP further reminded members by giving an overview of the project components and objectives and noted that the project aims at land tenure regularization whose end goal is to get either lease certificate or title deed for the land.

It was noted that at initial project stages when activities commenced, Landi matope and Maisha Matamu were found to have emerging issues. The County was advised that there is a need to



undertake a formal project closure in the two settlements as soon as possible. It was further noted that the Bungoma County government had been given an opportunity to replace these two settlements and were yet to respond. The County noted that most informal settlements within the County sit on private land and may not meet criteria for intervention under the project. disqualifies them from the KISIP 2 activities.

#### **MIN 3-15/03/23 BASEMAP PRESENTATION**

The consultant presented the Nangeni informal settlement base map. The survey team cited RIM's, PDP, ground picking and other relevant sources that helped them to develop the base map. The base map was used to develop and show land uses within the settlement. It was noted that beneficiaries have settled on area measuring 5.6Ha and a school totalling to 1.1Ha.

#### **MIN 4-15/03/23 PRESENTATION OF SOCIO-ECONOMIC REPORT**

The consultant then gave a general overview of the socio-economic report of Nang'eni informal settlement. He touched on the following aspects; education level, gender and marital status, employment and occupation, land acquisition, Mode of land acquisition, energy consumption, health, water and sanitation.

#### **MIN 5-15/03/23 TECHNICAL TEAM COMMENTS ON THE FINDINGS**

The following issues were raised and clarifications sought;

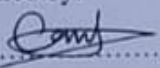
NO.	QUESTIONS	ANSWERS
1.	Are there public spaces within the settlement	According to the consultant there are no public spaces within the settlement
2.	Is there a way of resettling those who are living in the Six (6) Plots bordering the water stream within any open space in the settlement?	Currently, the building line for these plots is 2.5m from the stream. Consultations with WRA will reveal the necessary riparian for the stream
3.	What are the environmental concerns?	Poor solid waste management Conservation of the riparian area within the settlement. The consultant will liaise with the county and WRA on how to conserve the riparian area.
4.	Can the nearby school and other structures bordering the settlement be included in the survey?	In order to include the other areas outside our current planning area the County needs to calculate the size of Maisha Matamu and Landi Matope and do a formal request to KISIP National on the adjustment. However, inclusion of this areas and exclusion of the school will bring the planning area to be 6.0Ha. this is the acreage in the contract. It was agreed that the 2 areas be included in the planning area.

5.	How are the emerging issues such as disputes handled?	A number of structure ownership disputes were recorded during socio-economic survey and have been taken up by GRC.
6.	What are we going to do about the allotment letters on the roundabout	The county government will take time to verify those allotment letters before giving the way forward
7.	Can the nearby school be included in the planning area?	The County government to write to KISIP National to request the school to be included in the planning area.
8.	Are the plots near the river developed?	Not all plots are developed
9.	Persons with disabilities are they captured?	Yes a census was done on all households within the informal settlement of Nangeni
10.	Some plots are so near to the river which suggests encroachment. How was the riparian determined?	Consultations with WRA will reveal the necessary riparian for the stream The consultant will liaise with the county and WRA on how to conserve the riparian area.

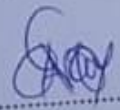
#### MIN 6-13/03/23 A.O.B

The county technical team agreed to submit their comments on socio economic report and the base map to the KISIP National team by 24<sup>th</sup> march, 2023. The consultant assured that comments will be addressed and final output prepared There being no other business, the meeting ended at 1:30 pm with a word of prayer.

Minutes confirmed by:

1.  5/4/2023  
(Bungoma County representative)

2.   
(KISIP National representative)

3.  4/3/2023  
(LER Consult Representative)





NAME OF COUNTY: BUNGOMA

## ATTENDANCE SHEET

DATE: 16/03/2023

ACTIVITY: PRESENTATION OF BASEMAP, ENVIRONMENT SCREENING AND SOCIO-ECONOMIC REPORT FOR NANG'ENI INFORMAL SETTLEMENT, BUNGOMA COUNTY

NAME	DESIGNATION	ID NUMBER	TELEPHONE NO.	SIGN
1				
2	CS John W. Ndambiri	13159059	0720759325	
3	Wellington B. Sindemi	22587572	0723495865	
4	Caroline Chupemwa	24133579	0912101120	
5	Efson Son Nthani	20646648	0727536221	
6	METRINE MASIKA	210446127	0723124543	
7	WINSTON SAKWA	33234912	0725660431	
8	John W. WAFUA	13717059	0721412828	
9	Zenach Kanyi	24786313	0725989357	
10	Ann Naisia	23602729	0714221677	
11	ANDREW SMITH	13246336	0720629323	
12	Dr. Otale Wafale	1337753	072027711	
13	Exequy Amb	25140180	0722485920	
14	Wup G. Chege	88940810	072209244	
15	HARON OKEGI	26890261	0726351129	

KE  
/M  
C  
Cm





**PHYSICAL PLANNING, CADASTRAL SURVEY AND DETAILED  
TOPOGRAPHICAL SURVEY OF 9 SELECTED INFORMAL SETTLEMENTS IN  
SIAYA, HOMABAY, BUNGOMA, TRANS NZOIA AND WEST POKOT COUNTIES:  
LOT V CLUSTER 3  
REFERENCE NO: KE-MOTI-235021-CS-QCBS**

**MINUTES OF COMMUNITY MEETING FOR PRESENTATION OF FINDINGS  
OF BASE MAP, ENVIRONMENTAL SCREENING AND SOCIO-ECONOMIC  
SURVEY HELD AT GOSPEL LIGHT HOUSE INTERNATIONAL CHURCH  
NANG'ENI ON 16/03/2023.**

**Present**

1. SEC and GRC members
2. KISIP2 National Representatives
3. Bungoma County Officials
4. LER Consult Ltd
5. Community Members

**Agenda**

1. Introductions
2. Remarks from the KISIP2 National team
3. Remarks from the County
4. Remarks from the Consultant and Presentation of findings
5. Plenary/Validation
6. AOB

**MIN 01-16/03/23 PRELIMINARY**

The meeting was called to order by the SEC chairman Mr Ronald at 2:00pm, thereafter an opening prayer. It was followed by introductions.

**MIN 02-16/03/23 REMARKS FROM THE KISIP2 NATIONAL PROJECT COORDINATION TEAM**

The KISIP National team, sensitized the members on the project activities, noting that project aims at tenure regularization whose end goal is to get either lease certificate or title deed for the land.

The purpose of the meeting was to present the findings of base map and the socio-economic screening report prepared by the consultant so as to determine if all information was captured correctly and reflects the true status.

KISIP team urged stakeholders to check thoroughly the deliverables because it will inform next steps.

#### **MIN 03-16/03/23 BASEMAP PRESENTATION ON THE BASEMAP**

The consultant gave a brief summary of the milestones the consultant had made since the inception of the project in the settlement. The following milestones were noted:

- i. Boundary verification
- ii. Preparation of base map
- iii. Socio-economic survey
- iv. Environmental and social screening

It was noted that the remaining phase of the assignment include:

Activity	What it entails
planning	<ul style="list-style-type: none"> <li>✓ Draft planning and visioning</li> <li>✓ Stakeholder validation and verification of plan</li> <li>✓ CEC to present it to the county assembly for approval</li> </ul>
Survey	<ul style="list-style-type: none"> <li>✓ Recap of the boundary</li> <li>✓ Beacon placement</li> <li>✓ Signing of beacon certificate</li> <li>✓ Survey plan shared with the survey office for amendments of the RIM(Registry index map)</li> </ul>
Social management plans	<ul style="list-style-type: none"> <li>✓ This addresses any negative social issues caused by the project. The plan will contain deliberation on how the people negatively affected by the project will be facilitated and supported</li> <li>✓ Amended survey plan, approved plans and validated list of beneficiaries will be forwarded to the county to get letter of regularization and issue either title deeds or lease certificate</li> </ul>

The base map was then presented to the community. Key aspect discussed include boundary of the planning area, number of plots within the planning area and the total acreage of the planning area is 7.2Ha and includes peoples plots and public utilities e.g primary school. It was also observed that there is a railway line reserve. The community was then given a chance to interrogate the base map for validation. The validation of the base map was proposed by Mr. Wilson Gitau and seconded by Ms. Mary Kinuthia

#### **MIN04-16/03/23 PRESENTATION OF SOCIO-ECONOMIC FINDINGS**

The socio-economic report was presented to the community. The key areas covered during the survey were

- ✓ Education-literacy levels are high with 96% of the surveyed population having at least primary education level.
- ✓ Marital status -78% in a family set up
- ✓ Employment-50% self-employed; 42% earn below Ksh. 5000. Most people in the settlement are self employed and have small businesses in the nearby Webuye town
- ✓ Transport -High population are on foot



- ✓ Malaria is the most prevalent disease
- ✓ More than half of the respondents seek health services from public hospitals
- ✓ Source of fuel-Most people use charcoal and firewood as primary source of fuel

Community agreed that the report was a reflection of their settlement. The validation of the socio-economic report for Nangeni informal settlement was proposed by Mr. Joseph Mburu and seconded by Ms. Mary Njoki

#### **MIN05-16/03/2023 VISIONING**

After receiving the findings, the community went ahead to prioritize settlement needs. The following were thematic areas they mentioned

- |   |   |
|---|---|
| i. Security of tenure                               | viii. Bridge in bad condition if it can be repaired |
| ii. Upgrading of sewer system                       | ix. School and Hospital within the settlement       |
| iii. piped water                                    | x. Waste disposal points and space.                 |
| iv. Construction of storm water drains              | xi. Health facility                                 |
| v. Electricity for lighting and industrial purposes | xii. Perimeter wall for security                    |
| vi. Affordable housing                              |   |
| vii. Tarmac roads and a playground                  |   |

#### **MIN 06-16/03/23A: STAKEHOLDER COMMENTS ON THE PROCESS**

Comments	Response
One member asked why they were not supposed to construct other structures during the planning time	After picking the structures in the settlement during the survey it will bring confusion since the base map has already been prepared. The community was advised to halt any construction until the planning process was over. a cutoff date for further development was given in the previous meeting
Mr. Gitau inquired why the questions in the census survey wanted to know their income.	The socio-economic data helps the planning team understand the dynamics of the community for planning. Further, the County and other stakeholders can use the data for planning and other targeted interventions. The community was also reassured that all the data collected remain confidential.
A member inquired if their plot was bordering the school and they were not sure with the boundary	Advised that any plot with disputes must be settled first through the GRC and the county to know the exact boundary and the title or lease be given to the rightful owners.
what will happen to those beneficiaries who were not present during the enumeration process and didn't appear in the draft list of beneficiaries	These would be enumerated and the lists of beneficiaries updated.

#### **MIN 07-16/03/23A.O. B**

The consultant urged the members to address disputes in the GRC and settle the matter amicably to avoid unnecessary chaos that might affect the project.

Community were informed that next sessions will be participatory planning to visualize on a better Nangeni in the coming years and embrace development. The meeting ended at 4:00pm with prayer from Mr. Musamali, one of the community members at 4:00pm.

Minutes confirmed by:

I. ....  
(KISIP 2 National representative)

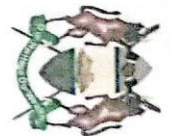
2. Comd 5/8/2023  
(Bungoma County representative)

3. [Signature] 3/4/2023  
(SEC Chairman)

4. [Signature] 4/3/2023  
(LER Consult Representative)

5





# ATTENDANCE SHEET

NAME OF COUNTY: BUNGOMA

NAME OF SUBCOUNTY: WEBUYE EAST

NAME OF SETTLEMENT: NANG'ENI

DATE: 16/03/2023

ACTIVITY: PRESENTATION OF BASEMAP, ENVIRONMENT SCREENING AND SOCIO-ECONOMIC REPORT FOR NANG'ENI INFORMAL SETTLEMENT, BUNGOMA COUNTY

NAME	DESIGNATION	ID NUMBER	TELEPHONE NO.	SIGN
1 PUS RUTHENGE	magita matemu	12764589	0718880204	
2 JOHN MUBUKU NGIGI	NANG'ENI	1343 2418	0715522097	
3 DENNIS MASAICA	NANG'ENI	220401788	0716616696	
4 LEAH N EKEKA	NANG'ENI	22224415	0716373315	
5 HANAH MUBANGI	NANG'ENI	5102938	0790630393	
6 DANIEL KIHARA	NANG'ENI	13415096	0717506874	
7 MAAT W. IDUN	NANG'ENI	22282623	0113082534	
8 MONICA NANG'ENI	NANG'ENI	21549159	0711750634	
9 DAVID NGUMU	NANG'ENI	305570	0721353487	
10 JOSEPH NANG'ENI	NANG'ENI	21469696	0707308982	
11 SUSAN MUBANGI	NANG'ENI	26083054	0796791256	
12 JULIUS NJORA KITHUNGU	NANG'ENI	10330660	0722213249	
13 STEPHEN KAGUGU NG'ENI	NANG'ENI	11073258	0716907173	
14 IRINE NAKESHA	NANG'ENI	24046346	0725005931	
15 MATHIAS NABABUHA	NANG'ENI	12412945	07227082030	



## ATTENDANCE SHEET

NAME OF COUNTY: BUNGOMA

NAME OF SUBCOUNTY: WEBUYE EAST

NAME OF SETTLEMENT: NANG'ENI

DATE: 16/03/2023

ACTIVITY: PRESENTATION OF BASEMAP, ENVIRONMENT SCREENING AND SOCIO-ECONOMIC REPORT FOR NANGENI INFORMAL SETTLEMENT, BUNGOMA COUNTY

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NAME OF COUNTY: BUNGOMA

## ATTENDANCE SHEET

NAME OF SUBCOUNTY: WEBUYE EAST

NAME OF SETTLEMENT: NANG'ENI

DATE: 16/03/2023

ACTIVITY: PRESENTATION OF BASEMAP, ENVIRONMENT SCREENING AND SOCIO-ECONOMIC REPORT FOR NANG'ENI  
INFORMAL SETTLEMENT, BUNGOMA COUNTY

NAME	DESIGNATION	ID NUMBER	TELEPHONE NO.	SIGN
1 Elinal Oluke	Nang'eni	11665035	072319582	Elinal
2 Emmanuel Kiemela	Nang'eni	33131998	092265240	Emmanuel
3 Bernard Othmanbo Oghu	Nang'eni	14725243	0720161032	Bernard
4 Geoffrey Lukoto	Nang'eni	6329642	0722696672	Geoffrey
5 Dorcas N. N. Nongesa	Nang'eni	12445204	0700514812	Dorcas
6 Jackson I. Kisa	Nang'eni	22214703	0712289677	Jackson
7 Judith I. Kisa	Nang'eni	4332988	0718665262	Judith
8 Grace Mwura	Nang'eni	6233868	0713316402	Grace
9 Dennis Kisingani	Nang'eni	34869936	0742423094	Dennis
10 Esther Ngene	Nang'eni	11583462	071435282	Esther
11 Abraham Ntongoe	Nang'eni	10772720	0707441227	Abraham
12 Isaac Ntongoe	Nang'eni	10772720	0707441227	Isaac
13 Florence Gekiga Ngugi	Nang'eni	8751636	0722483211	Florence
14 George M. Nkomo	Nang'eni	9730526	0722871137	George
15 Brian Lwabi Ntongoe	Nang'eni	30452983	0112749602	Brian



## ATTENDANCE SHEET

NAME OF COUNTY: BUNGOMA

NAME OF SUBCOUNTY: WEBUYE EAST

NAME OF SETTLEMENT: NANG'ENI

DATE: 16/03/2023

ACTIVITY: PRESENTATION OF BASEMAP, ENVIRONMENT SCREENING AND SOCIO-ECONOMIC REPORT FOR NANG'ENI  
INFORMAL SETTLEMENT, BUNGOMA COUNTY

NAME	DESIGNATION	ID NUMBER	TELEPHONE NO.	SIGN
1 Metrice Masike	Physical planner	25016123	0723124543	
2 Caroline Chepkor	Physical planner	840133579	0712101130	
3 Paul Chege	Physical Planner - KELA	8894810	0722509244	
4 John M. Wafule	Kisip-Safeguards	13417059	0721412828	
5 Zarah Kinyu	Kisip-Consultant 1-1	24786313	0725989357	
6 RONARD MEXESA	CHARTERMAN	7618441	0743782971	
7 Kev. HERMAN KASILI	SECRETARY	10961072	0722607481	
8 TEDESIA OKENWA	LEO CONSULT	2964447	0715042392	
9 SIMON MAMWA	KELA CONSULT	30401609	071220634	
10 MAUREEN MUEENIA	LEO CONSULT			
11 PETER MACHARIA	SEC MEMBER	26235446	0712502820	
12 Keli, Francis Mwarudi	Sec. Member	18581835	0725338699	
13 EVERET N. NIKURU	Sec Member	32248700	0707294235	
14 GRACE MURURA	sec member	62333860	0713316402	
15 JOHN MURURI	Sec member	13432418	0715522097	





NAME OF COUNTY: BUNGOMA

## ATTENDANCE SHEET

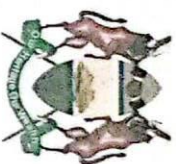
NAME OF SUBCOUNTY: WEBUYE EAST

NAME OF SETTLEMENT: NANG'ENI

DATE: 16/03/2023

ACTIVITY: PRESENTATION OF BASEMAP, ENVIRONMENT SCREENING AND SOCIO-ECONOMIC REPORT FOR NANG'ENI INFORMAL SETTLEMENT, BUNGOMA COUNTY

NAME	DESIGNATION	ID NUMBER	TELEPHONE NO.	SIGN
1 SHARIF DOROTHY	NANG'ENI	84046690	0712196465	
2 Joseph Misiko	Farmer	7603879	0708426262	
3 Ben Wafa	Farmer	1238266	07222760110	
4 HARUN M. WEBE	CHURCH ELDER	1243361	0703600942	
5 <del>FAED DATI</del> ODUOR	<del>BUSINESS MAN</del>	<del>0704880856</del>		
6 <del>FREDRICK</del> ODUOR	<del>BUSINESS MAN</del>	<del>21818791</del>	<del>0704880856</del>	
7 IDRAH MAEULAMUKWETHI	MAJAM HOTEL	6460906	0728714118	
8 Peter Siles Kitalo	Business Man	256024059	0715645575	
9 Ndungu Kibungu		61851367	0736387294	
10 ROSE WAMBUNDA		10858009	0746055199	
11 MOSES WAMBUNDA	BUSINESSMAN	23711341	0710832810	
12 THOMAS K. WICKESA	BUSINESS	13697481	0712414175	
13 FRED MATINYI KAKAI	BUSINESSMAN	0459099	0723867343	
14 GEORGE MUBWEE MUKONESI	BUSINESSMAN	9730526	0736086803	
15 ANNE N. KAMPA	"	14461546	0719485696	



NAME OF COUNTY: BUNGOMA

## ATTENDANCE SHEET

DATE: 16/03/2023

ACTIVITY: PRESENTATION OF BASEMAP, ENVIRONMENT SCREENING AND SOCIO-ECONOMIC REPORT FOR NANG'ENI  
INFORMAL SETTLEMENT, BUNGOMA COUNTY

	NAME	DESIGNATION	ID NUMBER	TELEPHONE NO.	SIGN
1	TERESIA OKENNYA	Project Assistant	2964447	0715042392	
2	BONASA KEVIN	Project Assistant	81041494	0745737282	
3	Maurice Mwana	LIAISON OFFICER	27052139	0122857348	
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**PHYSICAL PLANNING, CADASTRAL SURVEY AND DETAILED TOPOGRAPHICAL  
SURVEY OF 9 SELECTED INFORMAL SETTLEMENTS IN SIAYA, HOMABAY, BUNGOMA,  
TRANS NZOIA AND WEST POKOT COUNTIES: LOT V CLUSTER 3  
REFERENCE NO: KE-MOTI-235021-CS-QCBS**

**MINUTES OF THE TECHNICAL MEETING HELD AT THE WEBUYE EAST SUB COUNTY  
OFFICE ON 10TH JULY 2023 DURING PRESENTATION OF DRAFT PHYSICAL AND LAND  
USE PLANS FOR NANGENI INFORMAL SETTLEMENT.**

**Present:**

1. Bungoma County officials
2. KISIP2 National Project Coordination team
3. KISIP2 County Project Coordination team
4. LER Consult Ltd  
(Attendance list in annex)

**Agenda**

- i. Introduction
- ii. Remarks from the County
- iii. Remarks from KISIP2 National Project Coordination team
- iv. Presentation of Draft Physical Land Use and Development Plan for Nangeni settlement
- v. Comments on the Draft LP&LUDP
- vi. A.O. B

**MIN 1-10/7/23 INTRODUCTION**

The meeting was called to order by the Sub-County administrator at 11am. This was followed by prayer. The stakeholders present were then allowed to do self-introductions.

**MIN 2-10/7/23 REMARKS FROM COUNTY OFFICIALS**

The Chief Officer Lands, housing and physical planning welcomed the team and for the day's discussions. The Director Physical planning noted that they were committed to see that the project is implemented smoothly. They further noted that they are happy with the efforts the consultant has put in to work closely with the county to prepare a draft plan.

The county noted it is a delight to be part of the participating counties under KISIP2 project, benefiting under regularisation of land tenure and under infrastructure improvement. He gave the opportunity to the project team to brief on the status and purpose of the meeting.

#### **MIN 3-10/7/23 REMARKS FROM KISIP2 NATIONAL**

The KISIP2 National representative noted that Bungoma county is benefitting both in land tenure regularisation component. The County was reminded of their key role as physical planning authority and decision making on matters planning of the informal settlement lies with them. It was also explained that there was a participation agreement in which the county committed to address Project Affected Persons arising from the project. Therefore, the County is expected to have committed funds for resettling anyone displaced in the course of the project.

It was expected to have localized solution in case of anticipated negative impact. The project team noted that other roles expected from the county is validation and forwarding of the final list of beneficiary.

The county was informed that after the draft plan is approved, it will be advertised for 60 days to get comments from other stakeholders. They were urged to fast track the approval to allow subsequent processes of surveying and issuance of titles to beneficiaries.

#### **MIN 4-10/7/23 REVIEW OF DRAFT PHYSICAL LAND USE AND DEVELOPMENT PLAN.**

The consultant then gave a brief summary of the milestones the consultant had made since the inception of the project in the settlement. It was noted that the boundary verification, ground picking, socio-economic survey and environmental screening of the settlement had been done and the outputs had been validated by the community. The following highlights of the draft plan were noted:

- i. The principles of connectivity and conservation were used in preparing the plan
- ii. The settlement is characterised by well-defined road network
- iii. A proposed 6m riparian reserve has been proposed for the river
- iv. 15m, 12m, 9m and 6m roads have been proposed in the settlement
- v. There is one open space that has been retained in the settlement
- vi. There is minimal encroachment into the proposed roads and the anticipated PAPs are expected to be minimal

#### **MIN 5-10/7/23 TECHNICAL TEAM COMMENTS ON THE DRAFT LP&LUDP**

The following comments were noted from the technical team:

Stakeholder concern	Response
Was there a challenge while opening up roads?	No, the settlement has well defined roads. All the proposed roads exist in the settlement
Are there any funds for beautification of open spaces?	The open spaces will be managed by the county. The current project does not cover such activities
What is the railway reserve given that the current railway is a service lane for the defunct Pan paper mills?	The proposed reserve is the standard 30m. However, further consultation with Kenya Railways will be done to ascertain this.
Can all the plots be standardized to 50ft by 100 ft, or 100ft by 100ft?	It was agreed that efforts will be made in the final plan to standardize the plots where possible to avoid cases of displacement in the settlement.
What is the guideline of the preliminary pages of the planning report?	KISIP2 National committed to provide a standard outline for all participating counties.
Make the boundary of the school regular	This will be adjusted.
The area around Nabuyole apartments has not been demarcated	This will be demarcated into 50ft by 100ft plots and beneficiaries asked to enumerated

It was agreed that the consultant to continue working with the County to make improvements to the draft plans ahead of the community presentation session later that day.

#### **MIN 6-10/7/23 A.O. B**

The meeting ended with prayer at 12.30 pm with prayer.

Minutes confirmed by:

1. Anthony Kimani P 21/07/2023  
(KISIP2 National Representative)
2. [Signature] 21/07/2023  
(Bungoma County representative)
3. [Signature] 21/7/2023  
(LER Consult Representative)





## ATTENDANCE SHEET

NAME OF COUNTY: BUNGUOMA NAME OF SUBCOUNTY: MEBOTE EAST  
 NAME OF SETTLEMENT: NAUGENI DATE: 10/7/2023

### ACTIVITY: PRESENTATION OF DRAFT PLAN AND VALIDATION

NAME	DESIGNATION	ID NUMBER	TELEPHONE NO.	SIGN
1 <u>George Kambo</u>	<u>Chief officer-lands</u>	<u>7993123</u>	<u>0722288349</u>	<u>[Signature]</u>
2 <u>Wellington B. Sindani</u>	<u>Director P. Planning</u>	<u>22587572</u>	<u>0723495865</u>	<u>[Signature]</u>
3 <u>Ben Masika</u>	<u>Sub-County Admin. Officer</u>	<u>7686359</u>	<u>0716055578</u>	<u>[Signature]</u>
4 <u>Philip Muriela .S</u>	<u>WARD ADMINISTRATION</u>	<u>11329571</u>	<u>0701283322</u>	<u>[Signature]</u>
5 <u>Anthony K. Kimasop</u>	<u>ASSISTANT - KISIP - NPC</u>	<u>23018469</u>	<u>0717801556</u>	<u>[Signature]</u>
6 <u>Pauline Sitima</u>	<u>P-EGON - KISIP NPC</u>	<u>21378881</u>	<u>0724766191</u>	<u>[Signature]</u>
7 <u>Caroline Gore</u>	<u>WORKING GROUP Webuye</u>	<u>81810608</u>	<u>0710463144</u>	<u>[Signature]</u>
8 <u>Miriam Masika</u>	<u>physical planner</u>	<u>25046127</u>	<u>0723124543</u>	<u>[Signature]</u>
9 <u>ANDREW KENYA</u>	<u>physical planner</u>	<u>27519212</u>	<u>0727001965</u>	<u>[Signature]</u>
10 <u>Wages Ikiyaga</u>	<u>WORKING GROUP</u>	<u>31105718</u>	<u>0702516148</u>	<u>[Signature]</u>
11 <u>TERRIT</u>	<u>PROJECT KISIP</u>	<u>2964447</u>	<u>0715040392</u>	<u>[Signature]</u>
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Consultancy Services for Physical Planning, Cadastral Survey and Detailed Topographical Survey of 9 Selected Informal Settlements in Siaya, Homabay, Bungoma, TransNzoia and West Pokot Counties: Lot V Cluster 3: Reference No: KE-MOTI-235021-CS-QCBS





**PHYSICAL PLANNING, CADASTRAL SURVEY AND DETAILED TOPOGRAPHICAL  
SURVEY OF 9 SELECTED INFORMAL SETTLEMENTS IN SIAYA, HOMABAY,  
BUNGOMA, TRANS NZOIA AND WEST POKOT COUNTIES: LOT V CLUSTER 3  
REFERENCE NO: KE-MOTI-235021-CS-QCBS**

**MINUTES OF STAKEHOLDERS MEETING FOR PRESENTATION OF DRAFT  
PHYSICAL AND LAND USE DEVELOPMENT PLAN FOR NANGENI INFORMAL  
SETTLEMENT HELD AT GOSPEL LIGHTHOUSE CHURCH WEBUYE ON 10/07/2023.**

**Members Present**

- 1 . KISIP2 National Representatives
- 2 . Bungoma County Officials
- 3 . SEC members and GRC members
4. Nangeni community members
- 5 . LER Consult Ltd

**Agenda**

1. Introductions
2. Remarks from the KISIP2 National Representatives
3. Draft plan presentation
4. Stakeholder comments
5. Resolution
6. Verification of draft List of beneficiaries
7. AOB

**MIN 01-10/07/23 PRELIMINARY**

The meeting was called to order by the SEC chairperson at 12:00 pm. He welcomed all members present and asked one community member to open by prayer. He introduced the SEC members Present and then the GRC members.



The county planner introduced the county officials present and later welcomed the Consultant and the KISIP2 National Representatives for introductions

The county planner congratulated the members for their support and the county government together with the National government through KISIP2 in realizing the project outcomes. She commended the consultant for the project milestones and urged the community to continue supporting the consultant in delivering the project.

#### **MIN 02-10/07/23 REMARKS FROM THE KISIP2 NATIONAL TEAM**

The KISIP2 National representative, congratulated the community members for their support and cooperation with the consultant and the county government on the project activities. It was noted that the project aims at tenure regularization whose end goal is to get lease title certificate for the land. The community was informed that the meeting was meant to share the draft plan that has been prepared after capturing the ground situation and the aspirations of the community. It was noted that this process is participatory and every step requires the input of the community. The community was advised to address any grievances through the grievance redress mechanism laid down by the project i.e through the GRC committee at the settlement level. The community was reminded that the project is transparent and participatory in nature and involves all comments from all stakeholders.

Beneficiaries who are couples were encouraged to register the titles under joint ownership to facilitate property administration in the event the spouse dies. The community was also advised not to tamper with the beacons once they are placed during the survey process.

#### **MIN 03-10/07/23 DRAFT PLAN PRESENTATION**

The consultant then gave a brief summary of the milestones the consultant had made since the inception of the project in the settlement. It was noted that the boundary verification, ground picking, socio-economic survey and environmental screening of the settlement had been done and the outputs had been validated by the community. The following highlights of the draft plan were noted:



- i. The principles of connectivity and conservation were used in preparing the plan
- ii. The settlement is characterized by well-defined road network
- iii. A proposed 6m riparian reserve has been proposed for the river
- iv. 15m, 12m, 9m and 6m roads have been proposed in the settlement
- v. There is one open space that has been retained in the settlement
- vi. There is minimal encroachment into the proposed roads and the anticipated PAPs are expected to be minimal

#### **MIN 04-10/07/2023: STAKEHOLDER COMMENTS ON THE PROCESS**

The following comments were raised by the stakeholders

If they can include the two abutting plots in the project	This project is restricted in terms of acreage. However other interventions might be undertaken by the county government.
The proposed roads to be minimized	The planner informed that the roads were relevant for connectivity in the settlement and In case of emergencies like fires the fire brigade can easily access the buildings.
How has the sewerage and water issue addressed in the plan?	The county planner noted that it was considered in the plan. However, actual works are to be undertaken by the County
Can a plot which is 25 by 100 can be regularized?	As long as it falls under the planning regulations it will be considered for titling
Can one add beneficiaries to the draft list?	Yes, the process of verifying the list of beneficiaries is ongoing. However, beneficiaries being added should be above 18 years and should have ID and KRA PIN.

#### **MIN 05-10/07/2023 RESOLUTION**

The community unanimously agreed to adopt the draft plan with the stated amendments. The adoption of the Draft plan was proposed by Mr. Wilson Gitau and seconded by Ms. Ann Njoki Mwangi.

The community was informed that the amendments to the plan will be done before the notice for completion is done. After this, other stakeholders will be given 60 days to give comments about the plan.

Once this is done and the comments incorporated, the plan will be tabled in the County assembly for approval. The approved plan will give way for the beaconing of the plots. After the beaconing stage, the RIM will be amended and titling of the plots will be done.

#### **MIN 06-10/07/2023 VERIFICATION OF LIST OF BENEFICIARIES**

The consultant presented the draft list of beneficiaries to the community for validation and correction. Every name on the list, along with photographic evidence of the structure owner/owners were then individually called out for corrections and signatories of the beneficiaries.

The community were given until 28/7/2023 to verify their details and make necessary amendments to enable conclusion of this matter.

#### **MIN 07-10/07/2023 AOB**

The meeting ended with prayer at 3:00 pm

Minutes confirmed by:

1. Anthony R. Kinosop 21/07/2023  
(KISIP2 National representative)
2. [Signature] 21/07/2023  
(Bungoma County representative)
3. [Signature] 21/07/2023  
(Nangeni community Representative)
4. [Signature] 21/07/2023  
(LER Consult Representative)





# ATTENDANCE SHEET

NAME OF COUNTY: BUNGOMA NAME OF SUBCOUNTY: KIEBUTE EAST

NAME OF SETTLEMENT: NANGENI DATE: 10/17/2023

ACTIVITY: PRESENTING THE DRAFT PLAN AND VALIDATION

NAME	DESIGNATION	ID NUMBER	TELEPHONE NO.	SIGN
1 DOROTHY SILAKO	RESIDENT	24046690	072196465	<i>[Signature]</i>
2 WILSON M. GITHA	RESIDENT	8240178	0729469265	<i>[Signature]</i>
3 ANNE NYAMBURA KAMIAU	RESIDENT	14461546	073948867	<i>[Signature]</i>
4 FRANCIS M. NJENGA	RESIDENT	20812658	0720477236	<i>[Signature]</i>
5 PATRICK NGURU	RESIDENT	3055170	0721353487	<i>[Signature]</i>
6 NAETARY NGARUWYO	RESIDENT	12417945	0727082050	<i>[Signature]</i>
7 JOHN MURURI NGIGI	RESIDENT	13432418	0715522097	<i>[Signature]</i>
8 DANIEL KIHARA	RESIDENT	13415096	0717506374	<i>[Signature]</i>
9 RUTH KUNDU	RESIDENT	0333343	0708773596	<i>[Signature]</i>
10 KAAARI GATIIMBU	RESIDENT	23284653	0721373532	<i>[Signature]</i>
11 ROSELTIN LUNANI	RESIDENT	1436586	0721230110	<i>[Signature]</i>
12 ERICK OIRIOT	RESIDENT	22633573	070406468	<i>[Signature]</i>
13 LEAH N. MARUETI	RESIDENT	22224415	0716373315	<i>[Signature]</i>
14 MOSES EKUNA	RESIDENT	4148389	0711403455	<i>[Signature]</i>
15 JABITHA W. NJORGE	RESIDENT	10772720	0707441227	<i>[Signature]</i>

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Consultancy Services for Physical Planning, Cadastral Survey and Detailed Topographical Survey of 9 Selected Informal Settlements in Siaya, Homabay, Bungoma, TransNzoia and West Pokot Counties: Lot V Cluster 3: Reference No: KE-MOTI-235021-CS-QCBS







## ATTENDANCE SHEET

NAME OF COUNTY: BUNGOMA NAME OF SUBCOUNTY: WEBUITE EAST

NAME OF SETTLEMENT: NANGENI DATE: 10/12/2023

### ACTIVITY: PRESENTING THE DRAFT PLAN AND VALIDATION

NAME	DESIGNATION	ID NUMBER	TELEPHONE NO.	SIGN
1				
2	<u>Patrici sithine</u>	<u>21318881</u>	<u>07224766191</u>	<u>Q</u>
3	<u>Anthony K. Kimesop</u>	<u>23018489</u>	<u>0717841536</u>	<u>JP</u>
4	<u>William Teigut</u>	<u>22473929</u>	<u>0722995884</u>	<u>JP</u>
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Consultancy Services for Physical Planning, Cadastral Survey and Detailed Topographical Survey of 9 Selected Informal Settlements in Siaya, Homabay, Bungoma, TransNzoia and West Pokot Counties: Lot V Cluster 3: Reference No: KE-MOTI-235021-CS-QCBS







# ATTENDANCE SHEET

NAME OF COUNTY: BUNGOMA NAME OF SUBCOUNTY: WEBUVE EAST

NAME OF SETTLEMENT: NANQENI DATE: 10/1/2023

## ACTIVITY: PRESENTING DRAFT PLAN AND VALIDATION

NAME	DESIGNATION	TELEPHONE NO.	SIGN
1 JAFED MAKHAKWA WAFULA	Community member	037104426	<i>[Signature]</i>
2 John Dugwee Mosongo	"	0722585582	<i>[Signature]</i>
3 PETER WOOD KIBANDA	"	0720778048	<i>[Signature]</i>
4 PET ARA WEREA	"	0712-852820	<i>[Signature]</i>
5 BEN S. WATA	"	0722760110	<i>[Signature]</i>
6 JOSEPH M. SUBI	"	0708426262	<i>[Signature]</i>
7 Helmut Moki Mwengi	"	0790630393	<i>[Signature]</i>
8 Mary M. Kenuthia	"	0714500462	<i>[Signature]</i>
9 BORAS N. WAKHUNGU	"	0700514812	<i>[Signature]</i>
10 ESTHER NGURU	"	0714046452	<i>[Signature]</i>
11 Maria gachiko machani	"	0721132781	<i>[Signature]</i>
12 JOSEPHINE N. MUKHANA	ASS/CHIEF	0712148338	<i>[Signature]</i>
13 JAMES OMUNGA NYANJIRA	MEMBER SDA BUNISE CHURCH	0723794231	<i>[Signature]</i>
14 ANDREW FUKUO MUNIALO	COMMUNITY MEMBER	0729260652	<i>[Signature]</i>
15 SAMUEL W. KISOZA	CHIEF	0723062469	<i>[Signature]</i>

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## ATTENDANCE SHEET

NAME OF COUNTY: BUNGOMA NAME OF SUBCOUNTY: KEBUTE EAST  
NAME OF SETTLEMENT: NANGENI DATE: 10/7/2023

### ACTIVITY: PRESENTATION OF DRAFT PLAN

NAME	DESIGNATION	ID NUMBER	TELEPHONE NO.	SIGN
1 CAROLINE CHEPCHUR	PH SR PHYSICAL PLANNER	200133577	0712101120	<i>[Signature]</i>
2 CHARLES WATITWA	CHIEF PUBLIC HEALTH OFFICER	14611334	0711553789	<i>[Signature]</i>
3 AUGUSTINE WAFULA	PHYSICAL PLANNING STUDENT	39232304	0743570003	<i>[Signature]</i>
4 WINSTON SAKWA	SNR. PHYSICAL PLANNER	23834962	0725660435	<i>[Signature]</i>
5 JOHN MUKHONGO	ATTACHEE PHYSICAL PLANNING	25897047	0740114945	<i>[Signature]</i>
6 WASILU KIZITO	ATTACHEE PHYSICAL PLANNING	74870862	0758065437	<i>[Signature]</i>
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Consultancy Services for Physical Planning, Cadastral Survey and Detailed Topographical Survey of 9 Selected Informal Settlements in Siaya, Homabay, Bungoma, TransNzoia and West Pokot Counties: Lot V Cluster 3: Reference No: KE-MOTI-235021-CS-QCBS







## ATTENDANCE SHEET

NAME OF COUNTY: BUNGOMA NAME OF SUBCOUNTY: WISBUTE EAST

NAME OF SETTLEMENT: NANGENI DATE: 10/7/2023

### ACTIVITY: PRESENTATION OF DRAFT PLAN AND VALIDATION

	NAME	DESIGNATION	ID NUMBER	TELEPHONE NO.	SIGN
1	RONALD WIEKESA	CHAIRMAN	7618491	0743782971	<i>[Signature]</i>
2	REV. HERMAN KASILI	SECRETARY	10961072	0722607481	<i>[Signature]</i>
3	PSI FACH WIEKESA	SEC: MEMBER	26235446	0712852820	<i>[Signature]</i>
4	MARIA GACHAKO NI	MEMBER	0715003009	7973886	<i>[Signature]</i>
5	PRISCILLA T MURATI	MEMBER	22051968	0712534829	<i>[Signature]</i>
6	VICTOR JUMA	MEMBER	8013873	0720666860	<i>[Signature]</i>
7	EMMANUEL MUKUNA	MEMBER	22085916	0720918961	<i>[Signature]</i>
8	ELIZABETH WAMALWA	MEMBER	35597047	0740114445	<i>[Signature]</i>
9	Moses Kisinga	COUNTY ATTACHEE	34870862	0758065437	<i>[Signature]</i>
10	JOHN MUKENGO	ATTACHEE	39732304	0743570003	<i>[Signature]</i>
11	WASIKE KIZITO	ATTACHEE MEMBER	6233868	0713316402	<i>[Signature]</i>
12	AUGUSTINE WAPULA	ATTACHEE MEMBER	33278460	0724778039	<i>[Signature]</i>
13	GRACE WANJIRU	MEMBER	18341084	0728826774	<i>[Signature]</i>
14	ESTHER MUDARA				
15	RITA ABDUL				

Consultancy Services for Physical Planning, Cadastral Survey and Detailed Topographical Survey of 9 Selected Informal Settlements in Siaya, Homabay, Bungoma, TransNzoia and West Pokot Counties: Lot V Cluster 3: Reference No: KE-MOTI-235021-CS-QCBS







**PHYSICAL PLANNING, CADASTRAL SURVEY AND DETAILED TOPOGRAPHICAL SURVEY  
OF 9 SELECTED INFORMAL SETTLEMENTS IN SIAYA, HOMABAY, BUNGOMA, TRANS  
NZOIA AND WEST POKOT COUNTIES: LOT V CLUSTER 3  
REFERENCE NO: KE-MOTI-235021-CS-QCBS**

**MINUTES OF THE TECHNICAL MEETING AT THE BUNGOMA COUNTY LAND AND  
PHYSICAL PLANNING OFFICE ON 24<sup>TH</sup> NOV 2023**

**Present**

1. Bungoma County Officials
2. LER Consult Ltd

(Attendance list in annex)

**Agenda**

1. Introductions
2. Remarks from the County
3. Remarks from the Consultant
4. Technical team comments on the proposed Nangeni local physical and land use plan
5. Way forward
6. AOB

**MIN 1-24/11/23 PRELIMINARY**

The meeting was called to order by the Director Physical Planning, Wellington B. Sindami at 11:00 am. He welcomed all members present. The stakeholders present were allowed to do self-introduction.

**MIN 2-24/11/23 REMARKS FROM THE COUNTY**

Director Physical Planning Mr. Sidani thanked the consultant for the milestones achieved so far in the planning and surveying of Nang'eni Informal Settlement. He however pointed out issues that were of concern raised by the county government of Bungoma. The concerns included:

1. Orientation of plots in the plan not reflecting the ground
2. Some of the plots have road frontages that are too wide
3. Some beneficiaries are benefiting with more than one plot within the settlement.

**MIN 3-24/11/23 REMARKS FORM THE CONSULTANT**

The consultant gave a brief summary of the milestones the consultant had made since the inception of the project in the settlement. It was noted that the boundary verification,

ground picking, socio-economic survey and environmental screening of the settlement had been done according to the KISIP/world bank guidelines which defines beneficiary as the person who lays claim of the plot, uses the plot for a long period of time and is not disputed by any other party and that the main objective of the project is to regularise land tenure and not new allocation of plots.

The consultant also noted that all the output had been validated by the community and county technical team.

#### MIN4-24/11/23 TECHNICAL TEAM COMMENTS ON THE PRESENTATION

NO.	QUESTIONS	ANSWERS AND RESOLUTIONS
1.	Can the roundabout near the school be named as social hall to safe guard it from land grabbing?	the amendment of the public purpose land use was done and the parcel reserved for Social Hall
2.	Some plots are so near to the river and How was the riparian determined	The riparian is 2.5 m from the highest water mark. The road fronting these plots to be reduced to 12m and the plots moved forward by 3m. This will increase the riparian reserve
3.	Can the riparian land be named Recreational Park to avoid encroachment	The recreational park land use was adopted in the plan to mark riparian land
4.	Are beneficiaries with more than one plot get titles for all the plots?	Yes. This is in line with the regularization process. However, the consultant will forward the list of beneficiaries to the County for further scrutiny and verification. A verified list will be forwarded for titling.


#### MIN 5-24/11/23 WAY FORWARD

It was agreed that the consultant will submit amended plan to the county for validation. The consultant was requested to invite the County assembly sector committee for sensitization and appraisal on the proposed plan on 5<sup>th</sup> Dec 2023 at Aturkan Hotel Kitale.

#### MIN 6-24/11/23 A.O.B

The meeting ended at 11:00 am with a word of prayer.

Minutes confirmed by:

1. Wellington Billy Siachani   
(Bungoma County representative)
3.  Evelyn Amilo 24/11/2023  
(LER Consult Representative)



## ATTENDANCE SHEET

NAME OF COUNTY: BUNGOMANAME OF SUBCOUNTY: WEBUYE EASTNAME OF SETTLEMENT: NANGENIDATE: 24/11/2023ACTIVITY: TECHNICAL MEETING ON PROPOSED LUP - Meeting with CEC, CO & Director

	NAME	DESIGNATION	TELEPHONE NO.	SIGN
1	Arch. Douglas Sista wekesa	CEC	0725641713	
2	George Kombo	CO - Lands & PP	0722288349	
3	Plan. B. W. Sindani	Director C. P. Planning	0723 495865	
4	Everlyne Amile	Social Safeguards - LER Council	0722485970	
5	Dr. Fredrick Owino	Physical Planner - LER	0721746240	
6	Dr. Silas Muketha	Team leader - LER Council	0722647157	
7	MAUREEN MWENJA	LAIGION OFFICER - LER CONSULT	0722857348	
8	Charles Wamala	County Engineer	0725724249	
9				
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Consultancy Services for Physical Planning, Cadastral Survey and Detailed Topographical Survey of 9 Selected Informal Settlements in Siaya, Homabay, Bungoma, TransNzoia and West Pokot Counties: Lot V Cluster 3: Reference No: KE-MOTI-235021-CS-QCBS



Minutes of the Nangeni SEC and technical committee consultation meeting held on 24/11/2023 at Webuye East Sub-County office





**PHYSICAL PLANNING, CADASTRAL SURVEY AND DETAILED TOPOGRAPHICAL SURVEY  
OF 9 SELECTED INFORMAL SETTLEMENTS IN SIAYA, HOMABAY, BUNGOMA, TRANS  
NZOIA AND WEST POKOT COUNTIES: LOT V CLUSTER 3  
REFERENCE NO: KE-MOTI-235021-CS-QCBS**

**MINUTES OF THE SEC MEETING HELD AT THE WEBUYE EAST SUB COUNTY OFFICE ON  
24TH NOV 2023 DURING PRESENTATION OF DRAFT PHYSICAL AND LAND USE PLANS  
FOR NANGENI INFORMAL SETTLEMENT**

**Present:**

1. Bungoma County officials
2. Bungoma KISIP2 County Project Coordination team
3. LER Consult Ltd
4. SEC members
5. Community members  
(Attendance list in annex)

**Agenda**

- i. Introduction
- ii. Remarks from the County
- iii. Technical team comments on the draft LP&LUDP
- iv. A.O. B

**MIN 1-24/11/23 INTRODUCTION**

The meeting was called to order by the Director land and physical planning Mr. Wellington Sidani at 11:30 am. This was followed by prayer. The stakeholders present were then allowed to do self-introductions.

**MIN 2-24/11/23 REMARKS FROM COUNTY OFFICIALS**

The Director Lands, housing and physical planning welcomed the team and for the day's discussions. The Director Physical planning noted that they were committed to see that the project is implemented smoothly. He noted that the 60 days' completion notice is underway and will lapse on January 14<sup>th</sup> 2024. He encouraged the SEC Members to scrutinise the plan and forward comments to the county before the lapse of the notice.

He further noted that the county is working closely with the consultant to ensure completion of the project to ensure the settlement qualifies for the infrastructure upgrading component in KISIP 2.

The Chief Officer Lands and physical Planning urged the community to support the project but also ensure honesty when claiming ownership of land within Nang'eni informal settlement.

#### MIN 3-24/11/23 TECHNICAL TEAM COMMENTS ON THE DRAFT LP&LUDP

The following comments were noted from the Stakeholders:

Stakeholder concern	Response
the schools requesting for additional plot has been allocated to individuals towards Nabuyole apartments ?	School to do a formal letter to the chief officer Land , physical planning requesting for the additional plots and a feedback will be given to the school management on the same
Plot numbers in the plan keep changing ?	The numbering in the plan keep changing with amendments of the plan but the positioning and the plot size is the same as the ground
Where the subdivision of plots from the previous sizes?	Plots have been subdivided to standard 50/100 size but beneficiaries will still get the plot size that they initially claimed.




The following was agreed during the meeting:

- i. The consultant will strive to achieve standard plots (50x100) where possible.
- ii. The consultant will formally forward the list of beneficiaries to the County for further scrutiny and verification before forwarding the final list to NPCT for titling

#### MIN 4-24/11/23 A.O. B

The meeting ended with prayer at 2.00 pm with prayer.

Minutes confirmed by:

1. Caroline Chepkorir   
(Bungoma County representative)
2. RONALD WERESA   
(SEC representative)
3. Everlyne Amile  24/11/2023  
(LER Consult Representative)



## ATTENDANCE SHEET

NAME OF COUNTY: BUNGOMANAME OF SUBCOUNTY: WEBUYE EASTNAME OF SETTLEMENT: NANGENIDATE: 24/11/2023ACTIVITY: TECHNICAL MEETING ON PROPOSED LUP - Meeting with technical team, Webuye town.

	NAME	DESIGNATION	TELEPHONE NO.	SIGN
1	BENSON NANGENI	PLANNER	072753622	
2	CALOR KISTOMBE	ADMIN	0703536096	
3	Hastings Kissa	PLANNER	0711582727	
4	Wellington Oundo	SEC MEMBER	072832491	
5	GILLATE SHIVACHI	P.R.G SCHOOL PA CHAIR.	0786822512	
6	ABUYIKA COLLINS	PAG. SCHOOL H/L	0723751839	
7	ESTHER NGURE	SEC MEMBER	0714046452	
8	RDSE LUNANI	SEC. MEMBER	0721230110	
9	RUTH KUNDU	SEC. MEMBER	0708793596	
10	JOI FRA WAKESA	SEC MEMBER	0712532820	

Consultancy Services for Physical Planning, Cadastral Survey and Detailed Topographical Survey of 9 Selected Informal Settlements in Siaya, Homabay, Bungoma, TransNzoia and West Pokot Counties: Lot V Cluster 3: Reference No: KE-MOTI-235021-CS-QCBS



## ATTENDANCE SHEET

NAME OF COUNTY: BUNGOMANAME OF SUBCOUNTY: WEBUYE EASTNAME OF SETTLEMENT: NANGENIDATE: 24/11/2023ACTIVITY: TECHNICAL MEETING ON PROPOSED LUP - Meeting with technical team, Webuye town.

	NAME	DESIGNATION	TELEPHONE NO.	SIGN
1	Blanc B. W. Sindani	Director, C.P. PLAN	0723495865	
2	CAROLINE CHEPKORIR	SENIOR PHYSICAL PLANNER	0712101120	
3	Dr. Silas Munkelton	Team leader LER team	0722647157	
4	Dr. Fredrick Owino	Physical Planner - LER	0721746240	
5	Everlyn Amile	Social Safeguards	0722485970	
6	REV. HERMAN KASILI	SEC SECRETARY	0722607481	
7	RONALD WEKESA	SEC CHAIRMAN	0748782979	
8	REV FRANK MUSAHALI	SEC MEMBER	0725333699	
9	Carol Gore	WORKS officer Webuye	0710468144	
10	David Mwaka	Housing officer	0726268179	

Consultancy Services for Physical Planning, Cadastral Survey and Detailed Topographical Survey of 9 Selected Informal Settlements in Siaya, Homabay, Bungoma, TransNzoia and West Pokot Counties: Lot V Cluster 3: Reference No: KE-MOTI-235021-CS-QCBS







# ATTENDANCE SHEET

NAME OF COUNTY: BUNGOMA

NAME OF SUBCOUNTY: NEBUYE EAST

NAME OF SETTLEMENT: KANGENI

DATE: 24/11/2023

ACTIVITY: TECHNICAL MEETING ON PROPOSED LPMP - Meeting with technical team, Nebuye town

	NAME	DESIGNATION	TELEPHONE NO.	SIGN
1	Musa Mwachabala	Residence of Nya	0721210905	
2	Boris MASINDI	ACCOUNTANT LANDS	0717150709	
3	JOE W WATULU	LANDS	0712824922	
4	Emmanuel Wekesa	LANDS	0726832413	
5	George Kombo	CD - Lands	0722288349	
6				
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Consultancy Services for Physical Planning, Cadastral Survey and Detailed Topographical Survey of 9 Selected Informal Settlements in Siaya, Homabay, Bungoma, TransNzoia and West Pokot Counties: Lot V Cluster 3: Reference No: KE-MOTI-235021-CS-QCBS





### 3. Nangeni settlement intention to plan



REPUBLIC OF KENYA  
Ministry Of Lands, Public Works, Housing and  
Urban Development  
State Department of Housing and Urban Development  
Second Kenya Informal Settlement Improvement  
Project



COUNTY GOVERNMENT OF BUNGOMA  
Office of the CECM  
Department of Lands, Urban/Physical  
Planning Housing & Municipalities

Ministry Of  
State Department  
Second Kenya

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**THE PHYSICAL AND LAND USE PLANNING ACT 2019  
NOTICE OF INTENTION TO PLAN**

**Project Area:** Nang'eni in Webuye East Sub-County in Bungoma County

Notice is hereby given to all Residents and Stakeholders in **Bungoma County** that Pursuant to Article 6, 10 (2), 60, 66, 67, 184, 186 and the First and Fourth Schedules of the Constitution of Kenya, 2010; the National Land Commission Act, County Government Act, Urban Areas and Cities Act, The Physical and Land Use Planning Act 2019, Physical Registration Act among other enabling legislations; The County Government of Bungoma in conjunction with the Ministry of Lands, Public Works, Housing and Urban Development, intends to prepare Local Physical and Land Use Development Plan for the above-mentioned project area.

This exercise will be carried out under the Second Kenya Informal Settlements Improvement Project (KISIP 2), a Government of Kenya project whose aim is to improve access to basic services and a land tenure security of residents in participating Urban Informal Settlements and strengthen institutional capacity for slum upgrading in Kenya.

Preparation of the Plan will be participatory and therefore all stakeholders are invited to the planning process. Any comments, enquiries or suggestions on the same may be done in writing to the **County Secretary, County Government of Bungoma, P.O. Box 437-50200 Bungoma**


**Dated 23rd January, 2023**

**Arch. Douglas Sasita Wekesa**  
**COUNTY EXECUTIVE COMMITTEE MEMBER**  
**DEPARTMENT OF LANDS, URBAN/PHYSICAL**  
**PLANNING HOUSING & MUNICIPALITIES**

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**Project**  
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#### 4. Nangeni settlement completion notice




REPUBLIC OF KENYA

**Ministry of Lands, Public Works, Housing  
and Urban Development**

*State Department for Housing and Urban  
Development*

*Second Kenya Informal Settlement  
Improvement Project*



**County Government of Bungoma**

*Department of Lands, Urban Planning,  
Housing, and Municipalities*

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**PHYSICAL AND LAND USE PLANNING ACT (NO. 13 OF 2019)**

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**NOTICE OF COMPLETION OF LOCAL PHYSICAL AND  
LAND USE DEVELOPMENT PLAN**

Title of the Development Plan: **Nangeni Local Physical and Land Use Plan (2023-2027)**

In Bungoma County under KISIP 2 Project Contract Number **KE-MOTI-235021-CS-QCBS**

Pursuant to the provisions of section 13 (g), 40(1, 2 & 3), 49 (1) and 69 (1& 2) of the Physical and Land Use Planning Act, 2019 read together with the Legal Notice No. 159 of 2019 and No. 29 of 2020, **NOTICE** is hereby given that the preparation of the Nangeni Local Physical and Land Use was completed on **25<sup>th</sup> October, 2023**.

The Plan relates to land situated within Nangeni Settlement within Webuye Urban Area, covering an area of approximately 5.6 Hectares (13.8 Acres).

Copies of the draft plan have been deposited for public inspection at the office of the **County Executive Committee Member for Lands, Urban/Physical Planning, Housing and Municipalities in Bungoma, Bungoma County**. The copies so deposited are available for inspection free of charge by all persons interested at the above-named address between **8:00am to 1:00pm and 2:00pm to 5:00pm, Monday to Friday**.

Any interested person (s) who wishes to make any representation in connection with or objection to the above plan may send the same to the **County Executive Committee Member for Lands, Urban/Physical Planning, Housing and Municipalities of P.O Box P.O Box 437-50200 Bungoma** within sixty (60) days from the date of this publication and such representations or comments shall state the grounds upon which they are made.

**Dated :14<sup>th</sup> November, 2023.**

**Arch. Douglas Sasita Wekesa**  
**CECM-Lands, Urban/Physical Planning, Housing & Municipalities**  
**County Government of Bungoma**  
**P.O Box P.O Box 437-50200 Bungoma**

