

Urban Dynamics in Kenya: Towards Inclusive Cities

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Key words: Local Government; Informal entrepreneurships; Informal settlements; Urban Planning; Urban Design; Land Use Planning; Participatory Urban Development Processes; City Economy; Environmental Planning; Good Urban Governance; Corruption; complicity; services delivery; investments; Public Private Partnerships; evening economy.

ABSTRACT

The city of Nairobi and Kenya's other cities and towns have grown exponentially in the last two decades. Nowhere has this growth been felt more than in Kenya's Capital City and regional commercial hub of Nairobi, from a city about one and a half million in 1980's to over four and a half million people in 2008. It is a symptom of the disillusionment (negative feelings, hopelessness and despondency) that many people in rural areas harbour about their habitats. They therefore flock to the cities and major towns in search of opportunities and "greener pastures". There has been a massive rural-urban exodus. Most able-bodied people end up in cities, the largest being Nairobi. Not all of them can fit in formal shelter, majority end up the "bus stop" informal settlements. "Bus stops" because they are easy to get in and get out just like a bus stop.

According to research, about sixty percent of Nairobi's population lives on about 7% of Nairobi's total land surface in the "bus stops". The general characteristics of the informal settlements are inadequate and/or indecent shelter. Barely any services (water, electricity, social infrastructures –schools, health, recreational facilities). This gives rise to four desperate scenarios:

- (i) Those in the formal settlements, but on the verge of shifting to the slums in need of more affordable housing, either through unemployment or low wages or changed family circumstances.
- (ii) Those in the informal settlements, have no means of earning a living, they are idle, but require shelter, food and other basic human needs, including empowerment. During the violence that followed the presidential, parliamentary and civic elections of December 27th, 2007, On December 30th, 2007 to January and February 2008. This lot, specifically those in Kibera got something to do. They uprooted the railway line and ransacked the wagons of its contents, mainly the food they needed. They also got a chance to express their dissatisfaction with the government and their failure to provide them with an opportunity to earn a meaningful living.
- (iii) Those in comfortable homes, which are perpetually in danger of being invaded by those in informal settlements, yet they draw their skilled and semi-skilled labour (mechanics, housekeeping and watchmen) from the slums. They have access to the social infrastructure they need. They form about 10% of the 40% middle and high incomes. They make the laws and rules of engagement.

- (iv) Investments by central and local government are grossly inadequate, and, service delivery is almost non – existent. To a limited and painfully slow rate, the informal settlements are slowly but grudgingly being included in the formal planning processes.

The net result is a city divided into distinct zones, from the ones who have everything to the ones who have nothing, and those in between. The Ministry of Local Government, the mother ministry of the City Council of Nairobi, the local authority expected to offer services to the city residents but has its own challenges.

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1. INTRODUCTION

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2. MINISTRY OF LOCAL GOVERNMENT SERVICE CHARTER

The Service Charter:

- Offers to lead in the fight against poverty and bringing economic growth and development in both rural and urban areas.
- It recognizes that local authorities would have increased responsibility and require greater managerial competence.
- Decentralization and empowerment at the local level will require an institutional framework and capacity that is responsive to the overwhelming needs of the people, particularly the poor who have hitherto had limited access to public services.
- In an important input into the development of a mission statement to provide greater clarity and focus on the role of the Ministry.

Despite the good intentions the quality of services delivered is low and in many instances non-existent. So much so that the private sector operating in the city, and desiring different results, was compelled to intervene. They formed lobby groups to agitate for better services. Nairobi Central Business District Association (NCBDA) was formed.

3. NAIROBI CENTRAL BUSINESS DISTRICT ASSOCIATION (NCBDA)

NCBDA (Nairobi Central Business District Association) is a business and professionals association that came into being in 1997, out of necessity. Over these years it has become a household name in Kenya. NCBDA *vision* for NAIROBI is “THE 25-HOUR CITY ECONOMY, the Choice of Africa, Clean, Safe, Secure, and Vibrant”. NCBDA *core values* are safety, cleanliness, vibrancy (Life), dignity, ownership by all and opportunities for all.

NCBDA’s membership comprises business types of all shapes and sizes. NCBDA’s members are involved in manufacturing, merchandising and services. From the micro entrepreneur (hawkers) in the street to the largest one you can think of. NCBDA is like a forest, with grass, small trees, shrubs and large trunks. NCBDA’s clarion call is *Improvement through Action*.

The *mission* of the NCBDA is to work in partnerships with Government, donors, the City Council of Nairobi, private sector, civil society and other community partners to identify needs, develop strategies, share public policy and implement programmes to strengthen and market the economic viability and structural vitality of Nairobi and its regional role. The NCBDA is dedicated to making the City of Nairobi a great place to invest, live, work, worship and enjoy.

3.1 NCBD INTERVENTIONIST STRATEGIES

1. Security and Personal safety
2. The Environment and Sanitation
3. Infrastructure Development and Maintenance
4. Disaster Risk Reduction and Civil Contingency legislation
5. Good Urban Governance.
6. Investments – Local Direct Investments, Foreign Direct Investments (PPP's)
7. Marketing and Public Relations for Nairobi
8. Gross National Happiness
 - a. Where would you prefer to be miserable?
 - b. Net City Happiness
9. Decent shelter for all.
10. Capacity building to meet the nine above

NCBDA seeks to realize these interventionist strategies through Public Private Partnerships (PPP's) models that have worked elsewhere, but have not quite taken root here in Kenya.

4. PUBLIC PRIVATE PARTNERSHIP (PPP)

The UK Institute of Public Policy and Research (IPPR) has defined PPP as ..”A Risk sharing relationship between the public and private sectors based upon a shared aspiration to bring about a desired public policy outcome”. Thus any collaboration between public bodies, such as local authorities or central government, and private companies are referred to as public-private partnership (PPP). The wide-ranging benefits that Kenya’s private sector in general and Nairobi’s specifically, can derive from expanded and improved infrastructure facilities justify the priority accorded to financing infrastructure projects. Areas where governments could encourage private sector investment in infrastructure:

- Water: tertiary water supply (leaving the Government agencies to invest in the larger aspects like bulk water, water distribution, sewerage treatment
- Public housing, wholesale markets, hawkers markets, retail markets.
- Energy and power: power generation, transmission, distribution, renewable energy
- Oil and gas: pipelines, terminal distribution systems, field development
- Transportation: roads, bridges, ports, airports, rail transport systems
- Media and telecommunications: backbone networks, rural telephone systems
- Social Infrastructure: pro-poor health care, education, recreational

Involving the private sector in service provision should be explicit about expanding coverage to the urban poor, particularly in unserved areas. City governments can facilitate better basic services for all especially the poor through specified deliverables and risk sharing, i.e. partial guaranteed lending.

To realize these desirable Public Policy outcomes of inclusiveness and equity will require disciplined land use planning. We need to assess the role of the private sector and the

community in the urban planning and urban design processes in Kenya. I seek to explore, test and advance the use of legislation and policies in enhancing the urban planning and design to boost the inclusiveness (equity), vitality and viability of towns and cities in the context of entrepreneurship. More specifically my objectives are to identify the challenges, opportunities and benefits of participation by all stakeholders; to describe the nature, origins and purposes of such a practice.

5. LAND USE PLANNING

5.1 LAND USE PLANNING

Land use planning is the term used for a branch of public policy which encompasses various disciplines which seek to order and regulate the use of land in an efficient and ethical way.

The essential function of land use planning remains the same whatever term is applied. "*Land use planning means the scientific, aesthetic, and orderly disposition of land, resources, facilities and services with a view to securing the physical, economic and social efficiency, health and well-being of urban and rural communities*" The Canadian Institute of Planners

5.2 LAND MANAGEMENT

Land use is the human modification of natural environment or wilderness into built environment such as fields, pastures, and settlements. The major effect of land use on land cover has been deforestation.

Land use and land management practices have a major impact on natural resources including water, soil, nutrients, plants and animals. According to a report by the United Nations' FAO, land degradation has been exacerbated where there has been an absence of any land use planning, or of its orderly execution, or the existence of financial or legal incentives that have led to the wrong land use decisions, or one-sided central planning leading to over-utilization of the land resources - for instance for immediate production at all costs. As a consequence the result has often been misery for large segments of the local population and destruction of valuable ecosystems. Such narrow approaches should be replaced by a technique for the planning and management of land resources that is integrated and holistic and where land users are central. This will ensure the long-term quality of the land for human use, the prevention or resolution of social conflicts related to land use, and the conservation of ecosystems of high biodiversity value.

5.3 SPATIAL PLANNING (TERRITORIAL COHESION)

The terms *land use planning*, *town and country planning*, *regional planning*, *town planning*, *urban planning*, and *urban design* are often used interchangeably, and will depend on the country in question. In Europe the preferred term is increasingly *spatial planning* or more recently *territorial cohesion* (for regional and trans-national planning).

5.4 CHANGES IN THE PLANNING PROCESSES IN KENYA

Traditionally, urban planning focused on top-down processes where the urban planner created the plans. Changes to the planning processes in Kenya have witnessed the metamorphosis of the role of the urban planner in the planning process. More citizens want to get involved and are calling for democratic planning processes to play a pivotal role by being allowed to make important decisions as part of their equity in the final product (outcome). Nairobi citizens themselves, community organizers and social workers ought to partner together and get involved in planning from the grassroots level...

In the US, every legal activity must have its place in municipal and county zoning laws. Meaning if an adult entertainment facility can legally operate in a given jurisdiction, then the zoning laws must offer a proper and by-right zone for that business to operate within.

. These decisions have impacts on land values, safety and community interests. In Nairobi, the process of determining what can be built where has become extremely politicized.

6. THE PHENOMENON OF “LAND GRABBING”

Some active community groups wield much strength in the public land use approval process. Politics plays a part in the approval process. With the approval process being susceptible to public pressure and politics, there is now a subset of political culture known as land use politics and an even more ominous one in Kenya referred to as land grabbing. This is where public land set aside for public use is converted to personal use through political influence and patronage, with a pinch of corruption. Strictly speaking if the systems and procedures laid down are applied diligently this ought not to have happened, so a surveyor must have been involved somewhere.

Patterns of land use arise naturally in a culture through customs and practices, but land use may also be formally regulated by land use planning through zoning and planning permission laws, or by private agreements such as restrictive covenants. The setting aside of wilderness either publicly as a Wilderness Area, such as Nairobi National Park or privately as a conservation easement, such as the Nairobi City Park and the Nairobi Arboretum. But even these were in grave danger of being converted to personal use during a previous regime.

7. THE GROWTH PROCESS

Recent theories suggest that a city grows according to a process similar to those of plants. But there are challenges too; the collapsing of buildings in Nairobi and other Kenyan towns, during construction, with fatalities is a major cause for concern and points an accusing finger at graft practised by the private sector and the public sector working in complicity. The budgetary constraints in central government and in local authorities and the apparent abundance (in the private sector) of skills, technology, capital as well as their Risk appetites may not have found common fertile ground to germinate in service delivery symbiosis..

8. PRIVATE SECTOR PARTICIPATION

What could be the Private Sector's role? What have been the major impediments/challenges so far? What could be the solutions? Many developments in Nairobi and other cities of Kenya were results of large and small-scale developers who purchased land, designed and constructed the development from scratch. Others like Mama Ngina Street in downtown Nairobi, for example, was largely an initiative pushed by the private sector who sought to redevelop it into a high-end pedestrian precinct for more practical commercial services.

9. URBAN DESIGN

Urban design concerns the arrangement, appearance and functionality of towns and cities, and in particular the shaping and uses of urban public space. It has traditionally been regarded as a disciplinary subset of urban planning, landscape architecture or architecture and in more recent times has been linked to emergent disciplines such as landscape urbanism. It is better conceptualized as a design practice that operates at the intersection of all three, and requires a good understanding of a range of others besides, such as urban economics, political economy and social theory.

Urban design theory deals primarily with the design and management of public space (i.e. the 'public environment', 'public realm' or 'public domain'), and the way public places are experienced and used.

While the urban planning and urban design are closely related, 'urban design' differs from 'urban planning' in its focus on physical improvement of the public environment, whereas the latter tends, in practice, to focus on the management of private development through planning schemes and other statutory development controls like zoning. The design, construction and management of public spaces therefore typically demands consultation and negotiation across a variety of spheres. Urban design may also deal with 'place management' to guide and assist the use and maintenance of urban areas. The following two examples may be complimenting or putting to shame these ideas:

9.1a NAKUMATT FIRE TRAGEDY

The fire tragedy at Nakumatt Downtown Supermarket that killed 29 people in the CBD of Nairobi on January 28th, 2009 has raised many questions. These are not only about planning but also about post-planning use. How regular and thorough are the inspections and certification of "fitness for use" by the City Council?

9.1b DEMOLITION OF KIOKS IN ALL RESIDENTIAL ESTATES

The City Council of Nairobi has in the past two months systematically demolished kiosks in all formal residential estate areas. These are owned and operated by the numerous micro-entrepreneurs, Kenyans, who are trying their hand at business, informally. These are attempts at self-employment mainly after failing to secure regular formal employment. The only places still served by kiosks are the informal settlements. It is not clear what long term plans are for

the kiosk operators, or where they have gone, but many stayed put, operating from the open air, which is a health risk to the patrons since most buy foodstuffs.

9.2 URBAN DESIGN CONSIDERS:

- (i) *Urban structure*– How a place is put together and how its parts relate to each other
- (ii) *Urban typology, density and sustainability* - spatial types and morphologies related to intensity of use, consumption of resources and production and maintenance of viable communities
- (iii) *Accessibility* – Providing for ease, safety and choice when moving to and through places
- (iv) *Legibility and way-finding* – Helping people to find their way around and understand how a place works
- (v) *Animation* – Designing places to stimulate public activity
- (vi) *Function and fit* – Shaping places to support their varied intended uses
- (vii) *Complementary mixed use* – Locating activities to allow constructive interaction between them
- (viii) *Character and meaning* – Recognizing and valuing the differences between one place and another
- (ix) *Order and incident* – Balancing consistency and variety in the urban environment in the interests of appreciating both
- (x) *Continuity and change* – Locating people in time and place, including respect for heritage and support for contemporary culture
- (xi) *Civil society* – Making places where people are free to encounter each other as civic equals, an important component in building social capital

9.3 DEVELOPMENT CONTROL

Development control or planning control is the element of Kenya's system of town and country planning through which local government regulates land use and new building. *It relies on the "plan-led system" whereby development plans are formed and the public consulted.* But that public needs to be made aware that they are to be consulted. I have seen boards at construction sites inviting those who may have objections to lodge their views with the City Council, but strangely these are posted on site and undated. Plus in all the cases I have come across, works are proceeding, so it defeats the purpose. Ideally works ought not to start until after expiry of date for notification of objection. Subsequent development requires planning permission, which will be granted or refused with reference to the development plan as a material consideration.

Theoretically, the primary purpose of zoning is to segregate uses that are thought to be incompatible; in practice, zoning is used as a permitting system to prevent new development from harming existing residents or businesses and to preserve the "character" of a community. Zoning is commonly controlled by local governments such as cities or municipalities, though the nature of the zoning regime may be determined or limited by national planning authorities or through enabling legislation, like the Physical Planning Act in Kenya.

Until very recently it was not uncommon to find bars, with loud music right in the middle of residential areas. Sometimes children were found in these bars either sitting at table with their parents who had gone to have one before going home, or waiting in the family cars, doing homework and sipping pop soda!!

9.4 GROWTH MANAGEMENT

Growth management is a set of techniques used by government to ensure that as the population grows that there are services available to meet their demands. This implies a certain sense of urgency and anticipation. Kenya has had these in the form of five year development plans. These are not necessarily only government services. Other demands such as the protection of natural spaces, sufficient and affordable housing, and delivery of utilities, preservation of buildings and places of historical value, and sufficient places for the conduct of business are also considered.

One technique is the **imposition of impact fees**. Impact fees are imposed to charge the owners of newly developed properties for the "impact" the new development will have on the community. Fees can be used for such things as transportation improvements, new parks, and expansion of schools. Impact fees are not used to maintain existing facilities, (or to pay salaries of council workers as was in case in Kisumu a city in Kenya) but instead are used to create new facilities in proportion to the number of new developments in the area.

This seems to be a serious challenge to most of Kenya's local governments. The situation is usually in reverse. Plots are sold without any services and the buyers are expected to address this upon purchase which makes prices of land higher than should be.

The application of growth management techniques are often governed by the development of a comprehensive plan. The plan can be used to measure the impact that new growth will have on the community and define the method by which that impact is mitigated. Land use planning is the term used for a branch of public policy which encompasses various disciplines which seek to order and regulate the use of land in an efficient and ethical way. Some times I wonder if we have comprehensive plan schemes in Kenya and if we do, do we adhere to them? As business leaders and developers, we are solely responsible for the deviations from these plans.

9.5 DISABILITY

Until the late 90s, Nairobi's urban designers had taken little account of the needs of people with disabilities (PWD). At that time, disabled people began to form movements demanding

recognition of their potential contribution if social obstacles were removed. Disabled people challenged the 'medical model' of disability which saw physical and mental problems as an individual 'tragedy' and people with disabilities as 'brave' for enduring them. They proposed instead a 'social model' which said that barriers to disabled people result from the design of the built environment and attitudes of able-bodied people. 'Access Groups' were established composed of people with disabilities who audited their local areas, checked planning applications and made representations for improvements.

9.6 DEVELOPERS AND REAL ESTATE DEVELOPMENT

Real estate development is a business, encompassing activities that range from the renovation and re-lease of existing building to the purchase of raw land and the sale of improved parcels to others.

- Developers are the coordinators of activities, converting ideas on paper into real property.
- They create, imagine, fund, control and orchestrate the process of development from the beginning to end. Developers, who form 90% of total investment in Kenya (UN Habitat 2008), usually take the greatest risk in the creation or renovation of real estate -- and receive the greatest rewards.
- Typically, developers purchase a tract of land, determine the target market, develop the building programme and design, obtain the necessary public approvals and financing, build the structure, and lease, manage, and ultimately sell it. Their role in the urban planning process is a pivotal imperative.

Therefore, Kenyan developers continue to play huge roles in influencing the way development occurs, particularly through project-based planning. Many recent developments were results of large and small-scale developers who purchased land, designed the district and constructed the development from scratch. The Windsor Golf and Country Club in Ridgeway of Nairobi's northern suburbs, was hived off from a coffee plantation and developed into one Kenya's finest golf resorts. Similarly, the Melbourne Docklands, in Australia, was largely an initiative pushed by private developers who sought to redevelop the waterfront into a high-end residential and commercial district.

9.7 ORGANIZING FOR DEVELOPMENT

No matter how talented an individual, development is a team effort. A development team can be put together in one of several ways. At one extreme, a large company might include many services, from architecture to engineering. At the other end of the spectrum, a development company might consist of one principal and a few staff that hire or contract with other companies and professionals for each service as needed.

The development process requires skills of many professionals: architects, landscape architects, and site planners to address project design; market consultants to determine demand and a project's economics; attorneys to handle agreements and government approvals; environmental consultants and soils engineers to analyze a site's physical limitations and

environmental impacts; surveyors and title companies to provide legal descriptions of a property; and lenders to provide financing.

9.8 SOCIAL POLICY

This relates to guidelines for the changing, maintenance or creation of living conditions that are conducive to human welfare. Thus social policy is that part of public policy that has to do with social issues. Social policy aims to improve human welfare and to meet human needs for education, health, housing and social security. The Malcolm Wiener Center for Social Policy at Harvard University describes it as "*public policy and practice in the areas of health care, human services, criminal justice, inequality, education, and labour*"

9.9 ZONING SYSTEMS

Zoning reduces the cost of service delivery. Zoning can be used to reduce the area affected by urbanization, allowing the same number of people to live and work in a smaller area, allowing services to be delivered more efficiently. For example, grocery stores and pizza delivery businesses can service only a limited area. If more customers are located within their service delivery area, the cost of delivering their services is decreased on account of economies of scale.

Zoning may include regulation of the kinds of activities which will be acceptable on particular lots (such as open space, residential, agricultural, commercial or industrial), the densities at which those activities can be performed (from low-density housing such as single family homes to high-density such as high-rise apartment buildings), the height of buildings, the amount of space structures may occupy, the location of a building on the lot (setbacks), the proportions of the types of space on a lot (for example, how much landscaped space and how much paved space), and how much parking must be provided. Most zoning systems have a procedure for granting variances (exceptions to the zoning rules), usually because of some perceived hardship caused by the particular nature of the property in question.

In Kenya Zoning codes have evolved over the years as urban planning has changed, legal constraints have fluctuated, and political priorities have shifted.

10. LOCAL ECONOMIC DEVELOPMENT (LED)

The concept of Local Economic Development is local people taking control and responsibility for job growth needs and the economic and social well-being needs of their community. The Councillors are expected to spearhead this. Recent changes that have gripped Kenya and the world as a whole require new approaches to address these needs. The population in Nairobi is 4 and a half millions in the day and about 3 and a half million in the night. Nairobians have become more knowledgeable and are keenly aware of their rights while they give a blind eye to their obligations. Local authorities are expected to play an active role in supporting economic growth and development. In this regard they are expected to:

- a. Promote the social and economic development of the community, alongside the traditional functions of:

- i. Delivering services
- ii. Administering by-laws
- b. With globalization the local authorities face challenges and opportunities of competing on the world stage.
- c. Support micro, small and medium, informal traders by reforming their by-laws, tendering procedures and other regulations
- d. Help existing industries to grow
- e. Help attract new investment both local and foreign alike. By being Responsive to the needs of local employees and employers

How can Councillors facilitate this? This can be done by bringing together community stakeholder, harnessing their energy, creativity and commitment so as to create a common vision and strategy to achieve that vision. In the end it is the energy, commitment and creativity by local people, elected and concerned private residents, preferably a combination of both that will achieve success in building a better future for all. The roles of Local Authorities become:-

1. Provide leadership – mobilize commitment and participation by serving as champions for economic development and growth.
2. Policy maker – to play this role, local authorities must develop a clear understanding of the economic conditions and comparative advantages in their locality. Strategic decisions will be required on budget priorities and revenue levels, and the ability to imbue pride, generate public support and community ownership of economic development. Through policy they can ensure that:-
 - a) Small businesses have access to tender processes.
 - b) They prevent regulations and by-laws from becoming barriers to growth and investments
 - c) Create streamlined approval processes for investments and development projects
 - d) Assist the training and capacity building projects of local NGO's
3. Entrepreneur – Involve private sector in exploring the commercial potential of land and buildings. Often these are left vacant and/or underutilized without calculations of the cost to the local economy. Kenya's local authorities can act as entrepreneurs to maximize the commercial potential of its land, buildings, open space public spaces, caravan parks, kiosks, roads reserves and pavements
4. Promoter – Promote economic development by creating a positive image of its locality. An effective way is to establish a team of key councillors and chief officials to meet investors, businesses, trade delegations and others to regularly highlight the strengths and opportunities of the locality

5. Catalyst – Take actions that catalyse new development initiatives. For example by releasing land and planning infrastructure programmes, they can encourage developments in deteriorating and under-developed areas. New business location and expansion can be catalysed by providing services sites. Local authorities can creatively utilize their facilities for major sporting and cultural events to maximize and increase the locality's visibility and image
6. Lobbyist – Local authorities must also lobby national government for policies and programmes that benefit their localities. This can be done through associations such as NCBDA and KARA (Kenya Alliance of Residents Associations)

10.2 WHY LED STRATEGIES ARE IMPORTANT?

The prosperity and welfare of cities around the world depend on the capacity of cities to take advantage of opportunities for:

1. Sustained employment growth
2. Minimize the challenges of global economic integration
3. Contain the problems associated with urban population growth

10.3 CITY DEVELOPMENT STRATEGIES (CDS)

This is an action plan for equitable growth in cities, developed and sustained through participation of community organizations and the private sector to improve the quality of life for all citizens. The Goals of CDS include:

1. Creating a collective city Vision
2. Action plans to designed to improve urban governance and management
3. Increase investments to expand employment and services
4. Provide systematic and sustained reduction in poverty reduction
5. Set clear priorities for action and sustainable investment and finance strategies
6. These priorities include identifying ways to improve the city's
 - o Overall economic performance and efficiency
 - o Promote city's competitiveness nationally and internationally
 - o Development of broad-based job creation plan, including the informal sector

10.4 Metropolitan and Community-Based Services

Service delivery can be managed at levels either above or below the city government. Cities may find it economical to cooperate on delivering services that naturally extend beyond their

borders or when economies of scale or complementarities exist. An example of metropolitan cooperation is the management of supply and distribution of water in the Hyderabad metro area, India .

In the other direction, service delivery can be effective at the community level by empowering user groups and citizen associations to develop effective solutions to their community's needs. The involvement of citizens as owners and operators may offer savings as the residents may be more careful to ensure proper maintenance of capital they have bought themselves. Researchers have found that community-built sewerage systems cost approximately one-half to one-third the costs of systems built by governments. Condominiums are shown to have improved collection rates, as citizens police themselves in the payment of fees.

11.00 GOOD URBAN GOVERNANCE:

The Model:



Source: *UN Economic and Social Council for Asia and Pacific (UNESCAP) 2006. Adopted by Wafula. Nabutola for presentation at FIG Regional Conference in Hong Kong May 2007.*

Decision-making processes by local government and central government. This is by far the most challenging aspect and the primary theme and main thrust of this whole paper. It is where everything begins and ends. Based on policies, programmes and projects are analyzed and quantified. The scope of undertakings is determined here. Noble objectives to address challenges, harness opportunities and fulfill aspirations are drawn and designed and deliberated upon, then costing and budgeting. Approvals are done here, but most critical are the underlying needs and the implementation or non- implementation follows.

On February 22nd, 2009 on the news there were two very interesting pieces of news, which I feel can inform this discussion

- a) It was revealed that City Council had ordered for custom – made garbage collection trucks from CMC a local motor vehicle fitter with international affiliation. A deposit had been paid but City Hall could not collect the finished goods. The reason being there was no money. The company was willing to supply the trucks on original terms without penalty because it appreciated the need (garbage collection) to be fulfilled was important and had public health and public image implications. The sum outstanding was 12million Kenya shillings.
 - o Interestingly, city hall pays Kenya shillings 15 million to private garbage collectors every month for the garbage collection services that could be done cheaper by herself.
 - o The Nairobi Mayor has denied the private garbage collectors
- b) Another interesting revelation was the Prime Minister publicly criticising the Nairobi Metropolitan Development vision, which proposes to include several outlying towns, most notably Kajiado, the heart of Maasailand. He reckoned it was a pipe dream for the Minister of Nairobi Metropolitan Development to seek to "swallow" Kajiado. The argument being where would the Maasai graze their cattle? Fair enough, but the intention of the proposed Metropolis is to develop a specialized local and international market for Maasai cattle through better infrastructure and more advanced animal husbandry. My take on this is how is the proposed Metropolitan Development area marketed to the people? How do they perceive it.
- c) Unless the satellite towns are created and linked well, there is no way of managing the exploding urban population.

2. Legislation – The following pieces of legislation need to be worked on

- a. Public Private Partnerships needs to be operationalized
- b. Local Government Act, Cap 265 to be revised

3. **By Laws:** Time has come for us to ask what is the role of Bye Laws? They are antique, and yet the revised version is not yet in the public domain

4. Lethargy

- c. Members of Council and Staff
- d. Our systems and procedures. Are they Customer based or are they designed to serve us? Challenge our processes to see how well they are doing or otherwise
- e. How is the Compensation package?
- f. Do Members and staff have the equipment they need?

5. Attitudes by all concerned

- g. Perceived and Real Fear of being mistreated
- h. Perceived and Real attitude that the private sector has nothing to offer
- i. The Private Sector is suspicious of the Local Authority, perhaps out of previous reputation

6. The Procurement Rules – too cumbersome

- j. Preclude innovation
- k. Generate antipathy and apathy

Takes a full council meeting to approve a procurement of more than Kes. 10K. How much does it cost to host such a sitting just to validate purchase

12. SUGGESTED SOLUTIONS TO THESE IMPEDIMENTS

1. Scrap the Local Government Act and replace it with
 - a. Metropolitan Act applicable to the five cities – Kisumu, Nakuru, Mombasa, Nairobi, Eldoret
 - b. The rest to be covered
2. Scrap the 67 town councils, because they are haemorrhaging as opposed to being agencies of service delivery
3. Communication Strategy: To realize the benefits of intelligent communications, Local Authorities need to create a Communication Strategy that links their Business strategy with the underlying technology to marry what is possible with what is profitable. To create a communication strategy that delivers business value, we need to consider integrating the following:
 - a. **Constituencies: Customers, Workforce; Supply chain Partners.** Do we understand the interactions and communications in and across our key constituencies
 - b. **Business objectives:** For each constituency we must have specific business objectives. We need to review how our Communication Strategy is helping or hindering our service delivery, and where there are opportunities for CHANGE
 - c. **Communication Practices:** After reviewing the business objectives, we must identify the best set of Communication Practices that will support those objectives. These are ways of using communications to enhance our business processes
 - d. **Communication Building Blocks:** We must assess and assemble the technologies and solutions that implement the communications practices. These building blocks consist of items like effective reporting, skill-based directories, communications policy and software communications objects

We should consider the following questions to help us identify if our communications are creating new Customer Value: Enhancing Workforce Productivity: Improving Supply Chain Responsiveness.

- a. What constituencies matter most to our business?
- b. How well are they communicating with us?
- c. How well are we communicating with them?
- d. What are the touch points or practices that are routine in our business. For example menu binders in hotels?
- e. Where might better or more interaction create differentiated value?

- f. How would communication enhance these practices?
- g. What technologies and infrastructure do we have in place?
- h. How well do they support our business objectives and associated communication practices?
- i. Do they have capabilities in place that we are not leveraging?
- j. What additional Communication Building Blocks do we need?

13. GDP vs. GROSS NATIONAL HAPPINESS

This document would not be complete without me mentioning my pet subject. Gross National Happiness. The Satisfaction with Life Index **Green** = Happiest > **Blue** > **Purple** > **Orange** > **Red** = Least Happy; Grey = Data not available

The Satisfaction with Life Index is an attempt to show the average self-reported happiness (subjective life satisfaction) in different nations. This is an example of a recent trend to use direct measures of happiness, such as surveys asking people how happy they are, as an alternative to traditional measures of policy success to GDP or GNP. Some studies suggest that happiness can be measured effectively.

There are also several examples of measures that include self-reported happiness as one variable. Happy Life Years, a concept brought by Dutch sociologist Ruut Veenhoven, combines self-reported happiness with life expectancy. The Happy Planet Index combines it with life expectancy and ecological footprint. Gross national happiness is a concept introduced by the King of Bhutan as an alternative to GDP but there is as yet no exact definition.

After the military coup of 2006, Thailand also instituted an index. The stated promise of the new Prime Minister Surayud Chulanont is to make the Thai people not only richer but happier as well. Much like GDP results, Thailand releases monthly GNH data. The Thai GNH index is based on a 1-10 scale with 10 being the most happy. As of May 13, 2007, the Thai GNH measured 5.1 points. The index uses poll data from the population surveying various satisfaction factors such as, security, public utilities, good governance, trade, and social justice, allocation of resources, education and community problems.

Recent polls in Kenya showed a drastic and distinct decline in the ratings of the current grand coalition government. There were questions of performance in terms of food, shelter, honesty and most of all allegations of official corruption.

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