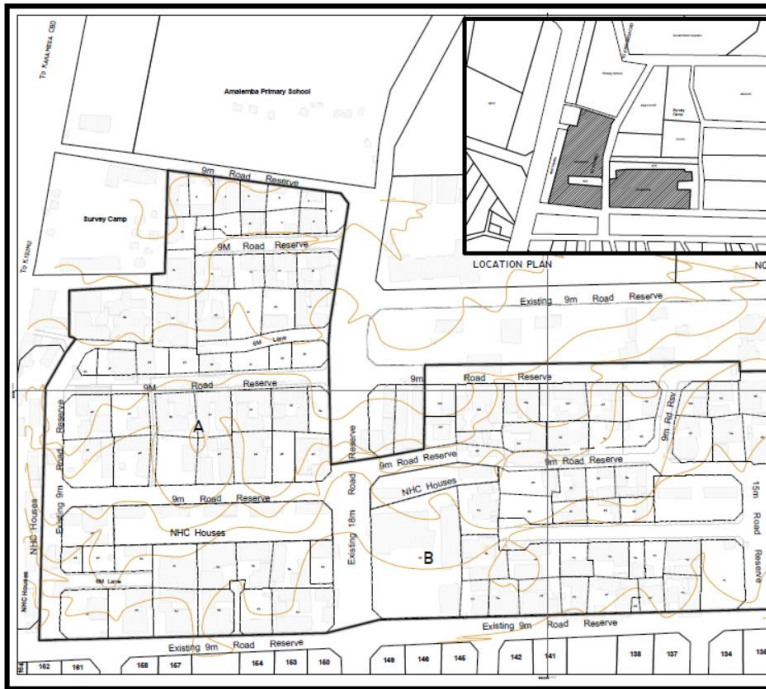




REPUBLIC OF KENYA
MINISTRY OF TRANSPORT, INFRASTRUCTURE, HOUSING AND URBAN
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Kenya Informal Settlements Improvement Project (KISIP)
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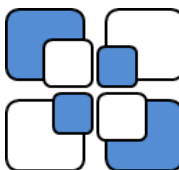
TOWARDS REGULARIZATION OF TENURE SYSTEMS IN INFORMAL SETTLEMENTS
IN KAKAMEGA COUNTY



AMALEMBA INFORMAL
SETTLEMENT ABBREVIATED
RESETTLEMENT ACTION PLAN

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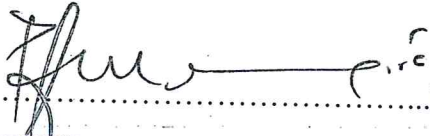
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**WORLD BANK GROUP****Sida**

This Abbreviated Resettlement Action Plan (ARAP) for Planning and Surveying of Amalemba Informal Settlement, Kakamega County has been prepared under Consultancy Services for **Planning and Surveying of selected informal settlements in Embu, Kilifi and Kakamega Counties**, by Centre for Urban and Regional Planning Limited on behalf of the Kenya Informal Settlements Improvement Project (KISIP).

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DEFINITION OF TERMS

Abbreviated Resettlement Action Plan is a resettlement document prepared to mitigate impacts that have affected less than 200 Project Affected Persons (PAP) in accordance to World Bank OP 4.12.

Adoptive planning standards refers to negotiated planning standards that use non-conventional road way leave widths with the aim of reducing displacement that would result from the use of conventional planning standards (which use road way leaves of 9m, 12m, 15m, 18m, 25m and 30m).

Compensation/Facilitation means payments made in cash or kind in recognition of loss of assets and livelihoods resulting from impacts caused by planning and surveying.

Complete Displacement: means the displacement of a structure owner or institution PAP etc. from one parcel of land to a different parcel of land outside the settlement due to the planning and survey activities including demarcation of road wayleaves.

Cut-off date normally, is the date the census begins. It could also be the date the project area was delineated, prior to the census, provided that there has been an effective public dissemination of information on the area delineated, and systematic and continuous dissemination subsequent to the delineation to prevent further population influx. Here, it is the latter. Persons entering and/or occupying land in the project area after this date and not included in the inventory of PAPs will not be considered eligible for facilitation. Similarly, fixed assets such as structures, established after the cut-off date will not be compensated/facilitated.

In situ planning refers to Planning and Upgrading of a settlement ‘as is’ i.e. largely the way people have settled. This means modification of boundary alignments is minimalized to avoid/reduce disruptions, while the planning exercise largely focuses on improvement/expansion of roads (wayleaves) to improve on accessibility where necessary. The Local Physical Development Plan is a reflection of the settlement existing patterns i.e. structures and plots on the ground to the maximum extent possible.

Market rate: The selling price of a commodity in the open competitive market.

Project Affected Person(s) (PAPs) are persons, households, enterprises, and public or private institutions affected because they may lose, be denied, or be restricted access to economic assets; lose shelter, income sources, or means of livelihood. These persons are affected whether or not they must move to another location.

Rehabilitation Assistance is the additional support, over and above compensation accorded to the vulnerable or at-risk members of the affected community during implementation of the ARAP.

Localized displacement means displacement of a structure owner or institution PAP etc. from one parcel of land to a different parcel of land (within the settlement) due to the planning and survey activities including demarcation of roadway leaves.

Replacement cost means replacement of assets with same quality and quantity with an amount sufficient to cover full cost of lost assets and related transaction costs and taxes. The cost is to be based on Market rate (commercial rate) according to Kenyan law for sale of land or property, without depreciation in addition to other considerations such as (a) transporting building materials to the construction site; (b) any labor and contractors’ fees; and (c) any registration costs. Therefore, for Replacement cost for houses and other structures means the prevailing cost of replacing affected structures, in an area and of the quality similar to or better than that of the affected structures at market rates without depreciation.

Resettlement Action Plan (RAP) or Resettlement Plan is a resettlement instrument (document) to be prepared when program locations are identified. In such cases, planning and survey activities including demarcation of roads leads to physical displacement of persons, and/or loss of shelter, and /or loss of livelihoods and/or loss, denial or restriction of access to economic resources. RAPs are prepared by the party impacting on the people and their livelihoods. RAPs contain specific and legal binding requirements to resettle and compensate/facilitate the affected party before implementation of the project activities. According to provisions by the World Bank OP 4.12, a RAP is prepared where project affected persons are more than 200 while an Abbreviated RAP is prepared where project affected persons are less than 200.

Resettlement Assistance means the measures to ensure that Project Affected Persons who may require to be physically relocated are provided with assistance during relocation, such as moving/shifting allowances for ease of resettlement, residential housing or rentals, rental allowance whichever is feasible and as required, for ease of resettlement.

Resettlement Policy Framework (RPF) is a framework document or instrument that was prepared to guide the RAP preparation process throughout the informal settlements improvement project implementation. The RPF sets out the resettlement and compensation policy, organizational arrangements and design criteria to be applied to meet the needs of the people who may be affected by the project.

Survey means a 100% field assessment carried out to identify and determine the number of Project Affected Persons (PAPs).

Squatters are those who have extended their settlements into Government/public land and have no formal right or claim to the portion of the lands.

Vulnerable Groups include all those affected by the project that are below the poverty line, the elderly, women and children headed households, indigenous people, persons with severe disabilities, ethnic minorities or other Project Affected Person who may not be protected through national land compensation legislation.

Executive Summary

Planning, Survey and Land Titling in Amalemba Settlement

Amalemba Informal settlement is a 3.5 Ha informal settlement located in Kakamega town, Shirere Ward, Shinyalu Sub-County of Kakamega County. With a population of approximately 2500, the settlement is characterized by informality ranging from tenure insecurity, lack of adequate infrastructure, poor sanitation, poor housing conditions, and poverty among others.

Initially, Amalemba informal settlement underwent conventional planning and survey where proposed road way leaves led to adoption of a road hierarchy of 15m, 12m, 9m and 6m roads. The new plan generated 109 plots and among them, 3 institution owned, 98 single owned plots and 8 jointly owned plots. The Total Number of Beneficiaries are 117 as Shown in the breakdown below:

Type of beneficiary	Female	Male	Total beneficiaries
Institution–Mosques	0	0	3
Single ownership	29	69	98
Joint Ownership	11	5	16
TOTAL			117

However, the resultant impacts were significant, with 162 PAPs (62 Structure Owner PAPs and 100 Tenant PAPs) being affected. In line with OP 4.12 which advocates for exploration of all viable alternative project designs where feasible, comprehensive consultations were undertaken with stakeholders including the community and County government. This necessitated plan amendment on approved plan for Amalemba through an adoptive planning approach¹ - with resultant new road hierarchy of 6m, 4m and 3m. This resulted in the reduction of PAPs to 31 where 20 are the structure owners and 11 tenants.

Planning and Surveying Impacts

The beneficiaries will be issued a title to their land which provides tenure security and as a result of the infrastructure way leaves provided; the settlement will be open to more development and increase in land values. The revised/amended plans however results in impacts on 31 project Affected Persons. This ARAP therefore documents and mitigates the negative impacts caused by planning and survey in Amalemba Settlement. It has been prepared through a participatory process involving field surveys, consultation meetings and discussions held with Project Affected Persons (PAPs), KISIP, County Government and subsequent Representatives and relevant stakeholders.

All beneficiaries were retained within parcels occupied with minimal reduction of parcel sizes to provide for accessibility. All impacts are due to road way leaves alignment. The number of affected structures, from re-planning is 27, where 13 are fully affected and 14 being partially affected.

Among the identified individual PAPs, 21 were Male and 10 being Female. There were no vulnerable PAPs in the settlement. There was no complete or localized displacement from the settlement as a result of adoptive planning. Rather all beneficiaries were retained within parcels occupied with minimal reduction of parcel sizes to provide for accessibility. All impacts are due to road way leaves alignment. This information is summarized on the PAP diagram below:

				PAPs -31				
--	--	--	--	-------------	--	--	--	--

¹ Refer to definition of terms Section

	Structure owners - 20					Tenants 11		
Male -13		Female-7				Male -8		Female -3

ARAP Preparation Approach and Methodology

The principle approach and methodology in preparation of this ARAP was community-led, anchored on continuous consultation and participation of the community, through formal meetings and comprehensive transect walks. Meetings were held at planning and Surveying phase as well as Initial RAP and re-planning ARAP preparation phase. Participants in the meeting were the community (beneficiaries and PAPs), the SEC, National and County KISIP, Count Government of Kakamega, and the Consultant.

The technical approach and methodology applied included literature review, detailed field socioeconomic surveys and analysis, onsite valuations, comprehensive GIS inventory and analysis of PAPs and affected assets. This ARAP therefore complies with World Bank's OP 4.12, KISIP's Resettlement Policy Framework and other relevant Kenyan Government Policies and Laws governing displacement.

Mitigation Measures

All persons affected by the project and meeting the cut-off date of 26th August 2017 will be entitled to a combination of facilitation packages to be issued before the issuance of titles. Valuation of structures was based on full replacement cost with PAPs entitled to right to salvage materials. KES. 4,776,850.00 (Four Million, Seven Hundred and Seventy-Six Thousand, Eight Hundred and Fifty Shillings only).

In regards to any disputed plots in the settlement, beneficiaries were given their rightful plots after resurveying on settlement boundaries. Further, any other related dispute was referred to GRC for resolution.

The primary responsibility for the implementation of this ARAP remains with KISIP who will ensure all PAPs are adequately facilitated according to the entitlements defined in this ARAP. The implementation tasks will be carried out by KISIP RAP Implementation Committee (RIC) for Kakamega County, whose composition will be as stipulated in the KISIP Resettlement Policy Framework. The full implementation of Amalemba ARAP will be guided by the following:

- i. Ensure all PAPs are fully facilitated before any issuance of titles. Where possible, the two processes can be concurrent.
- ii. Involvement of the County Government of Kakamega through the Department of Physical Planning and Urban Development in implementation of the ARAP e.g. in development control.

In addressing grievances, this ARAP has proposed a two-tier Grievance Redress Mechanism at no cost to the PAPs. However, the third level of legal redress carries cost implications for the PAPs. The design of the GRM will enable timely resolution of grievances at settlement level as well as provide for escalation mechanisms to KISIP and Courts of Law². A grievance log will document all grievances and their status and will be used to monitor GRM progress.

An institutional framework, a conclusive implementation schedule and monitoring and evaluation mechanism will be applied in implementation of the ARAP, as documented in later sections of this ARAP. KISIP will adopt an internal M&E framework while external monitoring and ARAP completion audit will be conducted by a specialized firm.

To ensure this ARAP is fully implemented, KISIP commits to:

² This is a community led process and escalation of grievances to the Courts of Law is highly unlikely

- i. Facilitate all the affected persons according to provisions of this ARAP in a timely manner According to the Implementation schedule timelines. In addition, KISIP will ensure all grievances raised by the PAPs are resolved timely and in a fair manner.
- ii. Issue title deeds to beneficiaries (through the Ministry of Lands and Physical Planning (on advisory from NLC) upon compensation of PAPs.
- iii. Carry out required sensitization exercises aimed at enhancing women land rights, ensuring proper use of compensation funds, avoidance of gender-based violence etc. as documented in the implementation schedule of this ARAP.
- iv. Work with the relevant institutions towards timely implementation of this ARAP. Particularly, the County Government of Kakamega will play a key role undertaking development control to ensure all PAPs move after facilitation and thereafter maintaining the road reserves.
- v. Issue a three months' notice to PAPs to enable them Self Demolish and salvage their assets.
- vi. Undertake Monitoring and Evaluation of this ARAP during and after implementation

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List of Abbreviations

AFD	Agency Française De Développement
ARAP	Abbreviated Resettlement Action plan
GBV	Gender Based Violence
IDA	International Development Association
KISIP	Kenya Informal Settlements Improvement Project
NLC	National Land Commission
OP	Operational Policy
PAPs	Project Affected Persons
RAP	Resettlement Action Plan
RIC	Resettlement Implementation Committee
RPF	Resettlement Policy Framework
Sida	Swedish International Development Cooperation Agency
SEC	Settlement Executive Committee
TOR	Terms of Reference
WB	World Bank

1. Introduction

1.1. The Kenya Informal Settlement Improvement Project (KISIP)

The Kenya Informal Settlement Improvement Project (KISIP) is an initiative by the Ministry of Transport, Infrastructure, and Housing and Urban Development's State Department of Housing and Urban Development - to fulfill the mandate spelt out in the presidential circular No. 1/2008. Funded by the World Bank, Agence Française de Développement (AFD), Swedish International Development Cooperation Agency (Sida), and commencing in February 2011, the programme has an overall development objective to improve living conditions in informal settlements in selected Counties in Kenya, through enhancing security of tenure and improving infrastructure based on plans developed in collaboration with the beneficiary community.

1.2.1 Components of KISIP

KISIP is divided into four main components as illustrated below;

Component 1	Strengthening Institutions and Program Management
<ul style="list-style-type: none"> •Support the institutional strengthening and capacity building of the Ministry of Transport Infrastructure, Housing and Urban Development), and other participating ministries and counties, and will also finance program management activities (including preparation of a baseline platform and systems for monitoring and evaluation). 	
Component 2	Enhancement of Security of Tenure
<ul style="list-style-type: none"> •Support the systematization and scale-up of ongoing efforts to strengthen settlement planning and tenure security in informal settlements, and will include financing of the following types of activities: community organization and mobilization, identification and demarcation of settlement boundaries, preparation of Development Plans, surveying, and issuance of title deeds 	
Component 3	Invest In Infrastructure and Service Delivery
<ul style="list-style-type: none"> •Infrastructure and service delivery mechanisms are introduced into the informal settlements and support given to prepare and implement settlement upgrading plans developed at the community level, investment in settlement level infrastructure and, where necessary, extension of trunk infrastructure to settlements. 	
Component 4	Planning for Urban Growth
<ul style="list-style-type: none"> •Supports the planning and development of options that facilitate the delivery of infrastructure services, land, and housing for future population growth. In addition, supports proactive planning to prevent the growth of new slums and mechanisms for delivery of land and housing that can enhance affordability for middle- and low-income households. 	

Figure 1: KISIP Components

1.2. KISIP Interventions in Amalemba Informal Settlement

Amalemba Informal Settlement has an estimated population of 2500 persons and a total area of 3.5Ha. The settlement is located on public land in Kakamega town, Shirere Ward, Shinyalu Sub-County of Kakamega County. The settlement starting off a sparsely populated area grew as a lot of subdivisions took place when the earlier inhabitants began selling of pieces of 'their' land.

Currently, the settlement is characterized by informality ranging from tenure insecurity, lack of adequate infrastructure, poor sanitation and haphazard housing developments, among others.

Before KISIP's intervention, no effort was put in place to plan and secure the land for the benefit of existing beneficiaries, further complicating the spatial formation (people put up developments without

a plan), provision of infrastructure and utilities including water was a challenge due to lack of adequate way leaves etc. As a result of population growth – with increased informal land sub divisions and sales, and lack of development control, Amalemba sprawled into an informal settlement.

KISIP's intervention in the settlement under Component 2 therefore focuses on planning and surveying, as a prerequisite for tenure regularization, provision of adequate access and achieving a well-planned community. As a result, a total number 109 plots were surveyed and issuance of Title Deeds by the Ministry of Lands and Physical Planning will commence upon implementation of this ARAP. This (planning and surveying) process however occasioned impacts on 31 Project Affected Persons, due to road wayleaves alignment.

1.3 Purpose and Objective of Abbreviated Resettlement Action Plan

The main objective of this ARAP therefore is to identify, document and mitigate impacts arising from planning and survey in Amalembainformal Settlement in Kakamega County, in accordance with World Bank's OP 4.12, KISIP's Resettlement Policy Framework (RPF) and other relevant Kenya government policies and laws governing displacement.

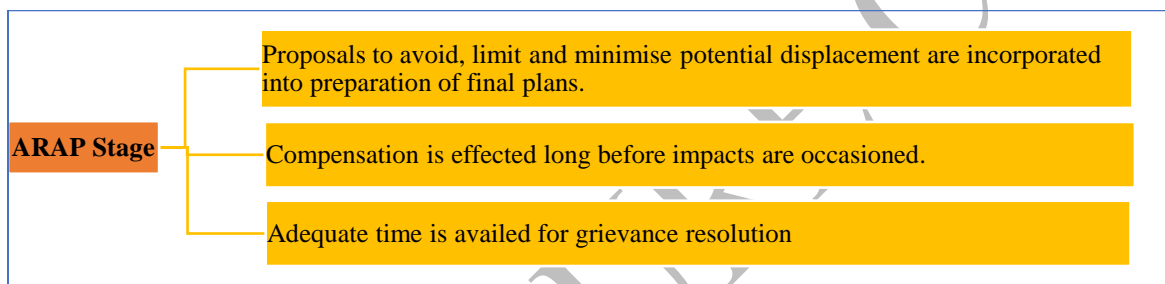


Figure 2: Rationale for Developing ARAP

In specific, the aim was to develop an ARAP for Amalembaincluding to:

- i. Develop innovative mitigation options (legally sound, socially, economically and environmentally sustainable) for the impacted persons based on the existing situation and, best global resettlement practices.
- ii. Conduct extensive and in-depth stakeholder consultations with all project stakeholders.
- iii. Document an entitlement matrix to guide compensation and other mitigation actions to Project Affected Persons (PAPs).
- iv. Compile an accurate and comprehensive PAP and Asset register.

The Scope of this ARAP is impacts as a result of roadway leavesalignment as per the amended plan forAmalembaLocal Physical Development Plan (LPDP) and which impacts on 31 PAPs (20structure owner PAPs and11 Tenants). There is no complete or localized displacement from the settlement. Rather, as a result of in-situ planning and the application of adoptive planning standards, all beneficiaries were retained within the parcels they occupy, and with minimal reduction of parcel sizes to provide for accessibility³.

³ The Community was consulted and validated the Plans in agreement to the minimum Reduction.

2. Land Titling and Tenure Regularization in Amalemba Informal Settlement

2.1 Introduction to Land Titling

KISIP began its intervention in Amalemba informal settlement on 15th May 2017. The project focuses on planning and surveying, which will culminate in tenure regularization. This process of tenure regularization and land titling, undertaken in close collaboration with the local community and its established local leadership structure called the Settlement Executive Committee (SEC) is illustrated in the table below, and aimed at addressing:

- Insecure land tenure
- Inaccessibility and lack of a functional road network caused by unplanned haphazard development.
- Lack of a legible physical settlement layout and plan – leading to unplanned developments.

Table 1: Tenure Regularization and Land Titling Process before and after Plan Amendment

Stage	Activities	Primary Actor	Secondary Actor	Indicators	Timelines
Mobilization Stage	<ul style="list-style-type: none"> • Community Mobilization • Introduction of KISIP activities in Amalemba Settlement • Outlining the objective of Planning and Survey which will lead to issuance of title deeds. • Establishment of the SEC, meeting the 2/3 gender rule. • Notice of Intention to Plan prepared and published in the leading local daily newspapers 	<ul style="list-style-type: none"> • SEC • KISIP • Consultant working under KISIP 	County Government	<ul style="list-style-type: none"> • Equal representation in SEC composition • Community welcomed the project as they have been waiting on title deed for a long time. • Community committed to embrace and support the project until completion 	Undertaken March – June 2013
Planning Stage					
Base Map and physical Plan Preparation	<ul style="list-style-type: none"> • Transect walks to identify settlement boundary and plots guided by SEC. 61 plots identified. • Existing Plot Boundaries form basis for planning and surveying • 100 % Socioeconomic survey of Beneficiaries 	<ul style="list-style-type: none"> • Community • SEC • Consultant working under KISIP 	<ul style="list-style-type: none"> • KISIP • County Government of Kakamega (CGK) 	<ul style="list-style-type: none"> • Base map of Amalemba • Every Beneficiary is enumerated and bio data available. Tentative list of beneficiaries available. • Participation of SEC ensured that only members of Amalemba are the Beneficiaries • Beneficiary list representative of women beneficiaries. 	Undertaken June 2013
Visioning and Plan preparation	<ul style="list-style-type: none"> • A community led visioning process • Community involved in preparation of plan that best represents their interests including a well-planned settlement with provision of way 	<ul style="list-style-type: none"> • Community • SEC • Consultant working under KISIP 	<ul style="list-style-type: none"> • KISIP • CGK 	<ul style="list-style-type: none"> • Active Women participation in every planning stakeholder meeting. • Community gave their vision and desired plan proposals 	Undertaken July 2013

	leaves for utility services in a good environment.				
Plan Approval Validation of Beneficiary List	<ul style="list-style-type: none"> • A community led validation of plan process ensured community vision is represented • Community led validation of list of beneficiaries. • Community endorsed and approved Plan • Plan approved by county and Director of Physical planning • Every beneficiary allowed scrutinizing the beneficiary list to ensure correct details have been input. • Women encouraged participating. 	<ul style="list-style-type: none"> • Community • SEC • Consultant working under KISIP 	<ul style="list-style-type: none"> • KISIP • CGK 	<ul style="list-style-type: none"> • Community approval of plan with a road way leave hierarchy of 15m, 12m, 9m and 6m. • County and Director of Physical Planning approval of Plan step towards tenure regularization and issuance of titles. • Approved Plan majorly uses conventional planning standards, with road way leavewidths of 15m, 12m, 9m, and 6m. • Women ensure correct details are in the beneficiary list and sign against the details. 	Undertaken July 2013
Surveying stage					
Surveying and beaconing of plots	<ul style="list-style-type: none"> • Physical Survey of Plots • Women asked to be present during exercise – for effective involvement and shown boundaries of new plot where beacons have been placed. • Identification of project impacts 	<ul style="list-style-type: none"> • Community • SEC • Consultant working under KISIP 	<ul style="list-style-type: none"> • KISIP • CGK 	<ul style="list-style-type: none"> • Women aware of plot boundaries. • Impacts on 162PAPs documented 	Undertaken October 2013
Approval of Survey Plan	Survey approval and adjustment of Registry Index Map (RIM) to include individual surveyed Plots numbers	Survey of Kenya	KISIP	New RIM forwarded to Ministry of Land for Titling process.	Submitted but approval process halted due to the high resettlement impacts
Development of RAPs on Approved Plans					
Preparation of RAP	<ul style="list-style-type: none"> • Impacts as a result of planning and survey are identified, documented and mitigated 	<ul style="list-style-type: none"> • Community • SEC • Consultant working under KISIP 	<ul style="list-style-type: none"> • KISIP • CGK 	<ul style="list-style-type: none"> • 162PAPs identified. • Entitlements are given to mitigate impacts 	Undertaken 15 th May 2017- 26 th August 2017
RAP Review	<ul style="list-style-type: none"> • Commitment to implementation of RAP. • All safeguards provisions are met and addressed 	<ul style="list-style-type: none"> • KISIP 	<ul style="list-style-type: none"> • RAP Review 	<ul style="list-style-type: none"> • Plan found to have high displacement and high number of PAPs and consequent facilitation budget was high. Therefore, implementation halted and alternatives to reduce impacts and disruption sought. 	Undertaken June 2018 – January 2019
Re-planning and Resurvey					
Introduction Phase	<ul style="list-style-type: none"> • Introduction meeting with National KISIP 	<ul style="list-style-type: none"> • National KISIP 	MoTHIUD	Justification for Re-Planning and Re-Surveying presented	Undertaken June 2018

		<ul style="list-style-type: none"> • Consultant working under KISIP 			
	<ul style="list-style-type: none"> • Sensitization of the County Government, SEC and Community on Re-planning and Resurveying of Amalemba informal settlement 	<ul style="list-style-type: none"> • County Government • SEC • Community • Consultant working under KISIP 	<ul style="list-style-type: none"> • National KISIP 	<ul style="list-style-type: none"> • Support and concurrence to Re-plan the settlement sought from the County Government and the Community 	Undertaken 26 th -27 th April 2019
Plan Presentation &and validation	Plan Presentation & Adoption	<ul style="list-style-type: none"> • National KISIP • County Government • Consultant working under KISIP 	National KISIP	Plan adopted by the County Government	Undertaken 18 th June 2019
		<ul style="list-style-type: none"> • County Government • Consultant working under KISIP • SEC • Community 	National KISIP	Plan adopted by the community	Undertaken 18 th June 2019
	PAPS Sensitization	<ul style="list-style-type: none"> • PAPS • County Government 	KISIP	31 No. PAPS Identified & sensitized	Undertaken 31 st July 2019

2.2 Plan Amendment in Amalemba Informal Settlement

Amalemba Informal Settlement underwent planning and survey which largely adopted conventional/standard road way leave widths of 15m, 12m, 9m and 6m(i.e. process largely discussed in Table 1 above). However, the impacts of this planning approach within a densely populated settlement resulted into 162PAPs and 81affected structures. To minimize these impacts, and in line with OP 4.12, which advocates for exploration of all viable alternative project designs where feasible to reduce impact, comprehensive consultations were undertaken with stakeholders including the community and the County government(refer to minutes in Annex B).This resulted in plan amendment through in situ planning and use of adoptive planning standards⁴- with resultant new road way leaves hierarchy of6m, 4m and 3m, a process summarized below:

⁴ Adoptive planning standards and in-situ planning utilizes the available space to the maximum extent possible with minimal isolation or altering of the original condition of the settlement/place. The aim is to improve accessibility and promote improvement of existing settlement over slum clearance and with minimal displacement impacts, thus considering/uses minimum planning standards.

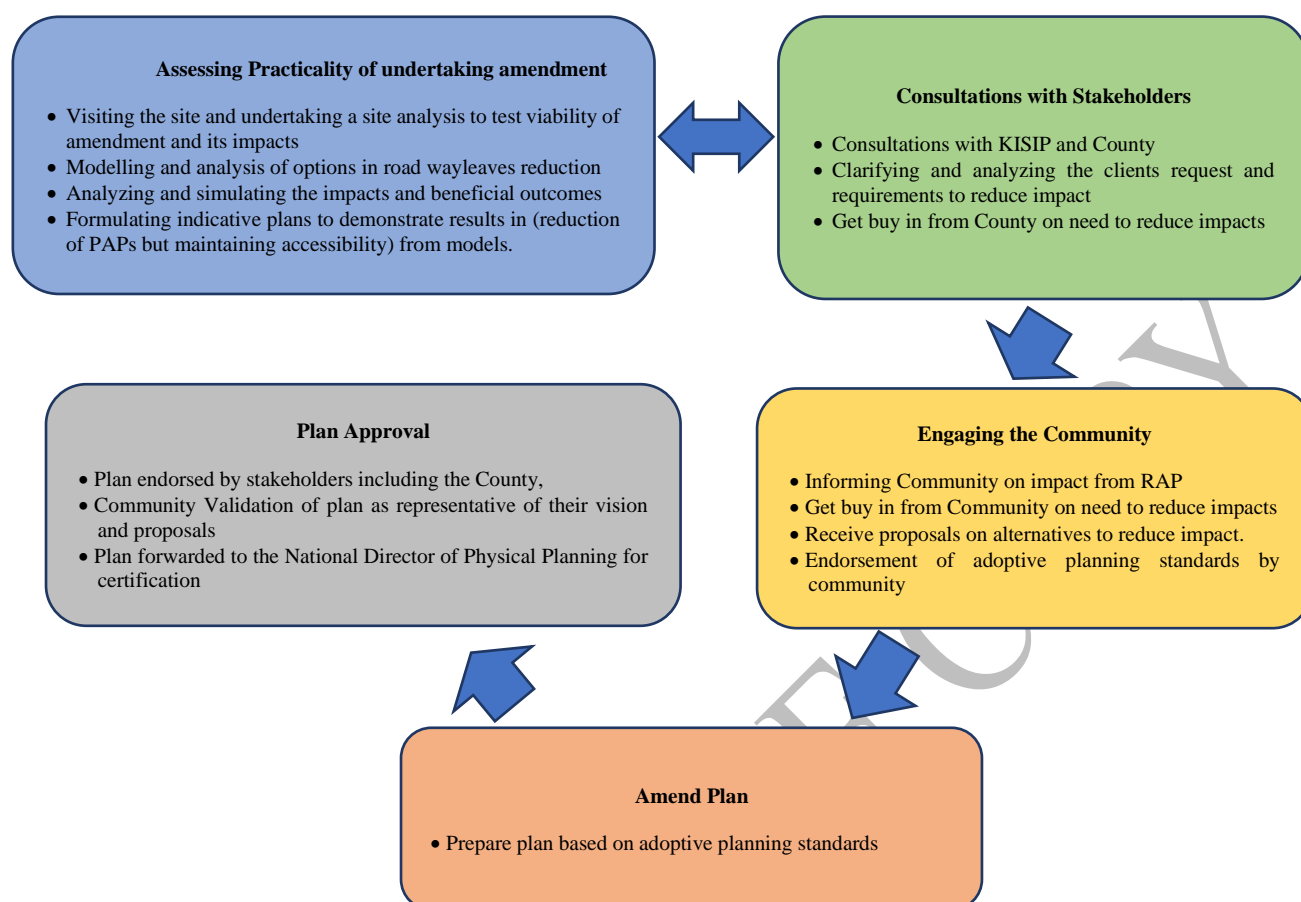


Figure 3: Plan Amendment Process

Table 2 below shows a comparison of the two planning approaches in the quest for minimizing impacts.

Table 2: Comparison of Impacts due to Conventional versus Adoptive Planning Standards

Description	Conventional Planning Standards	Adoptive planning standards
Total PAPs	162	31
Structure owners PAPs	62	20
Tenants	100	11
Total structures	81	27

2.3. Revised LPDP and its outcomes

The revised plan was adopted by the County Government and Amalemba community on 18th June 2019, as an amendment to Approved plan No.203 for Amalemba and was forwarded to the National Director of Physical Planning, for certification. The summary table below, shows the breakdown of the beneficiaries.

Table 3 – Plot and Beneficiary breakdown

Type of beneficiary	Female	Male	Total beneficiaries
Institution–Mosque	0	0	3
Single ownership	29	69	98
Joint Ownership	11	5	16
TOTAL			117

2.4. Next steps

The table below summarizes the ongoing processes, and those pending towards titling.

Table 4: Ongoing and Pending steps towards Land Titling

Stage	Activities	Primary Actor	Secondary Actor	Indicators	Status
Surveying					
Surveying and beaconing of plots	<ul style="list-style-type: none"> Physical Survey of Plots in line with amended plan. Women asked to be present during exercise and shown boundaries of new plot where beacons have been placed. Identification of project impacts 	<ul style="list-style-type: none"> Community SEC Consultant working under KISIP 	<ul style="list-style-type: none"> KISIP CGK 	<ul style="list-style-type: none"> Revised survey plan prepared. Beneficiaries signed beacon certificates. Women aware of plot boundaries. Impacts documented for 31 PAPs identified. 	Undertaken
Approval of Amended Survey Plan	Amended Survey approval and adjustment of Registry Index Map (RIM) to include surveyed plots numbers	Survey of Kenya	KISIP	New RIM forwarded to Ministry of Land for Titling process.	Ongoing
ARAP Review and Updating					
ARAP Preparation and approval	<ul style="list-style-type: none"> Impacts as a result of planning and survey are identified, documented and mitigated. Commitment to implementation of ARAP. All safeguards provisions are met and addressed 	<ul style="list-style-type: none"> Community SEC Consultant working under KISIP 	<ul style="list-style-type: none"> KISIP CGK 	<ul style="list-style-type: none"> Entitlements are given to mitigate impacts Approved ARAP to guide implementation process. 	Ongoing
ARAP implementation	Implementing ARAP activities as per implementation schedule	<ul style="list-style-type: none"> KISIP Community County 	Consultant working under KISIP	<ul style="list-style-type: none"> Facilitation of PAPs Grievance redress Issuance of Title Deeds (undertaken concurrent with facilitation) 	Not yet undertaken
Land Titling					
Sensitization on Title ownership	Registrar of Titles Sensitizes Beneficiaries and their spouses on <ul style="list-style-type: none"> Joint Ownership of titles Types of registrations Benefits of Titles Conditions to be granted on leasehold Titles 	<ul style="list-style-type: none"> Registrar of Titles Community SEC KISIP 	<ul style="list-style-type: none"> CGK Consultant working under KISIP 	<ul style="list-style-type: none"> More women aware on Joint Titling Men allow for joint titling with spouses. Beneficiaries aware of Benefits of the title being issued. Beneficiary grievances adequately addressed. 	Ongoing

	<ul style="list-style-type: none"> • Law requirements in Regulation of land transactions 				
Change of beneficiary List	Beneficiary list open for final change of names to appear in the title	<ul style="list-style-type: none"> • Community • SEC • Consultant working under KISIP • KISIP 	CGK	<ul style="list-style-type: none"> • Increased number of Joint Title between spouses • Beneficiaries on the final beneficiary list forwarded to the Ministry of Lands for Title printing. 	On Going
Titles Printing and Signing	The final beneficiary list is the basis of printing of Titles	Ministry of Lands- Chief Land Registrar	NA	Signed Titles are handed over to National Land Commission for Approval.	Not yet undertaken
Gazettement	The NLC approves transfer of Public land to individual beneficiaries in Amalemba	National Land Commission	NA	The names of Beneficiaries are officially published in the Kenya Gazette as individual title holders securing their tenure	Not yet undertaken
Issuance of Title	Upon facilitation of all PAPs, Titles are issued to respective beneficiaries in a public event.	NLC KISIP	CGK	Beneficiaries finally have individual titles to their land. Tenure regularization is complete	Not yet undertaken

2.4.1. Continuous Community Sensitization on Title Registration

KISIP and the registrar of Titles will continuously engage and sensitize the community before the issuance of titles as detailed in the implementation schedule of this ARAP, on a number of issues which include types of Registrations (table5 below), and encouragement of spouses on joint registration of titles.

Table 5: Types of Title registration and gender sensitization

Type of Title Registration	Details	Emerging issues under KISIP
Single Ownership	<ul style="list-style-type: none"> • Single person completely owns the Land. • If Married, Consent of wife is required before any transaction on the land is undertaken 	<ul style="list-style-type: none"> • In case of death, transfer of the land becomes lengthy and costly. • Discouraged under KISIP if husband and wife are involved. Husband and wife encouraged to go for joint ownership. • Consent has to be reached between husband and wife on who will be the single owner of the title.
Joint Ownership Both Husband and wife are registered in the title.	Absolute Proprietorship. <ul style="list-style-type: none"> • Both Husband and wife are absolute proprietors of land 	<ul style="list-style-type: none"> • In case of Death, Land is automatically transferred to the spouse. • This type of ownership is encouraged under KISIP; Sensitization is ongoing • If consent is not reached between husband and wife on absolute ownership, Tenancy in common shares joint ownership is to be explored as the alternative
	Tenancy in common shares <ul style="list-style-type: none"> • Husband and wife own the land in shares. • Common in cases where there are more than one wife and/or children are involved. 	<ul style="list-style-type: none"> • Each party decides what to do with his/her shares since they own only a stipulated share of land. • The title can only accommodate 5 entries of names • In case of more than 5 owners, additional parties to the land are required to nominate one to hold their shares in trust of the others • This is explored especially if children are involved
Sectional Title	<ul style="list-style-type: none"> • This applies to ownership of Assets like high-rise buildings/apartments 	<ul style="list-style-type: none"> • In case a beneficiary builds an asset and decides to share among children/Wives, each floor is entitled to a sectional title. This sectional title can be further subjected to Joint co-ownership among children

Conditions to be granted on Leasehold Titles: Majority of KISIP related informal settlements are located in towns/municipalities where lease hold titles as opposed to free hold titles are issued in line with the law.

Law requirements in Regulation of land:

- Regulation of Land transactions: The Land Control Board and functions and roles it plays in safeguarding women land rights e.g. requirement for spousal consent in land sales.
- Regulation of transfers/succession when a beneficiary dies, children transfer etc.
- Change of beneficiary where applicable to include joint ownership by spouses.

Gender inclusivity: Gender empowerment sensitization exercises to build the capacity of women in the settlement to safeguard their Land rights including:

- The role of the Land Control Board as a key avenue to safeguard women rights to owning land.
- Succession and land transfers in the case of spousal death.

3. Policy and Legal Framework

3.1. Introduction

This ARAP has been developed to guide mitigation of any impact anticipated from planning and surveying. It has been prepared in conformity with OP 4.12 of the World Bank and is anchored in the policy and legal provisions of the Government of Kenya, pertinent to displacement and resettlement. In case of conflicts or gaps between Kenya's laws and World Bank's Policy, World Bank policy will prevail.

3.2. Relevant Policy and Legal Framework, and Standards⁵

Applicable legal and policy provision	Applicable Provisions
Vision 2030	It outlines that Kenya's journey towards prosperity also involves the building of a just and cohesive society, and enjoying equitable social development. It identifies the problem of informal settlements and pushes for land tenure regularization. In terms of gender, and vulnerable groups, it pushes for mainstreaming of gender equity in all aspects of society, and improving livelihoods of vulnerable persons at household, community and national levels.
The Constitution of Kenya, 2010	The Constitution of Kenya 2010 provides the broad framework for land ownership and compensation, including equitable access to land, security of land rights and elimination of gender discrimination in law, customs and practices related to land and property in Kenya. Article 40(3) protects the right to Property. The recognition of alternative dispute resolution mechanisms is aimed at expediting issues of land rights, transfer and supporting economic development.
National Slum Upgrading and Prevention Policy (NSUPP) 2016	The policy acknowledges the importance of allocating adequate budget for all programs relating to slum upgrading and prevention; developing clear frameworks for the participation of all stakeholders in all stages of slum upgrading and prevention processes, and strengthening the capacity of urban community groups to enable their participation in upgrading processes.
National Land Policy 2007	This policy guides that the country towards efficient, sustainable and equitable use of land for prosperity and posterity therefore provides an overall framework and define the key measures required to address the critical issues of land administration, access to land, land use planning, restitution of historical injustices, and conflicts. The policy also acknowledges the existence of slums in Kenya urban centres and implicitly identifies the need for urban renewal through a variety settlement and stock upgrading initiatives. It privileges <i>in-situ</i> improvement of existing settlement over slum clearance and displacement of people in line with the planning approach adopted by KISIP in Amalemba. It provides for gender and equity principles relating to land rights on matters to do with land and resettlement.
The Land Act (2012)	The Land Act 2012 provides for sustainable administration and management of land. Part II section 8 of the Land Act, 2012 provides guidelines on management of public land by the National Land Commission on behalf of both national and county government. The land under which the settlement falls is classified as Public land hence invoking some sections of this Act.
The Land Laws (Amendment) Act 2016 to include Evictions Guidelines April 2017	According to the Eviction Guidelines, Section 4.9.1 drafted by Ministry of Lands (2010), the Government shall ensure that evictions only occur in exceptional circumstances. Evictions require full justification given their potential extremely negative impact on a wide range of internationally recognized human rights. This policy is adhered to during implementation of the Project, as indicated no one will be evicted. Rather the project seeks to regularise ownership of the land the informal settlers have settled within.

⁵ Details of all national laws here can be found at kenyalaw.org

Land Registration Act 2012	The Land Registration Act 2012 revises, consolidates and rationalizes the registration of titles to land, to give effect to the principles and objects of devolved government in land registration. One of the advantages of the Land Registration Act 2012 is that it pushes for facilitation of security of tenure to the residents of informal settlements through regularization of land tenure and ownership as KISIP seeks to do.
The National Land Commission	This act makes provisions as to the functions and power of NLC. The functions of Commission include review of all grants or dispositions (titles, leases, deeds, transfers) of public land to ensure their propriety or legality.
The Environment and Land Court Act, 2012	The Act enacts Article 162(2) (b) of the Constitution; to establish a superior court to hear and determine disputes relating to the use and occupation of, and title to land. This shall be an important institution in case of grievances with regard to impacts/displacement that cannot be solved through the project's proposed ARAP grievance redress system.
The Valuers Act (1985)	The Valuers Act establishes the Valuers Registration Board, which regulates the activities and practice of registered valuers. The ARAP team has made use of the services of a registered valuer (who is approved by the Board) who undertook asset valuation for the purpose of facilitation.
Matrimonial Property Act No 49 of 2013, Ownership of Matrimonial Property	Part III (Clause 7) states that subject to Section 6 (3), ownership of matrimonial property vests in the spouses according to contributions of either spouse towards its acquisition and shall be divided between the spouses if they divorce or their marriage is otherwise dissolved. This also includes assets thus implications for facilitation requiring sensitization of PAPs.
The Prevention, Protection and Assistance to Internally Displaced Persons and Affected Communities Act, 2012	The provisions of this Act apply to all internally displaced persons that arise either through calamities, social conflict or development projects and are guided by the Bills of Right under the Constitution of Kenya. The Act therefore provides enacted guidelines in the event of displacement in the settlement. It requires involvement and respect of human rights in such cases.
The County Government Act 2012 and National Government Coordination Act 2013	It is expected that the County government of Kakamega will conduct their mandate of development control under this Act to effectively achieve KISIP's objectives after the facilitation and lapse of notice period, including future protection of road wayleaves.
KISIP's Resettlement Policy Framework	The World Bank OP 4.12 of the World Bank requires that a RAP be prepared for all projects that anticipate physical and/or economic displacement. KISIP's RPF puts in place modalities for providing prompt and effective compensation at full replacement cost for loss of assets attributable directly to the project and provide support during the transitional period to enable the affected people to improve or at least restore their pre-impact living standards.
World Bank's OP 4.12 on Involuntary Settlement	The World Bank's IRP requires Bank funded projects to mitigate any physical, social and economic impacts on affected populations. The objective of OP 4.12 is to ensure that populations affected by a project are well taken care off as per the provisions outlined therein.

3.3. Comparison of Kenyan Government Legal Set Up and World Bank Policy on Resettlement

This ARAP has been prepared in conformity with the policy and legal provisions of the Government of Kenya and the World Bank. A comparison is highlighted in the table below. However, where they conflict, the World Bank Policy OP.4.12 prevails:

World Bank OP 4.12	Kenyan Context	Gap filling measures
General ARAP Requirements		
Involuntary resettlement should be avoided wherever possible, or minimized, exploring all alternatives.	Involuntary resettlement possible in contexts of projects of public interest e.g. the Land Act does not stipulate that resettlement should be avoided wherever possible; on the contrary, as long as a project is for public interest, involuntary resettlement is considered to be unavoidable.	Ensure that resettlement issues are considered at the design stage of the project in order to avoid/minimize resettlement and associated issues.
ARAP Process Requirements		
Grievance Redress Mechanism: The ARAP should provide for appropriate and accessible grievance mechanism will be established. Appropriate and accessible grievance mechanisms are established for these groups.	The Constitution of Kenya, 2010, envisions a prominent role for alternative dispute resolution, including traditional dispute resolution mechanisms. This is in addition to other legislative frameworks which provide for non-formal methods of dispute resolution. For instance, Land Act 2012 clearly outlines the steps and process for grievance redress that includes alternative dispute resolution, and is backed by the judicial system through Environmental and Land Court Act.	Adopt both Kenyan legislation and World Bank.
Consultation: The ARAP process should provide for opportunity for meaningful consultations with affected persons and communities, local authorities, and, Non-Governmental Organizations (NGOs) where appropriate.	The IDP Act internalizes high value safeguards techniques such as the application of a free, prior and informed consent process that emphasizes the quality and meaningfulness of affected community participation including the impact that views obtained during consultations have on the final decision.	Adopt both Kenyan legislation and World Bank.
Information Disclosure: Once approved, the ARAP is made available to the public through its Info Shop. KISIP is also required to disclose it in line with The World Bank Policy on Access to Information.	Kenyan Legal Framework not clear on Information disclosure of Approved ARAP	Implement World Bank OP 4.12 policy
Eligibility Criteria Determined by: (a) those who have formal legal rights to land (b) those who do not have formal legal rights to land at the time the census begins but have a claim to such land or assets—provided that such claims are recognized under the laws of the	The Land Act 2012 provides that written and unwritten agreements are recognized as valid land right. The Land Act 2012 provides that people eligible for compensation are those holding land tenure rights The Land Act 2012 also recognizes those who have interest or some claim in the land such pastoralist or who use the land for their livelihood.	Ensure ALL users (including illegal squatters, labourers, rights of access) of affected lands are included in the census survey and all compensation for loss of assets will be at replacement value

<p>country or become recognized through a process identified in the resettlement plan.</p> <p>(c) those who have no recognizable legal right or claim to the land they are occupying.</p> <p>Therefore, although O.P 4.12's recognizes eligibility as both formal (legal) and informal owners of expropriated land, it does not specifically recognize all users of the land to be compensated.</p> <p>O.P 4.12 describes the cut-off date as the date of the start of the census or the date the project area was delineated, prior to the census, provided that there has been an effective public dissemination of information on the area delineated. Persons entering and/or occupying land in the project area after this date and not included in the inventory of PAPs will not be considered eligible for facilitation or resettlement assistance. Similarly, fixed assets such as structures, established after the cut-off date will not be compensated.</p>	<p>The constitution recognizes occupants of land even if they do not have titles and payment made in good faith to those occupants. However, this is not mandatory and does not apply to those who illegally acquire land. The Traffic Act which recognises encroaching into e.g. road reserves as illegal is repugnant or encroachers into e.g. road reserves as stipulated under Traffic Act.</p> <p>The Land Act, 2012 is not specific on the cut-off date but proposes a final survey of land (with regard to private land) to be undertaken before compensation is paid. It does not cover public land.</p>	<p>and measures to restore livelihood undertaken.</p> <p>Those without legal right i.e. all beneficiaries in place of resettlement receive tenure security of land occupied.</p> <p>Implement World Bank OP 4.12 policy</p>
<p>Measures:</p> <p>Cash based compensation should only be made where (a) land taken for the project is a small fraction of the affected asset and the residual is economically viable; (b) active markets for lost assets exist and there is sufficient supply of land and housing; or (c) livelihoods are not land-based.</p> <p>World Bank OP 4.12 Article 6(a) requires that affected persons are provided with prompt and effective compensation at full replacement cost for losses of assets attributable directly to the project. If physical relocation is an impact, affected persons must be provided with assistance during relocation and residential housing, housing sites and/or agricultural sites to at least equivalent standards as the previous site.</p> <p>Replacement cost does not take depreciation into account. In terms of valuing assets, if the residual of the asset being taken is not economically viable, compensation and assistance must be provided as if the entire asset had been taken.</p> <p>Compensation and other assistance required for relocation should be determined prior to displacement, and preparation and provision of resettlement sites with adequate facilities, where</p>	<p>Land Act 2012 appears to prefer mode of cash compensation by the Government to the affected population.</p> <p>Land Act talks of prompt, just compensation before the acquisition of land. However, interpretation of just compensation is yet to be clearly outlined through a specific schedule defining just compensation has not been put in place. Therefore, Costs such as attorney's fees, cost of obtaining advice or cost incurred in preparing and making written claim not in the Land Act. Similarly, the Act does not out rightly stipulate assistance for relocation but can only be implied.</p> <p>The Land Act, 2012 is not specific on any other assistance to affected persons. Assistance ends at compensation.</p>	<p>Ensure that all alternative options are considered before providing cash compensation.</p> <p>Use World Bank OP 4.12 procedures in determining form of compensation</p> <p>Implement prompt and effective resettlement assistance.</p> <p>Ensure that ALL resettlement options are agreed on with PAPs and put in place prior to displacement of affected PAPs</p>

<p>required. Displacement must not occur before all necessary measures for resettlement are in place, i.e., measures over and above simple compensation.</p> <p>O.P 4.12 proposes PAPs should be assisted in improving livelihoods etc. or at least restoring them to previous levels.</p>	<p>The Land Act, 2012 is not specific on livelihood restoration.</p>	<p>Implement World Bank OP 4.12 policy</p>
<p>Valuation:</p> <p>With regard to land and structures, —replacement cost is defined as follows:</p> <p>For houses and other structures, it is the market cost of the materials to build a replacement structure with an area and quality similar to or better than those of the affected structure, or to repair a partially affected structure, plus the cost of transporting building materials to the construction site, plus the cost of any labour</p>	<p>Land Act 2012 talks of just compensation for the lost assets but it is not specific of the exact amount or procedures on the same. Interpretation of just compensation has not been defined.</p>	<p>Apply the World Bank OP 4.12 valuation measures, in order to fully value all affected assets in a consistent manner.</p>

4. Methodological Approach to Preparation of ARAP

4.1. Approach to Resettlement Action Plan Development.

4.1.1. Review of relevant documents

In the preparation of this ARAP, relevant documents were reviewed, including;

- Project Appraisal Document (PAD) for KISIP which is the official project document.
- Environmental and Social Management Framework (EMSF) which provides a framework for identification and mitigation of potential environmental and social impacts arising from any KISIP intervention.
- Resettlement Policy Framework (RPF) which provides a framework consistent with the World Bank's OP 4.12 for mitigating physical and economic impacts.
- Socio Economic Report for Amalemba covering the settlement to provide baseline information for design and monitoring project interventions.
- Community Stakeholders Report which documents community involvement in the identification and prioritization of project interventions.
- Survey Plans, Registry Index Maps (RIMs) and Local Physical Development Plans (LPDPs).
- Planning and plan amendment reports

4.2. Census of PAPs

A 100% census and survey of affected persons was initially conducted in the month of May 2017 and the census updated after resurvey (following plan amendment) in June 2019⁶. Its main purpose was to enumerate and collect baseline socioeconomic information which will then help in assessing PAPs facilitation, and for monitoring and evaluation purposes. Questionnaire was used to collect basic information on demography, access to social services, economic activities etc.

⁶Socio economic survey was not repeated after plan amendment but database cleaned up to reflect current PAPs only.

4.2.1. Conceptual Framework on Methodological Approach

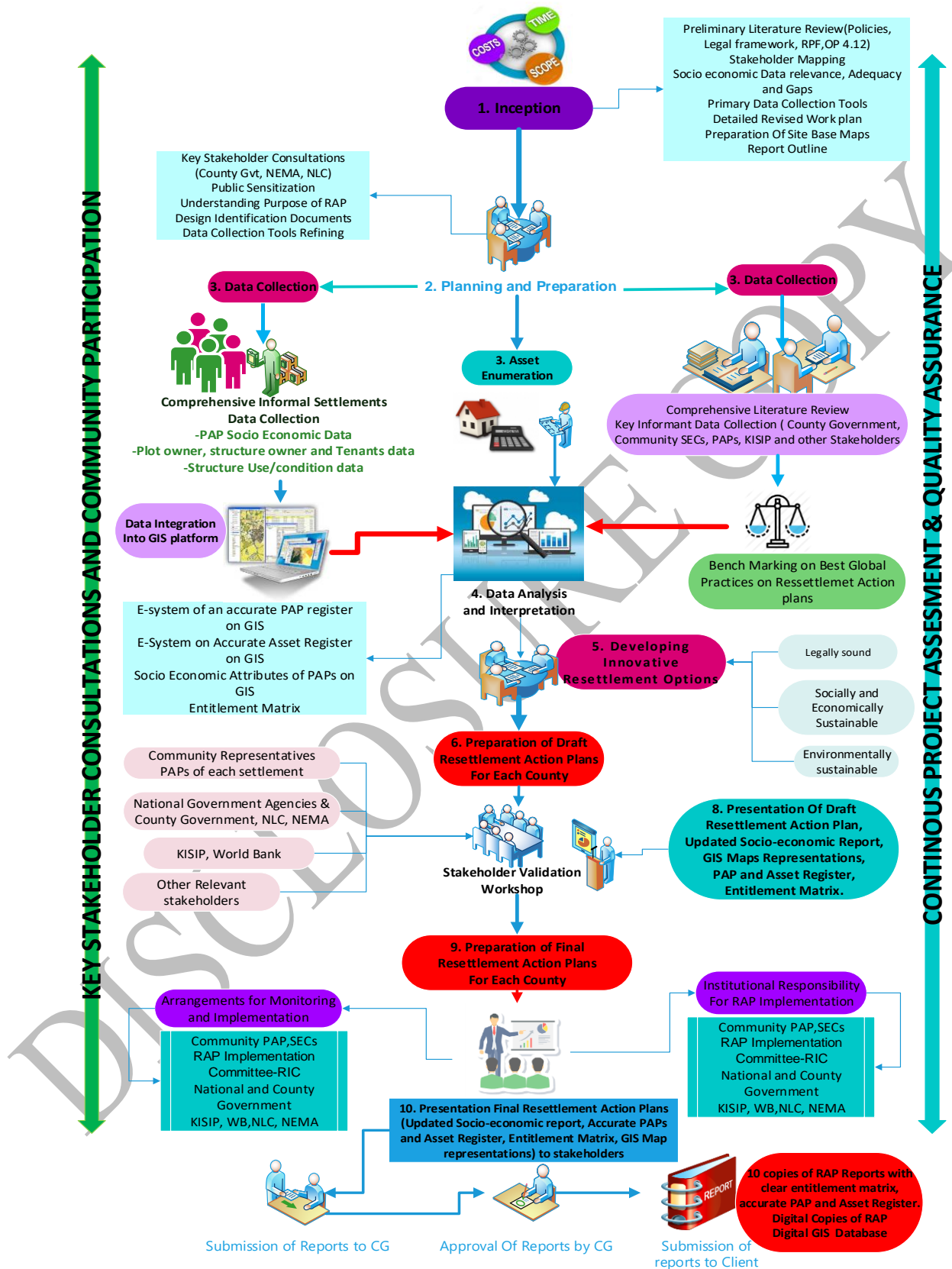


Figure 4: Conceptual Framework on Methodological

4.3. PAPs Socio Economic Survey and Valuation⁷

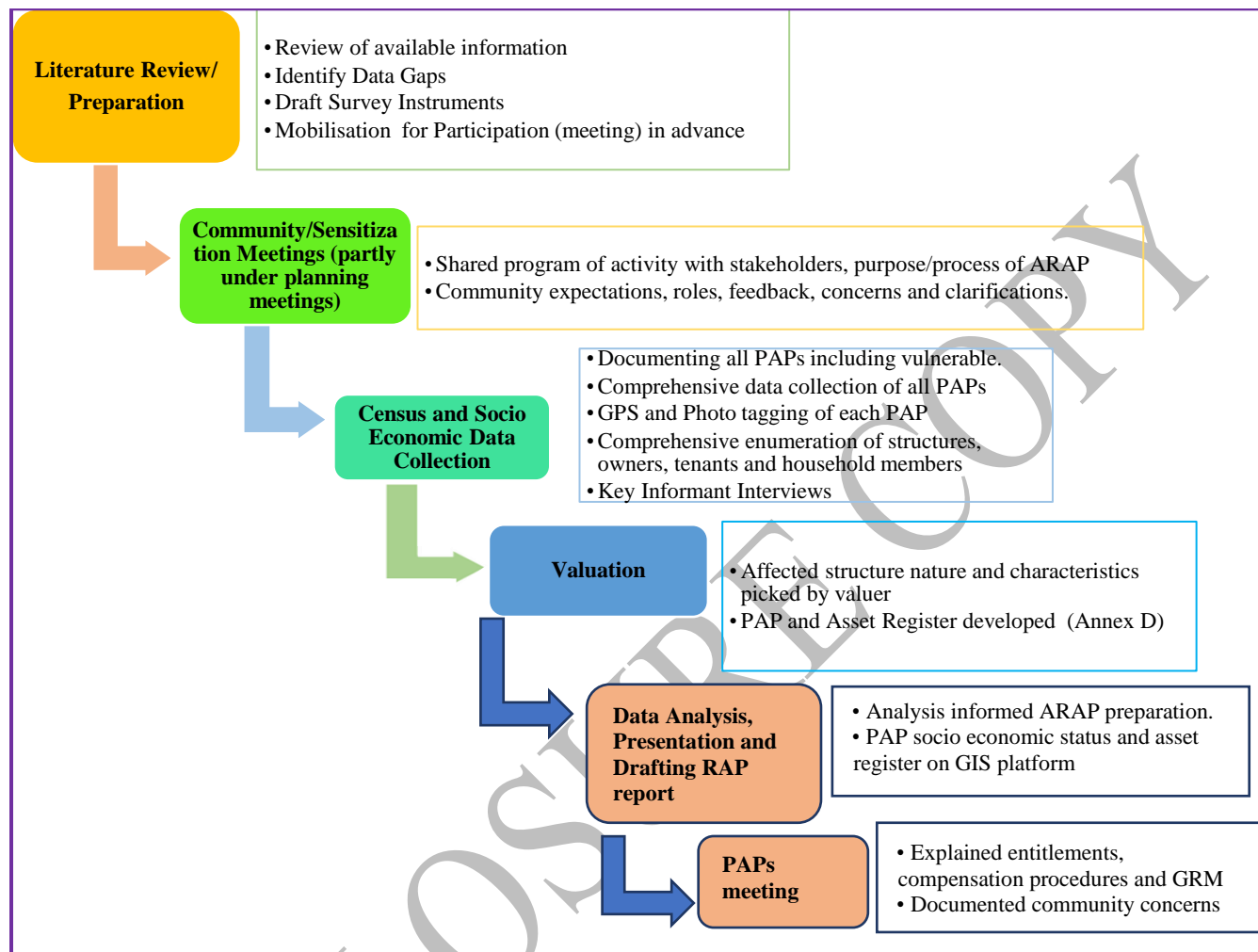


Figure 5: Socio-Economic Survey and Valuation Process

4.4. Cut-Off Date

According to OP 4.12, cut-off date is the date the census of PAPs begins. This could also be the date the project area is delineated, prior to the census, provided that there has been an effective public dissemination of information on the area delineated, and systematic and continuous dissemination subsequent to the delineation to prevent further population influx. The cut-off date was set as 26th August 2017 and communicated to the PAPs during a stakeholder consultation meeting on the same day, and constantly reminded during subsequent meetings. Any developments after the cut-off date are not eligible for facilitation.

⁷ Process has been iterative due to plan amendment

5. Public Consultation and Participation

5.1. Introduction

In Kenya, public consultation is a mandatory requirement in projects that affect the public. The significance of public participation in the decision-making process is boldly enshrined in the Constitution.

5.2. Objectives and Process of Public and Stakeholders Consultation

Consultations were held with various stakeholders including the PAPs, and local officials with the following key objectives:

- To inform PAPs about the project, identify their fears, expectations and concerns about the project.
- To give PAPs a chance to express their views in the planning and implementation of the project, as well as participate in it.
- To inform and discuss about the nature and scale of impacts emanating from the project.
- To obtain qualitative as well as quantitative information on viable mitigation measures in order to restore the lives of PAPs after impact.
- To solicit the views of the County Government on the project, and discuss their share of the responsibility for the smooth functioning of the project.

5.3. Stakeholders Consulted

Different stakeholders who have direct or indirect responsibility, and stake in the project were consulted. The primary stakeholders that have major role to play and consulted included the project affected persons while secondary stakeholders included KISIP County officials. In regards to the settlement, consultations with stakeholders were held in four phases; during conventional planning, initial RAP (2 PAP meeting), plan amendment (2 meetings) and RAP update (1 PAP meeting).

Table 6: Summary of Stakeholder Meetings

Meeting	Date	Participants	Gender		Key Issues
			Male	Female	
Conventional Planning Consultations – on RAP					
Introductory meeting at the KISIP National	3 rd May 2017	<ul style="list-style-type: none">• National KISIP representatives• Consultant working under KISIP	10	6	<ul style="list-style-type: none">• To introduce the Consultant working under KISIP to the project- development of RAPs for newly planned settlements• To identify and agree on respective roles of NationalKISIP Team in the project
Introductory meeting at the County Government	15 th May 2017	<ul style="list-style-type: none">• National KISIP representatives• CGK• Consultant working under KISIP	ND	ND	<ul style="list-style-type: none">• To introduce the Consultant working under KISIP to the County Government• To identify and agree on respective roles of County KISIP Team in the project

Initial SEC sensitization meeting	15 th May 2017	<ul style="list-style-type: none"> • CGK • Consultant working under KISIP • SEC 	ND	ND	<ul style="list-style-type: none"> • Shared understanding on the scope of project works • Consensus on the total number of the settlement, realized from initial planning
Community and PAPs Sensitization meeting	26 th August 2017	<ul style="list-style-type: none"> • KISIP National • CGK • Consultant working under KISIP • Community 	ND	ND	To sensitize community on RAP process
Plan Amendment					
Replanning of the informal settlement in Kakamega County	18 th June 2019	<ul style="list-style-type: none"> • CGK/County KISIP representatives • KISIP National representatives • Consultant working under KISIP 	8	2	<ul style="list-style-type: none"> • Plan amendment so as to minimize displacements in Amalemba settlement. • County approval of need for Plan amendment
Plan Amendment meeting	18 th June 2019	<ul style="list-style-type: none"> • CGK/County KISIP representatives • KISIP National representatives • Consultant working under KISIP • SEC • Community and SEC Members 	53	34	<ul style="list-style-type: none"> • Logic and Justification for plan amendment. • Community suggestions on plan amendment. • Discussing plan amendment through adoptive planning by applying minimum planning standards. • Recap of cut-off date 26th August 2017 • Discussed issues touching on PAPs including verification of PAPs mitigation measures, facilitation and Grievance redress.
Plan Adoption meeting	18 th June 2019	<ul style="list-style-type: none"> • CGK/County KISIP • KISIP National representatives • Consultant working under KISIP • SEC • Community Members 	53	34	<ul style="list-style-type: none"> • Plan adoption by the stakeholders • Re-cap of cut-off date as 26th August 2017
ARAP Update					
PAPs meeting	31 st July 2019	<ul style="list-style-type: none"> • CGK/County KISIP • KISIP National representatives • Consultant working under KISIP • SEC, GRC • PAPs 	29	23	<ul style="list-style-type: none"> • Sensitizing the PAPs on the ARAP and project impacts • 31st July 2017
Mr. Sakali Complaint meeting	18 th July, 2019	<ul style="list-style-type: none"> • CGK/County KISIP • KISIP National representatives • SEC, GRC • Complainants 	9	6	Addressing grievance raised by Sakali Ramadhan
Community follow up meeting	15 th August, 2019	<ul style="list-style-type: none"> • CGK/County KISIP • KISIP National representatives • SEC, GRC • Community members 	46	10	<p>Discussion on various options was conducted. The options included:</p> <ul style="list-style-type: none"> • Retraining of existing SGRC Committee • Co-opting other members into the existing committee

					<ul style="list-style-type: none"> • Disbanding and electing new members
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5.4. Summary (ARAP) Issues from Consultations

Some of the key issues discussed/raised are presented in the tables below:

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5.4.1 ARAP Questions/Comments/Suggestions/Statements Raised During Conventional Planning and Initial RAP preparation phase

No	Issue	Response
1	The project has taken too long, and we are concerned that settlements like Kambi Somali has surpassed us.	Due to anticipated displacements in the earlier planning, it was agreed that the settlement is replanned. The process is now on course and soon this settlement will be among those getting tenure regularization completed
2	Why give us lease and not freehold title?	It was explained applicability of various tenure systems. Amalemba is within municipality boundary
3	Some roads have become too narrow after replanning.	It was explained that the Consultant was avoiding affecting permanent structures. There are modalities of achieving standards in future through incremental and development control
4	What is County doing in resolving cases of double claims and fake allotment letters	Verification of allotment letters. Documents will be subjected to thorough vetting of documents. Meanwhile, all the disputed cases will be clearly marked.
5	The community were concerned about the county allowing major constructions in their settlements against the planning laws	The issue is not related to KISIP. County promised to follow up with relevant officers.

5.4.2 ARAP Questions/Comments/Suggestions/Statements Raised During and After Plan Amendment including PAP meeting after amendment

Table 7: Concerns Raised and Responses Given after Plan Amendment

<u>Issues raised</u>	<u>Response</u>
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County Director Lands sought whether facilitation of the PAPs will be undertaken	Principal Consultant added to this by reiterating that the PAPs, as will come out from the survey will be sensitized, valuation done, facilitated and given adequate time to get off the proposed way leaves before plan implementation
A community member sought to find out how plots left out will be incorporated into KISIP Project – and structures left unpicked as well	Principal Consultant indicated that these plots were left out as bearers presented allotment letters (from an existing PDP), Establishing land rights for this case was projected to take long, hence the Consultant team froze and left it with the County Government; It was confirmed in the meeting that the case of structure that was left out, was it being put up after cut-off date'
Community through two members, sought to know how long the project will take and/or to expect land ownership documents?	KISIP Representative & Consultant team informed them of the following process: validation of the Amended Plan, as first step, preceding survey, addressing of PAPs issues – identification, valuation, facilitation, PAPs accorded time to get off proposed road reserves, and as these run concurrently with RAP approval, so that the PAPs are facilitated to move, RIMs generated, then finally, land documents should be prepared with speed.
Call on the Consultant working under KISIP to expedite survey with speed	Consultant working under KISIP confirmed to expedite the survey with speed, following plan validation and this will run along with signing of beacon certificates to fasten the process

Table 8: Concerns Raised and Responses Given during PAP Meeting

Issues raised		Response
<i>JumaMwinyi – SEC</i>	Called on the project team to move forward and finalize planning & implementation	Project team present assured the PAPs and settlement committee present that activities will follow strict timelines.
<i>MikeOdhiambo</i>	Whether tenants who may have not had time to relocate within the notice window period will be considered.	The Consultant working under KISIP reiterated that reasonable notices will be served, which will be adequate after facilitation to move
<i>Abdul Razak Gula</i>	The community member asked the project team to implement the project speedily as they have waited for long	Project team present assured the PAPs and settlement committee present that they will follow KISIP timelines.
<i>Mwanahamisi</i>	Sought to know from the Consultant team, whether the survey team will be coming to ground to sensitize	The Consultant working under KISIP confirmed this will be considered during filling of beacon certificates in

	members who have issues with interpretation of beacons	the upcoming week and sensitization will be done on a continuous basis.
<i>Yusuf Odongo</i>	Whether affected tenants should pay rents to their landlords in the notice window, after facilitation or will be factored by KISIP	KISIP Social safeguards stated that facilitation made on tenants is for relocation, but in the event that they will still be on ground during this Phase, they ought to follow their tenancy agreement terms

The following table shows concerns and responses given about Sakali Ramadhan complaint in Amalemba settlement. Most of the complaints were referred to SGRC/GRM for resolution. To ensure a working GRM, an All inclusive GRC has been set up with members elected by the community to guarantee credibility and impartiality thus no rival GRC is in Existence. In Addition the GRC has been able to resolve all plot disputes in the settlement and determined that no PAP/Beneficiary has invaded any public land next to the settlement by clearly showing them the beacons to their plots in collaboration with KISIP Consultant Surveyor.

Table 9: Concerns Raised and Responses Given after Plan Adoption meeting

Agenda	Issues	Resolution/s
No. 1: Technical Discussion between KISIP and County Government officials prior to meeting the Complainant and GRC	<p>KISIP team briefed the County that the meeting was called as a result of grievance that had escalated through a letter to World Bank and other offices.</p> <p>It was said the accusations/issues raised by complainant were cutting across several players including KISIP, County officials and Community Representatives</p> <p>It was noted that The letter by Complainant gave an indication of disputes and grievances that needed to be resolved.</p> <p>It was deemed necessary to discuss and take up the matter with a view of investigating and resolving the issues raised.</p>	<p>Technical team agreed to listen to complainant and GRC, investigate and take up the matter to ensure the project satisfies the law and conditions of financier.</p>

	<p>KISIP and County team were amazed by the action of complainant to escalate the grievance before exploring available options. However, it was noted that Complainants have a right to register their grievance.</p> <p>Issues touching on illegality and double allocation.</p> <p>It was said that Amalemba sits on public land with attempts by Government of regularize tenure to the people. It was also noted that there are several fake allotment letters in the settlement coupled with complexities resulting from illegal and fake allotments.</p> <p>It was reported that the earlier approved plan had more plots than beneficiaries. This was because community wanted standardized plot size.</p> <p>Issues related to Community leadership. It was noted that the project has been involving the stakeholders including the community. SEC/GRC was elected through public participation by community.</p> <p>County said they were aware of wrangles between elected community leaders and a section of community members purporting to be champions for</p>	<p>County to retrieve minutes of the meetings with community/recordings of Community agreement whereby community agreed to disregard all the allotment letters and undertake insitu upgrading.</p> <p>It was said that the project was good and was going to solve many Land related problems in Amalemba.</p> <p>To seek Community opinion on whether to proceed with the current leadership or re-election</p> <p>Continuous engagement of community to reach an amicable solution.</p>
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	the peoples 'interest. Several attempts have been done to resolve issues.	
No. 2: Welcoming remarks from the chair and Preliminaries	<p>The GRC and complainant were welcomed to the session and informed that the meeting was called as a result of a grievance that had escalated to WB. KISIP said complaints raised are very serious and can have an implication on project.</p> <p>The chair GRC in brief remarks said the Committee comprising 7 members was elected in 2017 by Community through public participation. He noted that some members were no-longer active in the committee. He noted that the committee has been handling arising grievances to the best of their ability; indicating that other cases are resolved at settlement level whereas others are forwarded to the county through letters.</p> <p>The chair reported interference in the GRC operation by a section of people including the complainant and his brother and said that at one point, the Grievance Register book was taken away by a team who branded themselves 'GRC'. The GRC chairman informed the meeting that the current Grievance log was bought by the legitimate GRC. In rejoinder, the complainant said he is not answerable to the acts of his younger brother. The complainant further informed</p>	

	<p>the meeting that he participated and played the role of GRC since there were issues at the settlement and the legitimate committee was not handling issues well. He acknowledged that grievance book provided by KISIP was kept away from the GRC.</p> <p>Members were taken through a letter the written by the complainant Mr. Sakali Ramadhan Musa addressed to DCI and copied to World Bank amongst other. On this specific complaint, GRC Chair said they had not received the complaints at the Settlement level therefore the complaint has never been recorded in the grievance book nor discussed the issues.</p> <p>KISIP County coordinator Mr. Chune informed the meeting that there was a time a letter was written to his office by people purporting to be officials of 'GRC', forwarding complaints alleged to be from the beneficiaries. KISIP County coordinator acted by requesting legitimate GRC Chair to furnish his office with minutes of the GRC sitting. It was at this point that he learnt that the person who was alleging to act on behalf of GRC was an impostor. He confirmed that most of the complaints raised through his office are addressed either by responding to specific person, through GRC, and during participatory community meetings.</p>	
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<p>No.3: Discussion on issues raised by complainant</p>	<p>Specific issues raised by Complainant.</p> <p>Allegations Against GRC Chair Ahmed Salim were highlighted and the Chair was asked to respond to them.</p> <p>Allegation No. 1: That the chair has grabbed public land next to his plot.</p> <p>Members interrogated the base map and indeed there were extensions of structures on land next to chairman's plot no. 64. The Director Planning confirmed that these extensions encroached into public land that is outside KISIP planning area. See base map in annex 1.</p> <p>Response: GRC Chair responded that he didn't know the extent of his boundary based on the letter of allotment for plot 64 which he has been holding for 20 years. He owned up to the allegation and apologised for any wrong doing. He promised to remove the structures. He also confirmed that there were many fake allotment letters including one that he was himself holding for plot no 125.</p> <p>Allegation No. 2: That his son appeared in the list of beneficiary.</p> <p>There was contestation on who the complainant was referring to. The Complainant responded that the list of beneficiary placed at the mosque by</p>	<p>Noted. It was agreed that County Government and NLC will take up the matter of public land next to the settlement to ensure it is safeguarded.</p> <p>Salim Ahmed is not a beneficiary within planning area and should therefore not appear in the list of beneficiary and that enumeration card should be withdrawn.</p>

	<p>Consultant contained the name of Chairman's son (Salim Ahmed).</p> <p>It was confirmed that the said son owned structure outside the KISIP Planning area. However, had been issued with enumeration card.</p> <p>Allegation No. 3: HIS COUSIN OCCUPIES PLOT NO 78 BELONGING TO COMPLAINANT</p> <p>This case was discussed and it was found out that the parcel and structures therein had been marked as disputed. Whereas the chair said his cousin had requisite documents and occupying the plot, the complainant said he has an allotment letter.</p> <p>Allegation No. 4: HIS WIFE GRABBED AND CONSTRUCTED A HOUSE ON PLOT 54.</p>	<p>The plot should be marked disputed until this matter is resolved. Sakali Ramadhan (Complainant) and the other parties to provide proof of ownership by 25th July 2019. The letter of allotment once received will be subjected to scrutiny at the Lands department, Ministry of Lands and Physical Planning to confirm their authenticity.⁸</p> <p>That the plots be spilt in the LPDP and registered to rightful owners. If they are disputed, this section will be marked as disputed and no further processing of ownership documents will be allowed.</p>
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⁸ The Process went through the GRC and was resolved that the Person is the settlement Boundaries and the Plot is No longer under any Dispute

	<p>The chair said that plot 54 doesn't belong to his wife. The complainant corrected that it is should be plot no. 51</p> <p>Response: On the ground, there are 2 plots i.e. Plot 51 and 65 but merged in the draft LPDP. The complainant said that there is a dispute between the two parcels.</p> <p>GRC responded that the issue had been handled at Settlement level and resolved. This was not adequate; hence the meeting resolved and determined the matter as follows;</p> <p>Allegation No. 5: CHANGED HIS LATE BROTHER'S NAME TO ANOTHER WHEREAS THERE IS A WIDOW WITH 4 CHILDRED.</p> <p>Response: The Chair responded by saying that matter of his brothers' widow was discussed and agreed upon at family level which included the widow. He said he was surprised to receive this complaint whereas his in-law didn't have a problem.</p> <p>KISIP emphasized that interest of PLWD, Orphans and Widows is of great concern to the project. Therefore, rights of this group of people MUST be protected at all cost.</p> <p>Allegation No. 6: FENCING OF GRABBED LAND</p>	<p>Being the next of keen, it was resolved that the plot should be registered in the name of widow jointly with her 4 children and not to the chairman's brother. Enumeration of widow and the children to be undertaken and the card earlier issued to the other person be withdrawn.</p> <p>County to take up the matter with NLC to safeguard this and other public land surrounding the settlement.</p> <p>It was agreed that KISIP will take up the matter in consultation with other key stakeholders and advise on way forward and take either/and or any of the following actions;</p> <ul style="list-style-type: none"> ✓ Re-training the existing committee to arm them with better ADR skills ✓ Co-opting other members in the existing committee ✓ Disband and re-elect new officials. <p>Decision reached to be actioned by 25th July 2019, ⁹the action is to be undertaken</p>
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⁹ A new GRC incorporating all stakeholder was elected by the community has been streamlined and is working.

	<p>Response: The land in question is outside project planning area. The Chair said he was not involved in fencing of land. Disbanding of Committee. It was brought to the attention of the meeting that some members are no-longer active. The complainant was of the opinion that the Current Committee was inefficient and need to be strengthened. Allegation of corruption</p> <p><i>Fake allotment letters in the settlement-</i></p> <p>It was reported that KISIP had taken up the matter to confirm whether there are genuine letters of allotment and whether alleged allotments were paid for at lands. This matter will be handled by KISIP through the department of Land Administration, Ministry of Lands and Physical Planning</p> <p>Allegation relating to dealings with public land outside KISIP Project area are to be handled by relevant National and County Government agencies.</p> <p>It was agreed that all fake allotment letters will not be honoured and that Re-planning in-situ as agreed earlier by community will continue. Disputed parcels will be marked and registered under County Government of Kakamega until the disputes are solved by the NLC and the County.</p>	<p>by KISIP and the county in consultation with other stake holders</p> <p>The Enumeration card issued should be returned and his name will not appear in the final list of beneficiary. KISIP will follow up with Consultant to ensure this is done.</p>
No. 4 Way forward	<ol style="list-style-type: none"> 1. Project to go on and all disputed parcels to be clearly marked and processing of the same halted 2. Consultant to be given clear instructions on how to handle cases touching on Specific merged plots and contested names in the 	

	<p>List of Beneficiary. The final LPDP and LOB will be subjected to Community validation and vetted by NLC, Min of Lands and Physical Planning officials, County Government officials and KISIP National teams.</p> <p>3. Those claiming same plot to provide proof of ownership by 25th July 2019.¹⁰</p> <p>4. Visit of contentious plots to be undertaken 19th July 2019.</p> <p>Sociologist to take up the matter of Strengthening of GRC</p>	
No. 5 AOB	<p>Complaint raised by Khavetsa alleging to be owner of 98 but had been left out during replanning. She presented an allotment letter</p> <p>GRC informed that the complainant was not a beneficiary of Amalemba but they had proposed to consider her since she had resided in the settlement as a tenant for long.</p>	The allotment letter to be verified.

6. Project Impacts

6.1 Introduction

Planning and surveying of Amalemba Informal settlement will lead to both positive and negative impacts.

6.2 Project Benefits (Positive impacts)

The Project has several positive benefits as summarized in the table below.

¹⁰ Through the GRC the proof of ownership was fraudulent and the plots were reverted to the rightful owners after visit to the plots.

Table 9: Positive impacts

Tenure security	This is the main benefit derived from this project. Secure land tenure is key in improving the standard of living through long term investment in land within the settlement. Tenure security will transform the previous unrecognized land rights to formal and legal land rights
Improved investments on land and impact on Poverty	Ensuring security of tenure increases access to credit to improve/develop land, setting up of business activities, among others. Economic potential includes increased value on land thus attracting more investments in high density residential areas, possibly rental income, increased commerce due to population growth as well as employment opportunities during the property boom period within the settlement.
Impact on Gender and Inequality	The planning and survey processes are expected to enhance women's land rights and their empowerment. The total number of female beneficiaries being 10, this is expected to act as a vital pillar for socio economic improvement in the area contributing to growth and livelihood improvement for both women and men.
Impact on Infrastructure	The improvement of the road way leaves will enhance additional investments by various actors. This is achieved through provision of space for laying drainage, water piping, expanded roads etc.

6.3 Potential Negative Impacts

Though the improvement of the informal settlement will have far reaching positive impacts, it also carries with its negative impacts.³¹ Project Affected Persons (PAPs) are affected, which includes 20 structure owners PAPs and 11 Tenant PAPs. There were no vulnerable PAPs identified in the settlement. Further breakdown is given below;

				PAPs -31				
	Structure owners - 20					Tenants 11		
Male -13		Female-7				Male -8		Female -3

Figure 6: Summary of Project Affected Persons

6.3.1 Reduced Parcel Sizes

There were no complete or localized displacements within the settlement. As a result of the use of adoptive planning standards, all beneficiaries were retained within parcels occupied but with minimal reduction of parcel sizes to provide for accessibility. The use of adoptive standards (during plan amendment) was discussed and endorsed by the community to ensure significant reduction of impacts. The plan was validated and approved by the community.

6.3.1 Impacts on Structures

The impact on structures is attributed to road way leaves alignment in the Amended Local Physical Development Plan. In total, 27 Structures will be affected:

- Fully Affected – These are 13, where the whole structure will need to be moved after full facilitation, but these predominantly comprising septic pits and foul drainage facilities.

- Partially affected - These are 14 in number as per breakdown in the table below. It therefore means that the residual part of the structure will still be viable for use and would require repairs for occupation to occur.

Table 10: Types of structures affected¹¹

Type of Structure	Number	Partially	Fully
Main residential House	16	14	2
Toilet/Bathroom	7	-	7
Shop	1	-	1
Fence/Gate	2	-	2
Shed	1	-	1
Total	27	14	13

6.3.2 Loss of Shelter

Due to the impact a total of 11 residential tenants will lose shelter, and will be forced to find alternative space/accommodation temporarily (as owners repair the affected structures), or permanently due to total loss of the affected structures.

6.3.3 Impact on Livelihoods

Planning and surveying will lead to impact on livelihood sources for 1 Structure Owner PAP who will lose livelihood derived from a shop business and 6 Structure owner PAPs who derive rent revenue from tenants

6.4 Disputed Plots

In regards to disputed plots in the settlement, beneficiaries were given their rightful plots after resurveying on settlement boundaries. Further any other related dispute was referred to GRC for resolution. The plots with disputes relating claimants having allotment letters are outside the settlement boundary there not the Mandate of KISIP Component 2 Interventions

6.5 Summary of Losses

The losses experienced are summarized in table below.

Table 11: Summary of losses experienced in Amalemba informal settlement

Type of PAP	Shelter loss	structure loss	Livelihood Loss
Structure owner PAPs	0	20 (13 Male and 7 female)	7
Tenants	11 (8 male and 3 female)	0	
Total	11	20	

Note that some of the structure owner PAPs experience multiple impacts i.e. loss of structures and loss of livelihoods. to project impacts.

¹¹ Refer to Asset Register

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7.0. Socio-Economic Baseline

7.1. Introduction

Socio-economic survey for project affected persons is an important component in the planning for facilitation of the affected persons. Its main objective is to know the social structure and distribution for purposes of planning the attendant compensation and for monitoring and evaluation purposes. The data required for this purpose was generated through a 100% census and survey of the 31 PAPs.

7.2. Demographics of the PAPs

7.2.1. Gender representation

The gender representation of PAPs in the settlement is 21 for male and 10 females, making up 68% and 32% respectively.

Table 12 Gender of PAPs

Type of PAPs	Male	Female	Total
Structure Owners PAPs	13	7	20
Tenants PAPs	8	3	11
Total Number of PAPs	21	10	31

7.2.2. Marital status

The number of married PAPs stands at 77%, while the remaining are single PAPs representing 23%, majority being tenants.

7.2.3. Education level

According to the field survey, 44% of the PAPs respondents attained primary education while 45% attained secondary education and only 6% to the university and college level. This indicates a low transition rate from secondary to tertiary level due to elevated poverty rates. Adult education lies at 2%.

7.2.4. Age distribution

Of the 31 PAPs, working population constitute the members who are in the age group of 20 to 60 years (both male and female) represented by 89%. Over the age of 60 years are represented by 11%. The average household size is 4.

7.2.5. Vulnerability PAPs

There were none among the PAPs

7.3. PAPs income and place of work

According to the field survey, 72% of the PAPs are employed whereas, 28% are unemployed. Further, the findings established that only 31% of the aforementioned work within the settlement, while 41% represents the fraction working outside the settlement, mostly involved in small businesses, at the market centre. The average monthly income for the PAPs within the settlement is 5000 KES with majority falling between 1000-10000 KES per month.

7.4. Water Supply

The settlement is characterized by shared piped water, with Kakamega County Government – Kakamega Water and Sanitation Company, being the primary supplier. The study established 62% of the PAPs have

access to water, while 38% face difficulties in accessing water, who opt to buy through private vendors and rain water harvesting. Water abstracted is mainly used for domestic purposes. The monthly water cost for most of the PAPs ranges between Kes.300- 600.

7.5. Energy Supply

The main sources of energy for the PAPs include electricity, charcoal and kerosene. At least 91% of the PAPs have access to electricity supply while 9 % of the PAPs are yet to be connected. The main use of electricity is lighting. The average monthly cost of electricity is KES 500.

7.6. Health and sanitation

Most of the medical facilities that the people of Amalemba go to are located outside the settlement. 98% go to public hospital –Kakamega County General Teaching & Referral Hospital, while only 2% go to private hospitals. The high number of PAPs going to public hospital is attributed to the low-income levels in the settlement rendering private hospitals unaffordable.

8. Mitigation of Impacts

8.1 Introduction

This Abbreviated Resettlement Action Plan (ARAP) addresses the impacts of planning and surveying on the Project Affected Persons (PAPs) by ensuring that they receive appropriate facilitation and rehabilitation measures.

8.2 Eligibility for Compensation and Resettlement Assistance

Amalemba settlement comprises of people who do not have formal legal rights to the land they are settled on at the time of the census. Still OP 4.12 recognizes such people, requiring their compensation for investments or improvements on the land. Therefore, Amalemba PAPs are to be provided compensation for affected assets and livelihood, and any other assistance required to enable them pick up their lives after impacts occasioned by planning and surveying. Persons who develop after the cut-off date however are not entitled to compensation or any other form of facilitation.

Table 13: Eligibility Criteria for Facilitation

PAP Classification	Eligible for		
	Facilitation	No Facilitation	Rehabilitation/Resettlement Assistance
Those with no legally recognized right to land but settled before cut-off date.	Assets at replacement cost	For land	Assistance in line with RPF
Those with affected businesses located within the Settlement before cutoff date	None.	None	None

8.3 Compensation Assistance Guiding Principles

As proposed by the RPF, the following principles will guide payment of compensation for lost assets

- Compensation shall be paid prior to impact;
- Compensation shall be extended to all PAPs irrespective of tenure status as explained above in section 8.2.;
- Compensation will be at replacement cost meaning that replacement of assets with an amount sufficient to cover full cost of lost assets and related transaction costs.
- Compensation for structures shall include the full cost of materials and labor required for reconstructing a building of similar surface and standing. In other words, the affected person must be able to have their structure rebuilt in a different location using the compensation paid for the old building. Depreciation will not be taken into account while calculating the cost of affected structures. In case of physical displacement and depending on tenure category, PAPs will be provided transition assistance such as shifting allowances.
- Consultation with PAPs on facilitation, disclosure of resettlement information to PAPs, and participation of PAPs in planning and implementing the ARAP will be ensured;

8.4 Entitlement Matrix

The entitlement matrix is designed to ensure fair play and to reflect personal effort as captured in from the valuation. All persons affected by the project and meeting the cut-off date requirements will be entitled to a combination of facilitation packages and resettlement assistance depending on the nature of ownership rights on lost assets and scope of the impacts:

- a. Compensation for structures (residential) and other immovable assets at their replacement cost;
- b. Assistance in lieu of the loss of income;
- c. Assistance for shifting/relocation of tenants

8.4.1 Entitlements

Pursuant to the impacts anticipated as highlighted above, cash compensation has been calculated in Kenyan currency, and adjusted for inflation annually.

Table 14: Structure Characteristics and Valuation Considerations

Structure Characteristics	Consultant's Consideration	Valuation	Approximate percentage in the settlement
Less than 20 % of Structure affected where foundation remains intact after demolition and does not alter formation of the structure	Part valuation of the affected area for replacement Cost done at current Market rates*		44% of structures
More than 20% of structure affected, foundation will not remain intact after demolition, formation of structure to be altered upon demolition	Full Valuation for replacement Cost done at current Market rates for the whole structure		56% of the structures

KISIP will ensure that all affected people will be facilitated fully, fairly and promptly and in accordance to this ARAP.

An Entitlement Matrix, shown in Table below has been developed to summarize all entitlements.

Table 15: Entitlement Matrix

No.	Type of Loss	PAP Category	Entitlements
Loss of structures			
1.	Partial loss but residual viable	Squatter	<ul style="list-style-type: none"> Cash compensation at replacement cost without depreciation. For structures affected less than 20% with foundation intact, repair costs will apply as per the part valuation established. Right to salvage material
2.	Fully affected/ part affected and remaining structure is non-viable	(a) Squatter	<ul style="list-style-type: none"> Cash compensation at replacement cost of the affected unit based on Scheduled of Rates without depreciation Right to salvage materials.
Loss of livelihood			
2.	Loss if rental income	Structure Owner PAP	Subsistence allowance equivalent to 2 months rental income An advance notice will be issued to the structure owner to notify tenants on demolition of structure.
	Loss of Business Income		Cash grant equivalent to one-week average income NB: One-week average income is income lost due to shifting of business to a new location. It is assumed one will take a week to undertake shifting during which he will lose income from the business.
Loss of Shelter			
		(a) Tenant	<ul style="list-style-type: none"> Housing allowance for two-month equivalent rental value A onetime shifting allowance of ksh 5000

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8.5 Mitigating the Disputed Plots

A community elected GRC has been set up and is working. It has been trained on how to handle and address disputes in the settlement. All disputed plots were taken to GRC there are currently no rival GRCs as the members were incorporated into one GRC for the settlement. All disputes relating to plots have so far been adequately addressed by the GRC. All other disputes that will be raised will be resolved by the GRC and RIC during implementation of this ARAP.¹²

9. Grievance Redress Mechanism

9.1. Need for Grievances Redress

In any project involving a community, complaints and disputes will always arise. Therefore, there is need for a framework to hear and address complaints related to entitlements, mitigation measures and other arising issues included in this ARAP in a timely manner.

Some of the grievances that are anticipated during implementation of this ARAP may include:

- i. Disputes over parcel limits, either between the affected person and the Project, or between two neighbours;
- ii. Misidentification of assets and PAPs
- iii. Omissions of genuine PAPs from the PAP register
- iv. Disputes over valuation of affected assets.
- v. Dispute over the ownership of a given asset (two individuals claim to be the owner of the asset);
- vi. Disagreement over the proposed entitlements;
- vii. Successions, divorces, and other family issues, resulting in disputes between heirs and other family members, over ownership or ownership shares for a given asset;
- viii. Grievances related to issuance of Title Deeds to beneficiaries

9.2. Grievance Redress Mechanism

This ARAP has a three-tier grievance mechanism; at the settlement level is a Settlement Grievance Committee, Resettlement Implementation Committee (RIC) with membership from KISIP National and Kakamega County Government, and lastly, the Courts of Law.

Table 16 – GRM composition and Membership

Institution	Membership	Functions
Amalemba Settlement Grievance Redress Committee	6-member team - 2 SEC members and three other respected community members drawn from the elderly, youth, physically challenged etc. with gender consideration). This will also include the ward administrator and/or the area chief.	<ul style="list-style-type: none">• To address PAPs grievances as 1st point of contact, within 14 days and at no cost to PAP.• Providing inputs into the monitoring and evaluation process i.e. monthly reports on grievances to RIC
Resettlement Implementation Committee	Joint Membership for implementation derived from County KISIP + National KISIP Project Coordinating Team From KISIP National PCT i. Head of Component 1	<ul style="list-style-type: none">• Escalation Mechanism: Determine PAPs Grievances unresolved by GRC - within 14 days and at no cost to PAP.

¹² Additional Information on the Disputed Plots and GRC are in the Annex

	<ul style="list-style-type: none"> ii. Head of component 2 iii. Social safeguard specialist iv. Community Development specialist v. 3 members from Component 2 - Surveyor, land administrator and valuer vi. KISIP Finance Officer <p>From the County</p> <ul style="list-style-type: none"> i. County KISIP Coordinator who will be the chairman ii. Community Development Officer iii. Head of Component 3 - Engineer iv. County Surveyor v. County Physical Planner vi. County Environmental Officer vii. Representative from enforcement department viii. Town Administrator <p>The members of parliament and members of the County Assembly (MCAs) may be co-opted as ex-officio members. Kakamega County will provide the secretariat for the committee.</p>	<ul style="list-style-type: none"> • Providing inputs into the monitoring and evaluation process i.e. monthly reports on grievances to RIC
Court of Law	Court of Law	<ul style="list-style-type: none"> • PAPs not satisfied with the project process free to seek legal redress and at their own cost. The Land and Environment court deals specifically with land and environment related disputes of which displacement and valuation are part of it. • The legal option will only act as avenue of last resort and will be sought after all other redress mediums have been exploited and exhausted.

The Terms of Reference for the Grievance Redress Mechanism Committees will be as follows:

- i. Address all forms of grievances relating to the implementation of this ARAP expeditiously and impartially.
- ii. To consult with all the relevant parties involved in the disputes in the process of seeking solutions, and further to seek technical advice where necessary to reach a verdict.
- iii. Document the grievance handling process from the time a complaint is received to the final determination. To this end, the committee shall maintain a grievance register, minutes of all meetings held to address grievances, and correspondences
- iv. To notify the concerned parties promptly once a verdict has been reached, and the next steps.

9.3. GRC Process Procedures and Timelines for Lodging Complaints

It is desirable to resolve all the grievances at the community level to the greatest extent possible. To achieve the community or settlement level grievance mechanism must be credible and generally acceptable. The grievance redress mechanisms will aim to solve disputes at the earliest possible time in the interest of all parties concerned. The Table below summarizes the process of grievance redress in the 3-tier system.

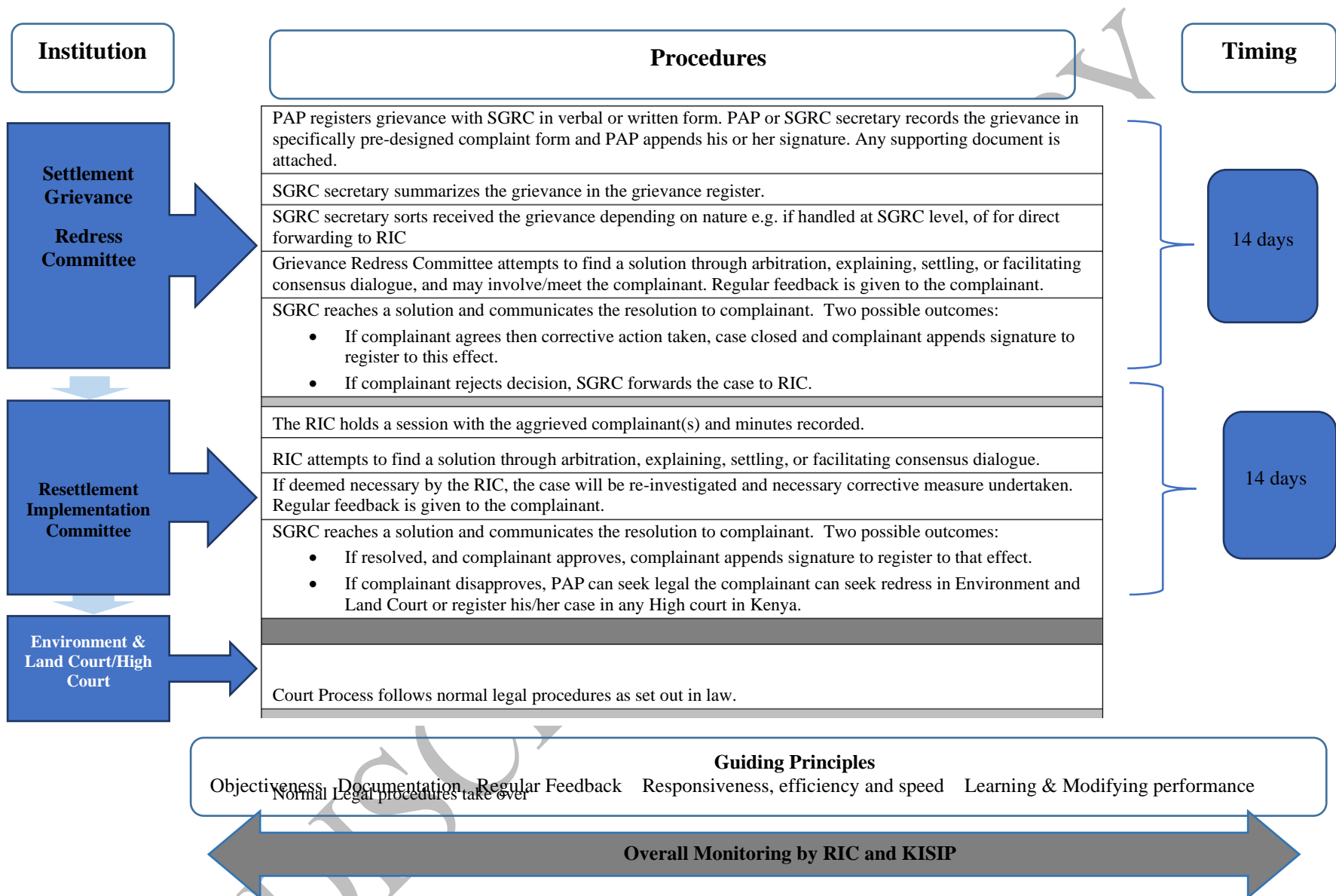


Figure 7: GRM process

10. Institutions, Implementation Arrangements and Disclosure of ARAP

10.1. ARAP Implementation Procedures and Process

Implementing this ARAP involves a number of key procedures and processes:

1. Validation

Validation of the asset and PAP register will be undertaken by the RIC to ensure its correctness.

2. Disclosure Process for the ARAP

Public disclosure of the ARAP will be made to PAPs and other stakeholders for review as well as monitoring of the implementation. Disclosure will be in the form of:

- i. Public disclosure meeting organized in the settlement. As a requirement this Resettlement Action Plan will be disclosed in a form, manner and language comprehensible to PAPs and at a place accessible to PAPs and other stakeholders e.g. County Government. A half day workshop will therefore be conducted in the settlement for the PAPs, stakeholders, local leaders with the objective of disclosing the ARAP. During this disclosure meeting, a summary of the main findings and recommendations, entitlements, and PAP register will be presented. Once it is disclosed, the PAPs will be notified about the availability of the ARAP document. The ARAP will be posted on the Ministry of Lands, Housing and Urban Development website
- ii. The ARAP will be available at the KISIP offices (National and County) and a copy with the SEC.
- iii. The ARAP will be available at the World Bank Info Shop.

3. Capacity Building

The implementation of the RAP will entail capacity building and orientation of the officers in charge of ARAP implementation at KISIP as well as the GRM institutions described in previous chapter. Therefore, it is planned that training and orientation on the ARAP implementation will be organized after the final approvals of the document as detailed in the implementation schedule.

4. Sensitization

This will cover a number of issues including joint accounts for spouses, on titles registration, appropriate use of compensation funds and avoidance of gender-based violence related to compensation funds and titling etc. Figure 5 below summarizes the sensitization and information to be shared. Overall, KISIP through the PCT will ensure coordination with the various stakeholders in ensuring the right type of information is given, and in a timely basis.

After KISIP undertakes sensitization on accounts an appropriate use of compensation funds for households, the PAPs will be allowed to open individual and joint accounts. KISIP will collect (joint) account numbers where applicable, and the verified list of beneficiaries is submitted to KISIP accounts office for processing of funds. Funds will be deposited directly to Bank accounts, and a follow up is done through phone call and/or text to confirm to the PAPs funds has been disbursed.

5. Notice for Self-Demolition

Once the facilitations have been paid out to respective PAPs (Concurrent to the issuance of titles), a notice of self-demolition will be issued by the County Government. This ARAP proposes a 3 months' notice to PAPs. In case a PAPs fails self-demolish his or her own structure within the notice period, the county will commence to demolish the structures as part of development control.

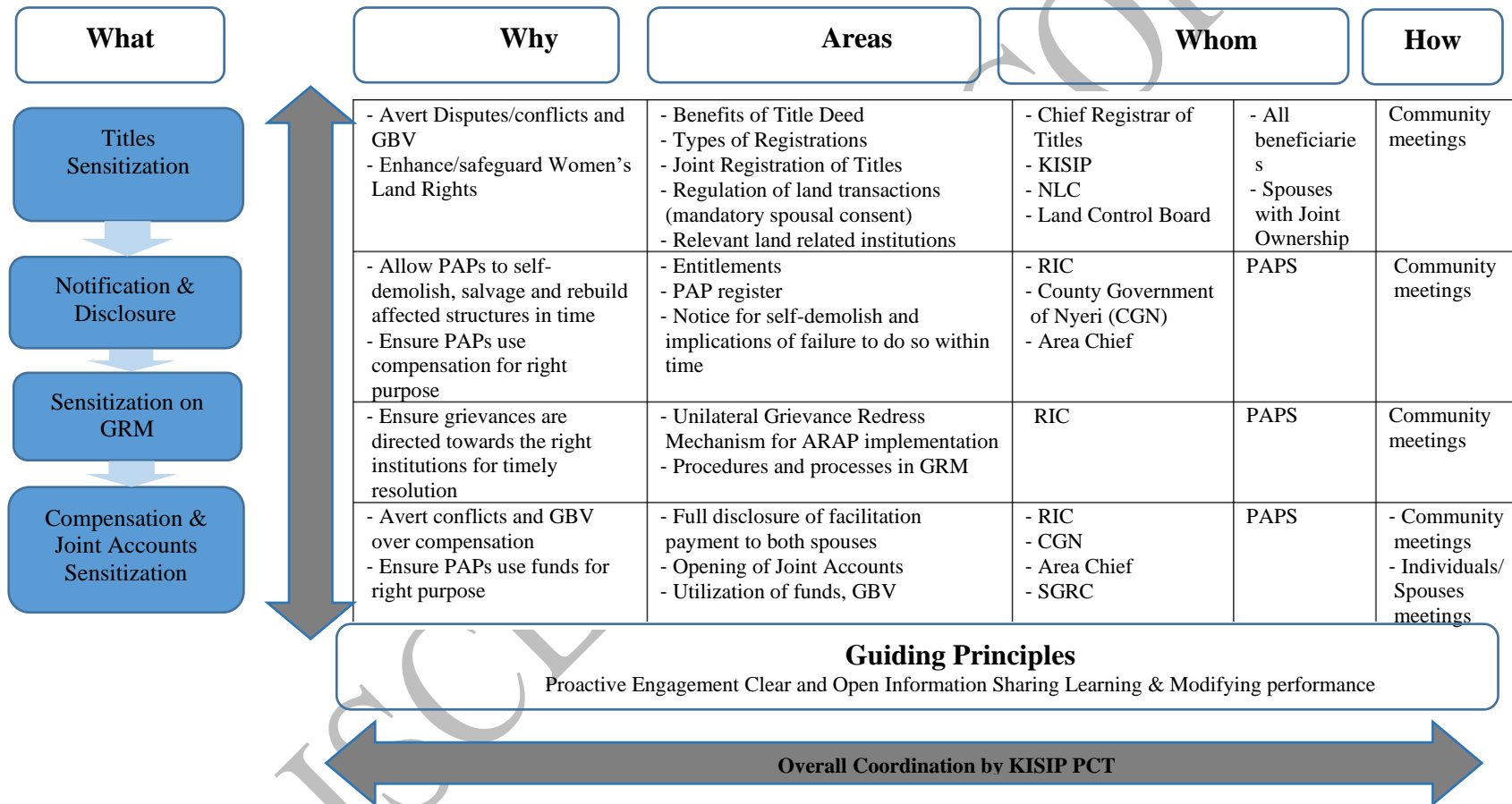


Figure 8: ARAP Information sharing and Sensitization Strategy

10.2. Implementing Institutions and Organizations framework

The Table below summarizes the main roles by various institutions mandated by law and under this ARAP for the successful implementation of the project. KISIP is the primary implementing actor for this ARAP and will ensure this ARAP is implemented within a period of not more than 90 days upon approval from the World Bank. During implementation, KISIP will ensure all PAPs are adequately facilitated according to the provisions of this ARAP concurrent with issuance of Title Deeds to all beneficiaries (including the PAPs). For implementation purposes, KISIP has a Project Coordinating Team (PCT) at the National Level and which consists of a project coordinator, Head of the 4 components outlined in Chapter 1 (and staff related to each component), an Environmental and social safeguards team,¹³ KISIP Finance and Procurement Office – a structure which are also replicated at the County Level.

Towards managing the implementation of this ARAP, the established Resettlement Implementation Committee (RIC) for Kakamega County will play a major role in day to day tasks.

Table 17: Implementing organizations and Roles

Institution	Role
Broader Institutions	
Ministry of Transport, Infrastructure, Housing and Urban Development	<ul style="list-style-type: none"> • It houses KISIP and provides for overall policy direction.
Ministry of Lands and Physical Planning	<ul style="list-style-type: none"> • It handles land tenure matters and issues titles
Ministry of Finance	<ul style="list-style-type: none"> • Financial management on behalf of the Borrower (GoK) • Provision of counterpart funding – part of which is used to settle compensation claims by PAPs
National Land Commission	<ul style="list-style-type: none"> • Custodian of all public land on behalf of the county governments. • It is responsible for allocation of public land
Kakamega County Government	<ul style="list-style-type: none"> • Part of grievance redress mechanism • Clearance of structures if people don't self-demolish after self demolition notice period and compensation. • Responsibility for appropriate and suitable measures to prevent further encroachments after the cut-off date.
ARAP Implementing Institutions under KISIP	
KISIP Project Coordination Team	<ul style="list-style-type: none"> • Overall project coordination • Overall responsibility of ARAP implementation • Ensure budget for implementation is available • Overall responsibility for monitoring and evaluation • Support and capacity building to other engaged institutions at local level.
Resettlement Implementation Committee (RIC)	<ul style="list-style-type: none"> • Provide overall leadership and day to day implementation of the ARAP

¹³ Comprising of a Social Safeguards Expert, a community development officer (who also doubles as the main person in charge of GRM);, a social safeguards expert who also doubles as the coordinator for the team, an M&E officer, and a surveyor and valuer. Where required the team is enjoined by other staff seconded from the relevant state department, for instance valuers, and from Component 2.

	<ul style="list-style-type: none"> • Study the final ARAP reports and draw update program/schedule for implementation • Organize the public disclosure of the final ARAP • Confirm/validate entitlement and the final PAP register • Oversee compensation and other assistance to the PAPs • Part of grievance redress mechanism • Sensitization about opening of joint accounts and appropriate use of compensation funds • Monitoring and Coordination of ARAP process
SEC	<ul style="list-style-type: none"> • Part of grievance redress mechanism • It provides an entry point and crucial link to the Amalemba community
GRC	<ul style="list-style-type: none"> • Formed to address all grievances related to the development and implementation of ARAP as previously outlined under Chapter 9.
PAPs	<ul style="list-style-type: none"> • Those affected by the project as described in this RAP. • Responsibility to utilize facilitation for the intended purpose • Responsibility to self-demolish

The following diagram shows RAP implementing institutions and organizational framework:

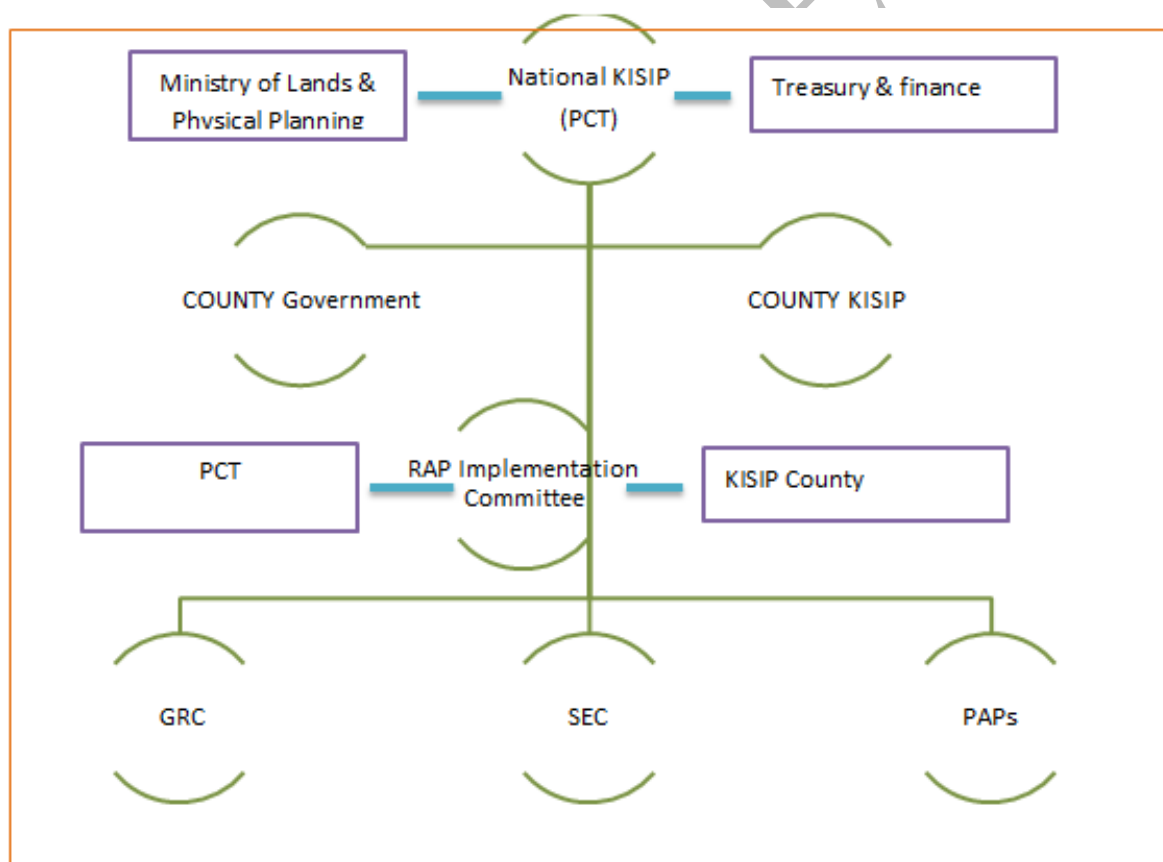


Figure 9: Implementing Institutions and Organization Framework

10.3. Implementation Schedule

The implementation schedule includes the following critical activities:

- a. Finalizing and approval of ARAP– yet to be undertaken
- b. PAPs Sensitization on utilization of facilitated Funds – yet to be undertaken
- c. Disbursement of the compensation– yet to be undertaken
- d. Land Titles Sensitization– yet to be undertaken
- e. Transfer of land title to community and issuance of title deeds– yet to be undertaken
- f. Monitoring and evaluation– yet to be undertaken

The proposed activities are further divided into three broad categories based on the stages of work and process of implementation. The details of activities involved in these three phases, i.e.

- i. ARAP Preparation Phase
- ii. ARAP Implementation Phase
- iii. Monitoring and Evaluation.

Table 18: Implementation Schedule

	TASK NAME	Actor	Implementation to begin immediately after approval of ARAP					
			Period in Months					
			1	2	3	4	5	6
1.	Approval of ARAP	World Bank						
2.	Sensitization of PAPs on the need to involve women in ARAP implementation and need to eliminate Gender Based Violence (GBV) triggered by compensation, Involvement of women in titling and land ownership.	KISIP, RIC, PAPs, Beneficiaries						
3.	Disclosure of ARAP	KISIP, PAPs, Beneficiaries						
4.	Formation and capacity building of Grievance Redress Committee	KISIP, RIC, GRC, PAPs						
5.	Validation of asset valuation/values	KISIP, County Government,						
6.	Grievance Redress	KISIP, RIC, PAPs, Beneficiaries, GRC						
7.	Sensitization of PAPs on bank accounts and use of compensation funds	KISIP, RIC, County Government, Women Based						

	TASK NAME	Actor	Implementation to begin immediately after approval of ARAP					
			Period in Months					
			1	2	3	4	5	6
	including joint spousal management of cash	Organizations (if present), SEC						
8.	Payment of compensation	KISIP, RIC						
9.	Issuance of notice for self-demolition	KISIP, RIC						
10	Self-Demolition	PAPs						
11	Demolition of any structures that have not been demolished at the expiry of the notice period	Kakamega County						
12	Monitoring activities	KISIP MoTIH&UD						

10.4. Financial Responsibility and Authority

The overall financial responsibility for facilitation of affected structures is solely mandated to KISIP. The total budget is KES. 4,776,850.00(Four Million, Seven Hundred and Seventy-Six Thousand, Eight Hundred and Fifty Shillings **only**).

Table 21: ARAP Implementation Budget

Item	Amount (KES)
Facilitation for Structures affected due to road way leave alignment	3,888,450.00
Livelihood Restoration	49,200.00
Tenant relocation Allowances	89,200.00
Capacity Building and Training for ARAP Committees	100,000.00
Awareness raising and sensitization of Beneficiaries and PAPs¹⁴	200,000.00
Operational & Administrative Costs	150,000.00
Monitoring and Evaluation	300,000.00
Grand Total (Whole Project)	4,776,850.00

¹⁴Sensitization of on Title Registration and Benefits, Gender Sensitizations and Training, Bank accounts, use of compensation money, GBV etc.

11. ARAP Monitoring and Evaluation

11.1. Introduction

During the ARAP implementation, monitoring will be conducted on a continuous basis by KISIP Social Safeguards team, who will collect and record the required information on implementation activities and submit the monitoring reports, on timely basis, to the RIC. Overall internal monitoring framework will incorporate continuous information flow from the settlement level through the RIC accompanied by periodic supervision and verification by National KISIP. The monitoring process will involve the internal and external monitoring.

11.1.1. Objective of ARAP Monitoring

The objective of the monitoring component will be to determine;

- a. If ARAP implementation process is effective and timely in line with the recommendations of this ARAP.
- b. If PAPs have been paid in full and before implementation of any subsequent activities in Amalemba Informal Settlement Upgrading.
- c. If PAPs are satisfied with the actual process and facilitation issued.
- d. If PAPs have been able to maintain their pre-project standard of living, and even improve on it.

The census and/or the socio-economic survey study which are the basis for the preparation of a monitoring and exercise will be used as the base line for the evaluation of this ARAPs.

11.1.2. Internal monitoring

The primary responsibility for internal monitoring remains with KISIP PCT, backed by the social safeguards team. They will monitor both outputs, process and impact, and produce a quarterly report. The monitoring responsibilities will include undertaking the following roles:

- ✓ Ensure that compensation monitoring system is set up accordingly.
- ✓ Facilitate the recruitment of an independent consulting firm to undertake external monitoring of the ARAP implementation
- ✓ Set-up internal monitoring systems for RIC through continuous information flow.
- ✓ Refine monitoring indicators as per the circumstances.

Part of this process will include developing a facilitation dossier recording each PAP initial situation, all subsequent project use of assets/improvements, and facilitation agreed upon and received.

In addition, other institutions will be involved. E.g. at the Settlement level, the SGRC and SEC will monitor progress and address of grievances, rebuilding of structures for the affected etc. At the county level, it will be conducted by the RIC. Both at settlement and County level, records of monitoring and evaluation of the ARAP implementation will be kept.

- **Performance monitoring** will be conducted to assess the efficiency within which the ARAP activities have been implemented. It will include ALL involved in resettlement process. Particular emphasis will be on of laid grievance management indicator and verification of the compensation.
- **Impact monitoring** will also be conducted to assess the change in living standards of PAPs with the baseline data collected during the socio-economic study as the baseline and control.

The tools and methods to use can include questionnaires, interview lists, conversations with PAPs, observation on changes e.g. houses been rebuilt.

10.1.1. External Monitoring

Given the small numbers of PAPs involved, external monitoring will be conducted either by an independent consulting firm hired by the National KISIP or KISIP RIC, and will focus on compliance monitoring and impact evaluation. The overall objective of the team will be to carry out the following:

- Review the results of the internal monitoring and overall compliance with the ARAP;
- Assess whether ARAP objectives were met especially with regard to maintaining/improving living standards, compensation levels, etc.;
- Assess general efficiency of ARAP Implementation and formulate lessons for future guidance;
- Determine overall adequacy of entitlements to meet the objectives.
- Assess whether PAPs were able to maintain or achieve their pre-project standard of living, and even improve on it;
- Assess whether local communities remain supportive of the project.

11.1.3. Monitoring Indicators

These indicators will facilitate monitoring of ARAP performance based on set timelines as per the ARAP. Monitoring and evaluation will assist in ensuring that compensation measures are correct, all eligible persons have received their entitlements and that implementation of the ARAP is proceeding well. Lists of indicators are shown in the table below:

Table 22: Monitoring Indicators

Subject	Indicator	Variable
Demographic	Demographic changes and livelihood improvements	<ul style="list-style-type: none"> • Name of persons affected • Educational attainment of PAPs • Employment status of PAPs • Earnings/income by source
Titling	Tenure security and gender inclusivity in land ownership	<ul style="list-style-type: none"> • Number of beneficiaries with titles and type of registration • Number of women with landholding status
Facilitation Compensation and Business Restoration	<ul style="list-style-type: none"> • Construction of new or repaired Structures • Re-establishment of affected businesses i.e. rental units. 	<ul style="list-style-type: none"> • Number of PAPs facilitated by type of loss and gender, and timely • Amount facilitated by type, owner and gender • Use of compensation cash • Number and Type of replacement structures constructed or repairs undertaken, of better or equal standard, by nature of building materials • Well planned housing • Size, construction, durability and environmental suitability of replacement houses • Number of replacement structures. • Status of occupation of reconstructed rental units, and average income.
Social Services	Social service levels	<ul style="list-style-type: none"> • Access to health care services • Water supply access and Possession of latrines

Consultation	Consultation programme operation	<ul style="list-style-type: none"> • Number of public consultation meetings related to ARAP (with evidence i.e. list of attendance) • Number of participants attending public consultation meetings related to ARAP, by gender Type of information provided in public meetings • Type and nature of issues raised at public consultation meetings, and nature of responses
	Information dissemination	<ul style="list-style-type: none"> • Disclosure of the ARAP at settlement level and various websites • Accessibility of the ARAP or its summary at settlement level. • ARAP/Entitlement information access by PAPs • The extent of information flows between PAPs, RIC and KISIP • Number of people seeking information on ARAP and facilitation
	Grievances resolved	<ul style="list-style-type: none"> • Formation and membership of GRC and RIC (including the timing) • Number of grievances registered by type and by whom (gender) • Number of grievances resolved promptly, not promptly • Outstanding grievances • Number and type of cases referred to court
Training	Operation of training programme	<ul style="list-style-type: none"> • Nature and type of training held disaggregated by target group/institutions and issues • Number and type of committees trained • Number and type of participants disaggregated by gender • Themes discussed in various trainings • Committee/PAPs perception of usefulness/timing of the training
Management	Procedures in operation	<ul style="list-style-type: none"> • Census and asset verification/quantification procedures in place • Effectiveness of compensation delivery system by KISIP • Co-ordination between local community structures, County and KISIP Officials

11.1.4. Resettlement Completion Audit (RCA)

Resettlement Completion Audit is to verify that the ARAP process has complied with the commitments defined by this document, and can be undertaken internally or externally through hired consultants after period of one month after the completion of the ARAP process.

Table 24: ARAP completion Audit

RCA-materials	RCA Objectives
(i) This ARAP Report (ii) Documents from Internal and External Monitoring (iii) Kenyan policies and legal statutes	(i) General assessment of the implementation of the ARAP against the objectives and methods set forth in the ARAP, (ii) Assessment of compliance of implementation with laws, regulations and safeguard policies; (iii) Assessment of the fairness, adequacy and promptness of the compensation and resettlement procedures as implemented; (iv) Evaluation of the impact of the compensation and resettlement program on livelihood restoration, measured through incomes and standards of living, with an emphasis on the “no worse-off if not better-off” requirement; and (v) Identification of potential corrective actions necessary to mitigate the negative impacts of the program, if any, and to enhance its positive impacts.

12. Conclusion and Commitments

12.1. Conclusion

This ARAP has revealed that planning and survey in Amalemba Informal settlement will bring a number of positive as well as detrimental impacts. The positive impacts of the project are related to security of tenure and its multiplier effects including enhancing gender inclusivity and equality in land matters. On the contrary, implementation of the tenure regularization project is expected to cause several adverse social impacts, the most important impact been impact on structures, as well as loss of income (through loss of affected rental units). However, these will be mitigated through facilitation of the lost structures and lost income. Furthermore, a well-organized monitoring programme is recommended as an integral part of the ARAP implementation in order to follow up the proper implementation of the recommended mitigation measures and their effectiveness as well as to detect incidence of any unforeseen issues. A participatory approach to the ARAP implementation is also detailed in this ARAP, including key roles by the County Government of Kakamega, SEC, KISIP and PAPs, which will be very helpful in facilitating the planned activities as per the schedule.

12.2. Commitments

To ensure this ARAP is fully implemented, KISIP commits to the following:

- a. KISIP will facilitate all the affected persons according to provisions of this ARAP in a timely manner According to the Implementation schedule timelines. In addition, KISIP will ensure all grievances raised by the PAPs are resolved in a timely fair.
- b. Concurrent with compensation, KISIP through the Ministry of Lands and Physical Planning (on advisory from NLC) will immediately begin issuance of title deeds to beneficiaries.
- c. KISIP PCT will organize and carry out required sensitization exercises aimed at enhancing women land rights, ensuring proper use of compensation funds, avoidance of gender-based violence etc. as documented in the implementation schedule of this ARAP.
- d. KISIP will work with the relevant institutions towards timely implementation of this ARAP. Particularly, the County Government of Kakamega will play a key role in undertaking development control to ensure all PAPs move after facilitation and thereafter maintaining the road reserves.
- e. KISIP will issue a three months' notice to PAPs to enable them self-demolish and salvage their assets.
- f. KISIP will undertake Monitoring and Evaluation of this ARAP during and after implementation.

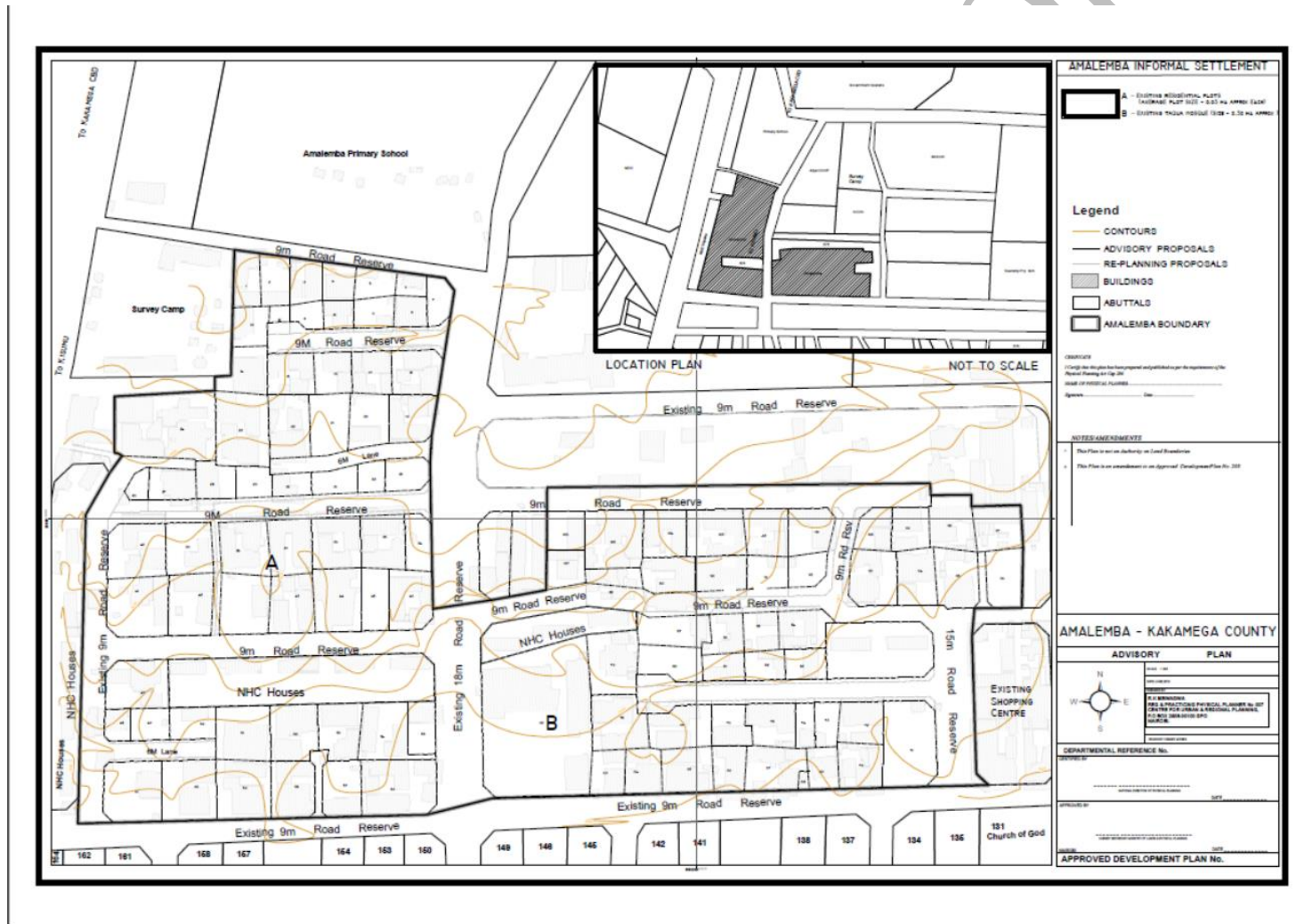
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ANNEXES

Annex A—Amended Local Physical Development Plan

Map 1: Amended LPDP for Amalemba Informal Settlement



Map 2: Amended LPDP for Amalemba Informal Settlement overlaid with Ortho.



Annex B – Plan Amendment Minutes and Lists of Attendance

i. Minutes of Plan Amendment Meeting with County and the Community A. Sensitization item

**MINUTES ON COUNTY AND COMMUNITY SENSITIZATION MEETING ON
REPLANNING FOR AMALEMBA INFORMAL SETTLEMENT, HELD ON 24TH APRIL 2019,
11:52 A.M AT THE MOSQUE GROUNDS IN KAKAMEGA**

Meeting/ project name	Lot 1 Re-planning in Kathita – Embu County, Amalemba – Kakamega County & Kwa Ndomo&Muyeye Phase 1 in Kilifi County		
Date of meeting	24 th April 2019	Time	11.52Am
Meeting facilitator	Director of Lands and Physical Planning	Location/venue	MOSQUE GROUNDS IN KAKAMEGA
Meeting objective: Sensitization on Re-planning			
Attendance			
Name		Institution	
CLIENT TEAM –KISIP NATIONAL REPRESENTATIVES			
Mr. George Arwa		KISIP National Office	
Mrs. ZenahKirui		KISIP National Office	
Mr. John Ireri		KISIP National Office	
Gladys Juma		KISIP National Office	
KAKAMEGA COUNTY REPRESENTATIVES			
Mr. Alfred Matiangi		CEC, Lands and Physical Planning	
Mr. David Ikunza		County Assembly Member	
Mr. Stephen Chune		Director of Lands and Physical Planning (County)	
Mr. Patrick Lukoko		Chief Officer (County)	
Mr. Fredrick Mwiritisa		County Surveyor	
Mrs. Caroline Khasoa		NLC-County Government	
CONSULTANT TEAM			
Mr. RensonMbwagwa		Consultant (CURP)	
Mr. Charles Osengo		Consultant (CURP)	
Meeting Agenda			
i. Introduction and goal of meeting			
ii. Launching of the Re Planning of Amalemba from lessons learnt from previous work			
iii. Appraisal about emerging issues in the settlement			
iv. Plenary			
v. Way forward and closing remarks			
vi. AOB			
Minute 1: Introductions and goal of meeting			
Meeting with the Community at Amalemba Mosque started at 11:52A.M by a word of prayer from one of the Community Members and welcomed all participants to the meeting. This enabled all those in attendance to introduce themselves as follows:			
• County KISIP Office representatives			
• KISIP National Office			

<ul style="list-style-type: none"> • Consultant Team
Minute 2: County Government Support
<p>Director of Lands and Physical Planning after introducing the County Officers made the meeting aware that KISIP work and recent developments are at the table of CEC in charge of lands and planning. The CEC is aware of the ongoing meeting and is hopeful that it is for the progress and welfare of the people at Amalemba. Director informed and clarified on the following;</p> <ul style="list-style-type: none"> • Members in attendance were made aware of other villages within Kakamega where KISIP project is on going • The director appealed to the residents of Amalemba to work together with the Consultant, County Officers and KISIP national office to make the project a success. • Residents of Amalemba were informed that all arising conflicts in the process are required to be handled by the formed Grievance Committee. Unresolved issues are to be forwarded to the County KISIP office and KISIP National office • It was made clear during the meeting that only the Central Government and County Government through the National Land Commission have power to allocate land • Residents of Amalemba were made aware by the Director of Lands and Physical Planning that before commencement of any development in the village, they must seek approvals from the County.
Minute 3: Moving the Project Forward.
<p>Head of the group from KISIP National office emphasized that they had come to help move the project towards completion working together as one. People of Amalemba were informed that, KISIP is operating in 14 Counties of Kenya covering 96 projects. It was made clear, that only those whose details were captured in 2012 are at the centre of the project implementation.</p> <ul style="list-style-type: none"> • He apologized for the delays of the project owing to the lessons that have been learnt from the implementation of the projects. • The head of the group emphasized that, where there are unresolved conflicts, the areas will be isolated until there is settlement of conflicts and the project will continue • An officer in charge of mobilization of settlement committee members from the national office urged all the members to attend meetings when called upon to avoid missing on the progress of work and activities of the project.
Minute 4: Support of the national Land Commission.
<p>All in attendance were informed that the National Land Commission was looking forward to working with the Community to facilitate the release of titles. Land in the Country is held under three tenure types, namely; private, community and public.</p>
Minute 5: Re-Planning.
<p>Lead consultant informed the meeting that, work on KISIP projects in 4 Counties namely: Embu, Kakamega, Kilifi and UasinGishu was going on well in spite of the emerging challenges. Lead Consultant noted the following:</p> <ul style="list-style-type: none"> • Initial planning and survey led to some mistakes where some plots have been split into two, and those adjacent to roads affected. • The meeting was informed that due to a large number of people affected, the cost of facilitating those affected to pave for implementation of infrastructure improvements had gone up to Kshs. 45Million. • Consultant agreed that mistakes were done, and this is the time to correct them by working a new with all the stakeholders for the success of the project. This work is to be completed within a period of three months.

Minute 6: Issues of Complaints by residents
<p>Director of survey from the County presented a summary of the issues and complaints from the community as follows;</p> <p>Beacons into the plot and also splitting the plot into two (Inter-boundary), reduced size of plot than before, second plot allocated to the tenant by the SEC officials, and the general issue of re allocation of plots by the officials of SEC.</p>
Minute 7: Conflicts and concerns from the Community.
<p>The Community members raised issues that have been captured as follows;</p> <ul style="list-style-type: none"> • Plot subdivision arising from the planning and survey that has split plots into two, and beacons at centre of plot or house • Clarification of names on the register so that there is no one missing • Identification of true plot owners (structure owners) that needs proper verification with the Community • Clearly indicate on the plan where roads are passing and the internal circulation so that people are aware. • Allocation of plots within the settlement, an issue that is raising concerns • Re look into the photos taken during enumeration exercise to ensure it marches with the structure owners • Ongoing construction within the village should be stopped until re-planning and survey are completed and RAP done. • Individuals in the community have no power to allocate land • There was an earlier planning initiative that had created 125No plots • This earlier effort too had a list of people from which it was alleged 17 had been removed and 20 new ones added • Originally Amalemba upgrading started in 1985, upon which people have allotment letters and there were uniform plot sizes • Planning and survey has to be done taking into consideration the way the plots are and referring to what had initially been done. The earlier initiatives were however not concluded and developments took place out of order.
Minute 7: Support from MCA.
<p>MCA in attendance clarified that the main goal is progress and development for his residents as a key achievement. He urged the chosen community leaders of the village to be straightforward to avoid falling into trouble with the community</p>
Minute 8: Resolution of the meeting:
<p>The meeting resolved that the re-planning should be done by ensuring participation of relevant stakeholders to achieve success.</p>
Minute 9 A.O.B
<p>Construction and sale of Plots. Director of Lands and Physical Planning, and the town manager gave a directive that all new developments should stop until planning and survey is done, and that no one should sell land during this period.</p> <p>Meeting Ended at 3:20 PM.</p>
Photos:



List of Attendance



KENYA INFORMAL SETTLEMENT IMPROVEMENT PROJECT (KISIP)
PLANNING AND SURVEYING INFORMAL SETTLEMENTS

CONTRACT NO: MH/KISIP/CS/005B/2013-2014



Lot 1 Re-planning & RAP Meetings in Kathita – Embu County, Amalemba – Kakamega County & Kwa Ndomo & Muveve Phase 1 in Kilifi County –

SETTLEMENT: Amalemba Community Sensitization on Re-planning AT THE MEETING WITH RESIDENTS DATE: 24/04/2014

No.	Name	Tick Gender		Institution/Village/ Designation	Telephone	ID No.	Signature
		M	F				
1	FREDRICK MWILITSA	✓		DIRECTOR OF SURVEYS	0723394649	0369263	<i>[Signature]</i>
2	Zenah Kuni		✓	KISIP- Comp 2	0725984352	04736313	<i>[Signature]</i>
3	Gladys Juma		✓	KISIP - National	0722385520	9827072	<i>[Signature]</i>
4	Pamela A. Angulo		✓	SHR C.D.O	0708655642	04371142	<i>[Signature]</i>
5	John W. K.	✓		KISIP National	0722 613831	25720042	<i>[Signature]</i>
6	George Akwa	✓		KISIP National	0722712591	8497296	<i>[Signature]</i>
7	Muthoni J. Ngachari	✓		KISIP-NLC Rep.	0721203860	2861222	<i>[Signature]</i>
8	Renson K. Mwangi	✓		curp	0722362049	0338178	<i>[Signature]</i>
9	DAVID IKUNJA	✓		MCA	0712102149	6666536	<i>[Signature]</i>
10	KENNETH O. NYASENA	✓		Municipal Mgr	0723970157	21891420	<i>[Signature]</i>
11	Naureen K. Khakawo		✓	C.A.A. Amalemba Scheme	0726486616	04657049	<i>[Signature]</i>
12							
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KENYA INFORMAL SETTLEMENT IMPROVEMENT PROJECT (KISIP)

PLANNING AND SURVEYING INFORMAL SETTLEMENTS

CONTRACT NO: MH/KISIP/CS/005B/2013-2014

Lot 1 Re-planning & RAP Meetings in Kathita - Embu County, Amalemba - Kakamega County & Kwa Ndomo & Muveve Phase 1 in Kilifi County -



Community Sensitization on Re-planning

SETTLEMENT: Amalemba

DATE: 24/04/2019

No.	Name	Tick Gender		Institution/Village/ Designation	Telephone	ID No.	Signature
		M	F				
1	Juma AKIDA	✓		AMALEMBA	0703319783	2445951	
2	Sau Omar	✓		Amalemba	079289221	20166136	
3	Charles Mwangi	✓		Amalemba	0725-882726	23164070	
4	Joseph Joseph	✓		"	0720055114	21292160	
5	MUTHSI N ABASS	✓		"	0722392107	14180590	
6	ABDULKARIM ABDURAMAN	✓		"	0722863020	9258766	
7	HAMISI R LIMANYE	✓		AMALEMBA	0722111143	11114938	
8	Abdullahi KASOKI	✓		Amalemba	0794059613	-	
9	Juma Mwangi	✓		"	0719718148	20031198	
10	MUBWANA A. ABARUA	✓		" " " "	0727734935	-	
11	SAMUEL R. MUSA	✓		Mumst	071555272	6257806	
12	ADAMS K. JUMA	✓		AMALEMBA	0712610377	0260748	
13	IBRAHIM L. BAKARI	✓		AMALEMBA	0722279764	185422	
14	SAJITH KATHID	✓		AMALEMBA	0705597406	22022659	
15	Abdullah G. GILLAH	✓		AMALEMBA	0723793525	10478778	
16	SHABIR A. JUMA	✓		AMALEMBA	0726267911	1168502	
17	ASMAH N. OMAR	✓		AMALEMBA	0711983311	4108958	
18	HASSAN MAMWIBI HACHIS	✓		AMALEMBA	0727152437	617618	
19	Rajab Bahuguz	✓		Amalemba	0705380661	32102583	
20	FELIX MATUNDA	✓		AMALEMBA	0727238970	24153131	
21	ISOMBO HAMISI	✓		AMALEMBA	0711992784		



KENYA INFORMAL SETTLEMENT IMPROVEMENT PROJECT (KISIP)

PLANNING AND SURVEYING INFORMAL SETTLEMENTS

CONTRACT NO: MH/KISIP/CS/005B/2013-2014

Lot 1 Re-planning & RAP Meetings in Kathita - Embu County, Amalemba - Kakamega County & Kwa Ndomo & Muveve Phase 1 in Kilifi County -



Community Sensitization on Re-planning

SETTLEMENT: Amalemba

DATE: 24/04/2019

No.	Name	Tick Gender		Institution/Village/ Designation	Telephone	ID No.	Signature
		M	F				
1	FATUMA ABDI		✓	Amalemba	072581966	0693431	
2	MUKESO E. EKEENA		✓	Amalemba	0721660823	21861882	
3	ZAKARIA BUKHALA	✓		AMALEMBA	0702569851	5377401	
4	ROSEMARY K. IMBENZI		✓	Amalemba	0727728895	9510891	
5	MWATIM JUMA	✓	✓	Amalemba	071609966	1094762	
6	Sotia Mbarak	✓	✓	Amalemba	0710797680	9069677	
7	FATUMA WORO		✓	Amalemba	0721658640	1173875	
8	FATUMA SADI		✓	Amalemba			
9	HAHIBA JUMBE		✓	AMALEMBA			
10	ADJAH ASHUA BAKARI		✓	Amalemba	0566727	6724352848	
11	MARTAR OPUAH OMOSHIE		✓	AMALEMBA	0707730552	7953422	
12	REHEMA ANJIA SAIDI		✓	AMALEMBA	0702892479	8836265	
13	MARIAMU MUSA		✓	AMALEMBA			
14	ZAINABU SMID		✓	AMALEMBA	0114122348		
15	WISPER AMUVE		✓	A	0729716967		
16	ROSS MAMBO		✓	AMALEMBA	020540578	20656959	
17	Rehema HASSAN			AMALEMBA	0758772805		
18	MWAMUNSI MAEKHA			AMALEMBA	072402822	83901735	
19	HADIJA MUSA			AMALEMBA	0700909484		
20	HADIMA SALE			AMALEMBA	0715723109		



KENYA INFORMAL SETTLEMENT IMPROVEMENT PROJECT (KISIP)
PLANNING AND SURVEYING INFORMAL SETTLEMENTS
CONTRACT NO: MH/KISIP/CS/005B/2013-2014



Lot 1 Re-planning & RAP Meetings in Kathita - Embu County, Amalemba - Kakamega County & Kwa Ndomo & Muveve Phase 1 in Kilifi County -

Community Sensitization on Re-planning

SETTLEMENT: Amalemba

DATE: 24/04/2019

No.	Name	Tick Gender		Institution/Village/ Designation	Telephone	ID No.	Signature
		M	F				
1	AMINA Juma S		✓				
2	HASINA Juma		✓	AMALEMBA	0706158545	15348384	UPUNA
3	ASHA Juma		✓	AMALEMBA	0773 JOMU	9301988	ASUM
4	MILDRED KHASANDI		✓	AMALEMBA	0728639072	20941857	HAZ
5	Halima Haji		✓	AMALEMBA	0723818897	5790945	CHUMI
6	HADIYAH RAMADHANI		✓	AMALEMBA	0717018367		HAB
7	RAZIHA HADISI		✓	AMALEMBA	0741933151	24656510	RAHO
8	MIZIUM MHIKA		✓	AMALEMBA	072823894	69645283	WUM
9	SALMA KHATOLI		✓	AMALEMBA	0724544114	9449676	SH
10	Zaidan Anoti		✓	AMALEMBA	0710387403		
11	SALMA KHAYESA		✓	AMALEMBA			
12	ZAFUN BAKARI		✓	Amalemba	078535867	08057834	WUM
13	Subira Idd		✓	Amalemba	0710370371	21069799	
14	HAZIA OMAR		✓	AMALEMBA	0726603033	22121799	
15	JUSTASIS HAKWATA			Amalemba			
16	ZAFUN A. OMBERE		✓	Amalemba	0725703009	5792608	
17	ZAFUN A. OMBERE		✓	Amalemba	0725703009	5792608	
18							
19							
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KENYA INFORMAL SETTLEMENT IMPROVEMENT PROJECT (KISIP)
PLANNING AND SURVEYING INFORMAL SETTLEMENTS
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Lot 1 Re-planning & RAP Meetings in Kathita - Embu County, Amalemba - Kakamega County & Kwa Ndomo & Muveve Phase 1 in Kilifi County -

Community Sensitization on Re-planning

SETTLEMENT: Amalemba

DATE: 24/04/2019

No.	Name	Tick Gender		Institution/Village/ Designation	Telephone	ID No.	Signature
		M	F				
1	JUMA XAKIX	✓		AMALEMBA	070339783	24656510	HAZ
2	SAM OMAR	✓		AMALEMBA	079289221	20146136	HAZ
3	Charles Mwanja	✓		Amalemba	0725-882326	23164030	CHUMI
4	Yaqub Isahi	✓		Amalemba	07200559114	21892160	HAZ
5	MUHSIN ABASS	✓			072397107	14490590	HAZ
6	ABDULKARIM ABDURAMAN	✓		- n -	072886320	9258766	HAZ
7	HAMIS R LIMANYE	✓		AMALEMBA	07828111443	11414938	RAMA
8	ABDULRAHMAN BAKARI	✓		Amalemba	0794050613		HAZ
9	SAM MUMBI	✓		"	0718718105	24656510	HAZ
10	MURWANA A. ABABALA	✓		" " " "	0727734951		HAZ
11	SHARI R. MUSA	✓		Mumut	071055272	657806	HAZ
12	ADAME K. TUMA	✓		AMALEMBA	0712640377	0260749	HAZ
13	IBRAHIM L. BAKARI	✓		AMALEMBA	0722279764	1952422	HAZ
14	SALEH RASHID	✓		AMALEMBA	0705597040	22020659	HAZ
15	ABDUL R. GILLAH	✓		AMALEMBA	0723793525	10478773	HAZ
16	SHABAN A. SUMA	✓		AMALEMBA	07262679910	1162302	HAZ
17	ASMAH N. OMAR	✓		AMALEMBA	0711983310	4148958	HAZ
18	HASSAN NAWOBI HAWES	✓		AMALEMBA	0727628432	657806	HAZ
19	Rajab Bahmaniz	✓		Amalemba	0705300600	32103683	HAZ
20	FELIX MATUNDA	✓		AMALEMBA	0727238976	24656510	HAZ
21	ISAMBO HAMISI	✓		AMALEMBA	071492984		HAZ



KENYA INFORMAL SETTLEMENT IMPROVEMENT PROJECT (KISIP)

PLANNING AND SURVEYING INFORMAL SETTLEMENTS

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Lot 1 Re-planning & RAP Meetings in Kathita - Embu County, Amalemba - Kakamega County & Kwa Ndomo & Muveve Phase 1 in Kilifi County -

Community Sensitization on Re-planning

SETTLEMENT: Amalemba

DATE: 24/04/2019

No.	Name	Tick Gender		Institution/Village/ Designation	Telephone	ID No.	Signature
		M	F				
1	FATUMA ABDI		✓	Amalemba	072581966	0693431	FAT
2	MIHESD E. ELETINA		✓	Amalemba	072656083	21861882	MIHESD
3	ZAKARIA BUKHALA	✓		Amalemba	070256993	5377401	Bukhal
4	ROSEMARY K. IMBENZI		✓	Amalemba	0729728895	9510891	ROSEMARY
5	MWATUM JUMA	✓	✓	Amalemba	071609966	1094762	MWATUM
6	Setia Mbarak	✓	✓	Amalemba	0710797680	9069671	Setia
7	FATUMA WARE		✓	Amalemba	072165864	173875	FATUMA
8	FATUMA SADI		✓	Amalemba			
9	HALIMA Jumbo		✓	Amalemba			
10	ADILAH ASHWA BAKAR		✓	Amalemba	0566720	872458284	ADILAH
11	MARTAR OPUKA AMOSHE		✓	Amalemba	0707730552	7934422	MARTAR
12	REHEMA ANJIA SAID		✓	Amalemba	0702892439	8836265	REHEMA
13	MARIAMU MUSA		✓	Amalemba			MARIAMU
14	ZAINABU SAID		✓	Amalemba	0714122348		ZAINABU
15	BERBER Amuse		✓	A	0729216967		BERBER
16	ROSS MARGO		✓	Amalemba	020345578	20656939	ROSS
17	REHEMA HARSAN		✓	Amalemba	0758772885		REHEMA
18	MUHAMMADI MAKOKHA		✓	Amalemba	072402822	83901735	MUHAMMADI
19	HADIJA MUSA		✓	Amalemba	0700909484		HADIJA
20	HALIMA SALE		✓	Amalemba	0707223189		HALIMA



KENYA INFORMAL SETTLEMENT IMPROVEMENT PROJECT (KISIP)

PLANNING AND SURVEYING INFORMAL SETTLEMENTS

CONTRACT NO: MH/KISIP/CS/005B/2013-2014



Lot 1 Re-planning & RAP Meetings in Kathita - Embu County, Amalemba - Kakamega County & Kwa Ndomo & Muveve Phase 1 in Kilifi County -

Community Sensitization on Re-planning

SETTLEMENT: Amalemba

DATE: 24/04/2019

No.	Name	Tick Gender		Institution/Village/ Designation	Telephone	ID No.	Signature
		M	F				
1	AMINA Juma S		✓				
2	HASINA Juma		✓	Amalemba	0706158565	15348384	HASINA
3	ASHA Juma		✓	Amalemba	0773501141	93019889	ASHA
4	MILDRED KHASANDI		✓	Amalemba	0728639077	20941857	MILDRED
5	Halima Haji		✓	Amalemba	0723818897	5790945	Halima
6	HAJIYAH RAHADHARI		✓	Amalemba	0717118367		Haji
7	RAHIAH HADISI		✓	Amalemba	0741983151	29656510	RAHIAH
8	MUHAMMAD MUYA		✓	Amalemba	0775238946	69648288	MUHAMMAD
9	SALMA KHATOLI		✓	Amalemba	0721544111	9449676	SALMA
10	Zaiden Anoti		✓	Amalemba	0710387403		Zaiden
11	SALMA KHAYETSA		✓	Amalemba			SALMA
12	ZAKARIA BAKARI		✓	Amalemba	0726352620	8057882	ZAKARIA
13	Silbing Id		✓	Amalemba	0710376371	21069799	Silbing
14	HAZIA OMAR		✓	Amalemba	0726603030	2212749	HAZIA
15	JUSTICE S. MAKWATI		✓	Amalemba			JUSTICE
16	ZAKARIA A. DHIRE		✓	Amalemba	0725703009	5792608	ZAKARIA
17	ZAKARIA A. DHIRE		✓	Amalemba	0725741236	1122667	ZAKARIA
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KENYA INFORMAL SETTLEMENT IMPROVEMENT PROJECT (KISIP)
PLANNING AND SURVEYING INFORMAL SETTLEMENTS
CONTRACT NO: MH/KISIP/CS/005B/2013-2014



Lot 1 Re-planning & RAP Meetings in Kathita - Embu County, Amalemba - Kakamega County & Kwa Ndomo & Muveye Phase 1 in Kilifi County -

SEC Sensitization

SETTLEMENT: Amalemba

DATE: 24/04/2019

No.	Name	Tick Gender		Institution/Village/ Designation	Telephone	ID No.	Signature
		M	F				
1	ALI YUSUF	✓			0720405801	8079373	
2	IRATIMU YUSUF	✓			0721337600	666679	
3	AMBOKA SULEMAN ACEH	✓			0721961147	11741191	
4	Shem M. Shitambai	✓			6713746294	0830920	
5	Rajab Ferga	✓			0702887602	35875513	
6	IRATIMU YUSUF	✓			0722004472	11682263	
7	ALI BAKARI KEYA	✓			0722779334	13051634	
8	NABOZI PAMUCHA	✓			072554061	11326359	
9	IRATIMU YUSUF	✓			0716079679	9668922	
10	IDD YUSUF	✓			0726484224	2614128	
11	MUHAMMED IDD	✓			07007010	24845834	
12	RAHMAN ODEH	✓			0797621210	316609570	
13	KASSIM AMUNGA	✓			0701726708	34687619	
14	ALI BAKARI	✓			0725600715	23630010	
15	Isa	✓			0727248682	24549321	
16	YAHYA HAMISI TABWA	✓			0726966111	10727787	
17	MUHAMMED YUSUF KUMBAZI	✓			0721777280	0761510	
18	IRATIMU SULEMAN	✓			0705433258	0261178	
19	SULEH M. MUSUNGU	✓			072088081	2544664	
20	ONIAK SULEMAN	✓			071511567	25547663	

21 MATANGI S. KHATIBU

M

0720380928, 1174838, HATIRAMU



KENYA INFORMAL SETTLEMENT IMPROVEMENT PROJECT (KISIP)
PLANNING AND SURVEYING INFORMAL SETTLEMENTS
CONTRACT NO: MH/KISIP/CS/005B/2013-2014



Lot 1 Re-planning & RAP Meetings in Kathita - Embu County, Amalemba - Kakamega County & Kwa Ndomo & Muveye Phase 1 in Kilifi County -

Community Sensitization on Re-planning

SETTLEMENT: Amalemba

DATE: 24/04/2019

No.	Name	Tick Gender		Institution/Village/ Designation	Telephone	ID No.	Signature
		M	F				
1	HASSAN AMBANI	MALE		Amalemba	0720549417	7564701	
2	MIRKA OKWARO	MALE		Amalemba	0722939083	4839162	
3	GABRIEL SHITESWA	MALE		Amalemba	07226187	3240131	
4	ODONGO YUSUF SATO	MALE		Amalemba	0725962697	28299136	
5	SADI BAKARI A	MALE		Amalemba	0725964192	5657074	
6	AMBWAN Juma	MALE		Amalemba	0702472050		
7	HASSAN ISMAIL SHARIF	MALE		Amalemba	070264758	21927305	
8	OMARI MATENDECHERE	MALE		Amalemba	0704877149	0470481	
9	JUMA BIL JUMBA	MALE		Amalemba	070200412	23768147	
10	JAMAL ABU LATHIMAN	MALE		Amalemba	0723102707	23842219	
11	Rahman M. Saleh	MALE		Amalemba	0724172528	20969952	
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KENYA INFORMAL SETTLEMENT IMPROVEMENT PROJECT (KISIP)

PLANNING AND SURVEYING INFORMAL SETTLEMENTS

CONTRACT NO: MII/KISIP/CS/005B/2013-2014



Lot I Re-planning & RAP Meetings in Kathita – Embu County, Amalemba – Kakamega County & Kwa Ndomo & Muyeve Phase 1 in Kilifi County –

Community Sensitization on Re-planning

SETTLEMENT: AmalembaDATE: 24/10/2019

No.	Name	Tick Gender		Institution/Village/ Designation	Telephone	ID No.	Signature
		M	F				
1	BERGIEL JOI	✓		Amalemba	072885049	735083	[Signature]
2	HABIB ANJOLD	✓		Committee Mem	0722402124	6884030	[Signature]
3	RAMA MUSTA	✓		Amalemba	0723012059	1428052	[Signature]
4	RAMADHAN YAKUB	✓		Amalemba	072432784	0261524	[Signature]
5	Salim Jama MUKINYI	✓		Chairman Shims	0722160744	11306349	[Signature]
6	SUMA MWINYI	✓		Member	0722735511	16021202	[Signature]
7	AMNEB SALIM NDIHARONEB	✓		GRIEVANCE Committee	0722992270	0568095	[Signature]
8	Christine Mungira Ayugi		✓	GRIEVANCE Committee Secretary	0713326117	22620948	[Signature]
9	Mariam Akmalia Gulla		✓	Grievance committee member	0714152924	0260939	[Signature]
10	Mwangaide M. Rungu	✓		Grievance committee member	—	0261537	M.R
11	ABDUL H. KOMBIZ		✓	member	0725085712	24916068	[Signature]
12							
13							
14							
15							
16							
17							

B. Plan Presentation item of Amended Plan for Amalemba Informal Settlement

**MINUTES ON PLAN PRESENTATION TO KAKAMEGA COUNTY GOVERNMENT
-AMENDED PLAN FOR AMALEMBA INFORMAL SETTLEMENT HELD ON 18TH
JUNE 2019 AT 10:00 AM AT OFFICES OF THE COUNTY DIRECTOR, PHYSICAL
PLANNING & MUNICIPAL MANAGER, KAKAMEGA TOWN**

Meeting/ project name	Lot 1 Re-planning in Kathita – Embu County, Amalemba – Kakamega County & Kwa Ndomo&Muyeye Phase 1 in Kilifi County		
Date of meeting	18 th June 2019	Time	10:00 a.m. – 11:30 a.m.
Meeting facilitator	County Director Physical Planning, County Government of Kakamega	Location/venue	Offices of the County Director, Physical Planning & Municipal Manager, Kakamega County
Meeting objective			
Presentation and thereby adoption of the Amended Plan for Amalemba informal settlement in Kakamega County			
Attendance			
Name		Institution	
CLIENT TEAM – KISIP NATIONAL REPRESENTATIVES			
Faith Birir		KISIP Component II	
Philip Olale		KISIP Urban Planner Expert	
MINISTRY OF LANDS & PHYSICAL PLANNING			
Innocent M. Mukhale		Physical Planner, MoLPP	
Racheal N. Mugo		Physical Planner, MoLPP	
COUNTY GOVERNMENT OF KAKAMEGA REPRESENTATIVES			
Stephen S. Chune		Director, Physical Planning, County Government of Kakamega	
Kenneth O. Nyaseda		Municipal Manager, County Government of Kakamega	
Pamela M.A. Ongalo		Sociologist – County Government of Kakamega	
CONSULTANT TEAM			
R.K. Mbwagwa		CURP, Principal Consultant	
Charles Osengo		CURP, Physical Planner	
Felix Swai		CURP, Planner & RAP Expert	
David Omido		CURP, Planner	
ABSENT WITH APOLOGIES			
-		-	
Meeting Agenda			
i. Introduction and brief statement on the project			
ii. Presenting Amended Plan to County Government of Kakamega			
iii. Discussions			
iv. Way forward			
v. AOB			
Minutes			Owner
MIN 01/6/2019: Introductory and opening remarks			

The meeting was called to order at 10.00AM by the County Director of Physical Planning who welcomed the above team to the Courtesy call before meeting Amalemba Community. The focus of the meeting was on consideration of the Amended Plan for Amalemba informal settlement for Adoption, at the offices of the Director of Lands and Physical Planning and Municipal Manager attended by KISIP national team, Representatives from Ministry of Lands and Physical Planning, Kakamega County Representatives, and Consultant team. The Director noted emerging trends as follows;

*Director of PP,
County
Government of
Kakamega*

- The County Government was eagerly waiting for the completion of the project especially processing and issue of title deeds.
- The plan should be able to clear the air on allegedly allocated plots that were unoccupied, as a result of initial plan & survey under conventional standards by the SEC Committee.
- The peculiarity of Amalemba informal settlement was noted to be community living with informality, thus *insitu* planning in Amending the Plan should be given high consideration, and still be able to achieve improved living conditions for the settlement

MIN 02/6/2019: Presenting the Amended Plan

Consultant team

The Principal Consultant, began by acknowledging the County Government of Kakamega, through the host Departments for having facilitated the meeting;

*Principal
Consultant, CURP*

The Principal Consultant highlighted it out to the Meeting Chair, and all present on the Agenda, which was to present Amended Plan from the previous approved LPDP, that was preceded by re-planning of the settlement; thereby seek concurrence with the County Government of Kakamega through Physical Planning Department & Municipality Board, adopt the Amended Plan

He proceeded on by presenting the genesis to Process detailing out onset to the process of initial planning & survey of Amalemba dating back to 2013 – which incorporated all planning processes and relevant stakeholder engagements, and plan approvals at all levels, producing desirable plans – with development opportunities, as was anticipated and prepared by the community;

However, these came with resultant project impacts – which saw a lot of the project beneficiaries being affected from proposed road infrastructure;

This necessitated preparation of Resettlement Action Plans (RAPs), which produced high number of PAPs, and consequent high valuation budgets; Implementing this plan would mean impoverishment of households farther than their present state weighing on the project impacts;

Settlement name	No. of PAPs		
	Structures before	PAPs before amended LPDP	Amount before amended LPDP in KES

	amended LPDP		
Amalemba	81	162	49.9 M

The Principal Consultant presented to all present that concurrence was sought from County Government of Kakamega and Community to re-plan the settlement in Kakamega County, taking it that the settlement provide stock for housing, commercial activities etc. whereby with the correction of previous plan, the Amended plan would optimize improving living conditions;

Replanning phase was given a go-ahead, which opened for planning – plan amendments, on approved plan for Amalemba, which saw reduction of PAPs to 31 in number.

The Principal Consultant presented to the County that the lowest road done was 4m – pedestrian walkway; these primarily being to mitigate on impacts, hence reduced PAPs

He stated that plots under National Housing Corporation, Plots with unresolved issues, Court sessions, and those with bearers claiming to have allotment letters (on an existing PDP), have been frozen in the plan – and left with the mandate of Director of County Planning & Municipal Manager as being best put to establish rights;

The Principal Consultant confirmed that Survey re-adjustments on proposed roads should take up right after community validation of the Amended Plan as well approval by the National Directorate of Physical Planning;

The Lead Consultant facilitated Team present in the meetings to inspect and check the plan, alongside (drone) image overlays and open discussions;

Interlude

MIN 03/6/2019: Discussions

Office	Comment & Discussion
<i>County Director, Lands & PP, Kakamega County Government</i>	<ul style="list-style-type: none"> - Noted the Amended plan for Amalemba to be manageable as opposed to the previous one – methodology adopted should be upheld - Sought clarity whether facilitation of the PAPs will be undertaken <p><i>Principal Consultant added to this by reiterating that the PAPs, as will come out from the survey will be sensitized, valuation done, facilitated and given adequate time to get off the proposed way leaves before plan implementation</i></p>

Principal Consultant; County Director, PP

	<ul style="list-style-type: none"> - County Government of Kakamega adopts the Plan - County Government of Kakamega to prepare Area Advisory Plan in line with implementing Amended plan; - Advised the Consultant team to indicate Accurate names – as extracted from the Verified List of Beneficiaries, against individual plots for clarity by all beneficiaries and ease of interrogation of the plan by the community 	
<i>Municipal Manager</i>	<ul style="list-style-type: none"> - Advised that the Consultant team considers minimum interventions for the case of plots with issues, as status of land in the settlement is public; - Welcomed the idea of Area Advisory Plan in line with implementing Amended plan; - Advised that as the titles will be coming, there should be well structured policy on selling of land 	
<i>Ministry of Lands & Physical Planning</i>	<ul style="list-style-type: none"> - Appreciated work presented by the Consultant team; - Advised the Consultant to include Notes, to guide future planning – for instance Survey or Zoning as being subject to final approval - Advised the Consultant to correct scale differentials 	
<i>KISIP Team</i>	<ul style="list-style-type: none"> - Advisory Plans that will be put in place must be approved by Kakamega County Government & respective communities be constantly sensitized on the same to identify with incremental planning approaches that will be applied 	
MIN 04/6/2019: Way Forward		
<p>The meeting Chair, acknowledged project team for having presented the Amended Plan and way forward into adopting and validating the same by consequent settlement and assured to support project team wholly and facilitate these</p> <p>Consultant survey team to come to ground, alongside Valuer to speed up beaconing and addressing of PAPs</p> <p>Community adoption workshop meeting was slated to be at 2: 00 p.m.</p>		<i>All</i>
MIN 05/6/2019: AOB		
<p>As there was no other business, the meeting was adjourned by Municipal Manager, County Government of Kakamega at 11:30 a.m.</p>		<i>Municipal Manager</i>
<i>Picture representations of the meeting</i>		



*Meeting with the Director, PP and Municipal Manager, County Government of Kakamega
See attached attendance list*



KENYA INFORMAL SETTLEMENT IMPROVEMENT PROJECT (KISIP)
PLANNING AND SURVEYING INFORMAL SETTLEMENTS



CONTRACT NO: MH/KISIP/CS/005B/2013-2014

Lot 1 Re-planning & RAP Meetings in 4 No. Informal Settlements in Embu, Kakamega & Kilifi Counties

Courtesy Call - Dept. of Lands, Housing, Physical Planning and Urban Development, County Government of Kakamega

SETTLEMENT: AMALEMBA

DATE: 18/06/2019

No.	Name	Organization/Designation	Telephone	Email address	Signature
1	Stephen S. Chune	CGK - Director PP	0727804779	stephen.chune@cgk.go.ke	
2	Michael D. Njugo	KOLPP	0725717792	munira@kolpp.go.ke	
3	Immaculate M. Muthale	MoLPP	0724461894	munira@molpp.go.ke	
4	Philip Olate	KISIP	0722225041	olap@kisip.go.ke	
5	Felix Ochi	CURP	0799785455	swaleh@curp.go.ke	
6	Faith Birir	KISIP	0722462989	birir.f@kisip.go.ke	
7	R. K. Mwangi	CURP	0722363049	info@curp.go.ke	
8	Kennedy O. Nyasale	Kakamega Mun-MP	0723971267	nyasale@kakamega.go.ke	
9	David Omito	CURP	0717469879	domido88@gmail.com	
10	Charles Osiro	CURP	070125274	osiro42@gmail.com	
11					
12					
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**MINUTES ON COMMUNITY PLAN ADOPTION WORKSHOP OF AMENDED PLAN
FOR AMALEMBA SETTLEMENT, ON 18TH JUNE 2019 AT 2: 20 PM IN KAKAMEGA
TOWN, KAKAMEGA SOCIAL HALL**

Meeting/ project name	Lot 1 Re-planning in Kathita – Embu County, Amalemba – Kakamega County & Kwa Ndomo&Muyeye Phase 1 in Kilifi County		
Date of meeting	18 th June 2019	Time	2:20 p.m. – 4.30 p.m.
Meeting facilitator	KISIP County Team – through Social Development Officer	Location/venue	Kakamega Town, Kakamega Social Hall
Meeting objective			
Plan Adoption and Validation of Amended Plan for Amalemba informal settlement in Kakamega County			
Attendance			
Name		Institution	
CLIENT TEAM –KISIP NATIONAL REPRESENTATIVES			
Faith Birir		KISIP Component II	
Philip Olale		KISIP Urban Planner Expert	
MINISTRY OF LANDS & PHYSICAL PLANNING REPRESENTATIVES			
Innocent M. Mukhale		Physical Planner, MoLPP	
Racheal N. Mugo		Physical Planner, MoLPP	
COUNTY GOVERNMENT OF KAKAMEGA REPRESENTATIVES			
Stephen S. Chune		Director, Physical Planning, County Government of Kakamega	
Pamela M.A. Ongalo		Sociologist – County Government of Kakamega	
Kelvin Marangu		County Government of Kakamega	
CONSULTANT TEAM			
Renson K. Mbwagwa		Principal Consultant CURP	
Charles Osengo		CURP, Physical Planner	
Felix Swai		CURP, Planner & RAP Expert	
David Omido		CURP, Planner	
ABSENT WITH APOLOGIES			
-		-	
Meeting Agenda			
i. Introduction and brief statement on the project			
ii. Genesis to process & Plan Presentation			
iii. Plenary			
iv. Plan Adoption by the settlement; checking, acclaim			
v. Way forward			
vi. AOB & Adjournment			
Minutes			Owner
MIN 01/6/2019: Introduction and opening remarks			
The meeting was called to order by the Social Development Officer, CGK at 2: 20 PM and opened with a word of prayer by a member from the community			Social Development Officer, CGK

<p>The Social Development Officer, CGK then welcomed all for the meeting. Introduction of the guests present was done – SEC Committee, KISIP (National Team & County), Ministry of Lands and Physical Planning Representatives, Kakamega County Government Representatives and Consultant team present;</p> <p>The SEC Chair gave brief remarks thanking the project team for the good work done in the settlement;</p> <p>The KISIP National Team acknowledged progress and process – from initial planning & survey, resultant project impacts etc.</p> <p>The County Government of Kakamega, through the Physical Planner present at the meeting, indicated that the Amended Plan will be beneficial to the community and are ready, alongside KISIP County team to take up with the Plan;</p>	
MIN 02/6/2019: Background to Process & Presentation	
<p>The Consultant team began by acknowledging work done by all stakeholders – particularly the SEC Committee, County Government of Kakamega and congratulated the members of the community present for supporting the project this far;</p> <p>He pointed out of the project having commenced in February 2011, where the KISIP had its development objective of improving the living conditions of informal settlements in selected municipalities in Kenya through enhancement of security of tenure and improvement of municipal infrastructure based on plans developed in consultation with the community.</p> <p>The Lead Consultant acknowledged Amalemba as being one of the informal settlements that were planned and surveyed under Lot 1 KISIP project and with the successful development and completion of planning and surveying works within the informal settlement that incorporated all relevant stakeholder engagements, produced a plan desired by the community. This however, led to disruption of households’ livelihood, structures and assets to pave way for proposed infrastructure facilities as well as alignment/realignment of boundaries hence the need to undertake the Resettlement Action Plan.</p> <p>The Consultant reiterated that, without proper planning and management, involuntary resettlement may have result in long-term hardship for affected people and environmental damage to the locations in which they are resettled thus the need for Resettlement Action Plans</p> <p>The Resettlement Action Plan (RAP), was undertaken in 2017 to address the impacts arising from initial planning and surveying, which on preparation, caused localized displacement impacts due to boundary adjustments to pave way for road network through partial/full loss of structures, livelihood disruptions. This translated to high valuation budgets and number of PAPs (164 PAPs)</p> <p>The Consultant pointed out that it was difficult for the government to produce titles before implementing RAP by facilitating the PAPs;</p>	<p><i>Consultant team, CURP</i></p>

The Principal Consultant presented this case for discussions and consultation to the KISIP Secretariat, National Directorate of Physical Planning to explore re-planning the settlement, but with lowered standards – predominantly reduction of initial proposed roads sizes, to mitigate on impacts, among other planning interventions;

Some of the challenges which led to re-planning included;

- i. High displacements resulting from proposed road wayleaves and inter-boundary impacts.
- ii. High facilitation costs of PAPs and affected structures
- iii. It was also noted that due to small sizes of plots, the resulting plots after planning further reduced in sizes.

The Principal Consultant presented to all present that concurrence was sought from County Government of Kakamega and Community to re-plan the settlement, taking it that the settlement provided stock for residential purpose, commercial activities etc. whereby with the correction of previous plan, the Amended plan would optimize improving living conditions and have access to services such as water, electricity, health and educational facilities maintained at great interest; This paved way for re-planning Amalemba and thereby a reduction in the number of PAPs to 31, from the previous 164 PAPs – who of these, 56 were structure owners and 108 tenants, as compared to the previous plan;

It was reiterated that the purpose of the meeting was to adopt and validate the Amended Plan by the community in Amalemba (*Agenda of the workshop*);

Representative from the Consultant team, confirmed to the community that re-planning had involved picking of structures as existing on ground; and further presented of the benefits with the Amended plan – as no one this time around was losing their plots, and had been provided with access;

The representative called on the community to adhere to development guidelines – adherence to building lines, setbacks, plot coverage's and note access provided for every plot; and with this would see accrue in land value within the settlement, to match the Town's value;

MIN 03/6/2019: Plenary

Comment	Response
A community member sought to find out how plots left out will be incorporated into KISIP Project – and structures left unpicked as well	<ul style="list-style-type: none"> - Principal Consultant indicated that these plots were left out as bearers presented allotment letters (from an existing PDP), Establishing land rights for this case was projected to take long, hence the Consultant team froze and left it with the County Government; - It was confirmed in the meeting that the case of structure that was left out, was it being put up after cut-off date'

All

The Community asked to be given time to interpret the plan – proposed roads, public utilities, plot orientation etc.	<ul style="list-style-type: none"> - The preliminary interpretation was aided by the Consultant, and consequent discussions and plan inspection facilitated in syndicate groups that were formed at the workshop (<i>see attached pictorial representation</i>) - The Consultant confirmed to leave the Plan with the SEC Committee, for continuous reference 	
Community through two members, sought to know how long before the project is complete and/or to expect land ownership documents?	<ul style="list-style-type: none"> - KISIP Representative & Consultant team indicated validation of the Amended Plan, as first step, preceding survey, addressing of PAPs – identification, valuation, facilitation, PAPs accorded time to get off proposed road reserves, and as these run concurrently with RAP approval, so that the PAPs are addressed, RIMs generated, the land documents should be prepared with speed. 	
Call on the Consultant team to expedite survey with speed	<ul style="list-style-type: none"> - Consultant team confirmed to expedite this with speed, following plan validation and this will run along with signing of beacon certificates to fasten the process 	
MIN 04/6/2019: Plan checking and approval		
<p>The Consultant facilitated checking & interrogation of the plan by the community – where six (6) breakout groups were formed and each given a copy of the Amended plan overlaid with (drone) image of the settlement and each syndicate group coordinated by the Principal Consultant and officers from the Consultant team present;</p> <p>The plan was further beamed by projection for scrutiny by Technical Representatives present at the meeting;</p> <p>The community was taken through proposed roads sizes – 9m, 6m and 4m and all were able to confirm their plots;</p> <p>All the community members present in the meeting unanimously raised their hands to demonstrate acceptance of the Plan as representing their needs.</p>		<i>All</i>
MIN 05/6/2019: Way forward		
To identify and address the PAPs;		<i>All</i>

<p>Consultant survey team to come to ground, alongside Valuer to speed up beaconing and addressing of PAPs</p> <p>KISIP Team confirmed to the community of constant sensitization of the resultant PAPs and project beneficiaries on land rights education</p>	
<p>MIN 06/6/2019: AOB</p>	
<p>As there was no other business, the meeting was adjourned by Social Development Officer, County Government of Kakamega at 4:30 p.m.</p>	<p><i>Social Development Officer, CGK</i></p>
<p>Picture representations of the meeting</p>	
<p><i>Community being taken through the Amended Plan, - Breakout (syndicate) groups</i></p>  <p><i>Plan Adoption meeting & Acclaim from the community of the Amended plan</i></p>	



See attached attendance list



KENYA INFORMAL SETTLEMENT IMPROVEMENT PROJECT (KISIP)

PLANNING AND SURVEYING INFORMAL SETTLEMENTS

CONTRACT NO: MH/KISIP/CS/005B/2013-2014



Lot 1 Re-planning & RAP Meetings in 4 No. Informal Settlements in Embu, Kakamega & Kilifi Counties - Plan Presentation

SETTLEMENT: AMALEMBIA

DATE: 18/06/2019

No.	Name	Tick Gender		Institution/Village/ Designation	Telephone	ID No.	Signature
		M	F				
1	Remon K. Mburugu	✓		CUUP	0722363074	0328178	Rh
2	PAMELA M.A. DHGALO		✓	SOCIOLOGIST	0700688642	8637143	PA
3	HABIBA JUMBE		✓	AMALEMBA	0722283708		H. Jumbe
4	RUCIA DOGO HATIH		✓	AMALEMBA	0706257764	11415018	Rh
5	MARIAM GULLAH		✓	AMALEMBA	0714052539	0260939	MA
6	FATUMA SADI		✓	AMALEMBA		0261162	
7	ZAINABU MUGENYE		✓	AMALEMBA			
8	HABIBAH MUSA		✓	AMALEMBA	0708909484	0261108	H. Musa
9	ZAITUNI MURFIFA		✓	AMALEMBA	0719321394	6984280	Zaituni
10	FATUMA ABDI		✓	AMALEMBA	0723817663	0693431	FA
11	FATUMA BINTIKASAU-M		✓	AMALEMBA	071818478		FA
12	ABZIA OMAR		✓	AMALEMBA	0724610305	2212179	AB
13	BILALI BAKARI		✓	AMALEMBA	0724583348		Bilali
14	ELEENE CHITONGI		✓	AMALEMBA	0726599133	11041985	ELEENE
15	FARIDAH LILANDE		✓	AMALEMBA	0724718115	102163	FA
16	Haima Ester Andayi		✓	Amalemba	072312884	117312	Haima
17	CHRISTINE AMBEVA		✓	Amalemba	0708167411	3359478	Christine
18	HASSAN ISMAEL	✓		Amalemba	0702747518	21927305	H. I.
19	GABRIEL SHIGETWA	✓		Amalemba	0711194231	324231	GABRIEL
20	MWANA SUMA	✓		AMALEMBA	0702472537	77440821	MWANA



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DATE: 18/06/2019

No.	Name	Tick Gender		Institution/Village/ Designation	Telephone	ID No.	Signature
		M	F				
1	Philip Olate	✓		KISIP	0722248041	2682177	Philip
2	Kelvin Marangu	✓		CUUP	0723225873	20200305	Kelvin
3	Rachael D. Njogu		✓	Molpp	072571177	26224642	Rachael
4	Innocent M. Muriuki	✓		Molpp	0724461894	24744303	Innocent
5	Faith Biri		✓	KISIP	0722462989	11662361	Faith
6	Omido David	✓		CUUP	0717489371	20257145	Omido
7	Osungu Charles	✓		CUUP	072127524	072127524	Osungu
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KENYA INFORMAL SETTLEMENT IMPROVEMENT PROJECT (KISIP)

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SETTLEMENT: AMALEMBIA

DATE: 18/06/2019

No.	Name	Tick Gender		Institution/Village/ Designation	Telephone	ID No.	Signature
		M	F				
1	Ali Bakari	✓		Member	072360995	23630910	
2	KALAND HAWIJA	✓		AMALEMBA	072197400	5054799	
3	ABDUL RAZAQ GULLA	✓		"	0723793525	10475773	
4	Salah M. Musungu	✓		AMALEMBA	072058081	28749664	
5	Charles M. Mwangi	✓		Amalemba	072588232	23164050	
6	ABDULLA MUKER	✓		Amalemba	0722433180	9216584	
7	MUHSIN ABASS	✓		"	0723999082		
8	SALEM ASWANI	✓		Amalemba	070832310	31876216	
9	KOMBO HANIS	✓		Amalemba	0711992984		
10	NASORO DEMACHO	✓		Amalemba	072554063	11306559	
11	MIKA OKWARO	✓		Amalemba	0722339013	4359162	
12	JUDIA AKIDA	✓		"	0707319783	2445151	
13	Yashu Hanisi	✓		Amalemba	0721696616	10727987	
14	WASHIDA ABASS	✓		"	0725864170		
15	MUHSIN ABASS	✓		"	0723999082	11467054	
16	SAID D. IC JUMA	✓		Amalemba	0723509599	11042025	
17	ADAMS K. JUMA	✓		"	0723610272	0260234	
18	MUHAMMED T. HERSI	✓		"	0724946347	9916541	
19	SALEEM H. KOTHA	✓		Amalemba	0716019618	9166292	
20	ROBERT AMANDA	✓		Amalemba	0722450921	5627874	



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SETTLEMENT: AMALEMBIA

DATE: 18/6/2019

No.	Name	Tick Gender		Institution/Village/ Designation	Telephone	ID No.	Signature
		M	F				
1	SALEM JUMA	✓		CHIEF MAN	0722160760	1130639	
2	HABIB BASHID AMOLO	✓		MEMBER	0722402424	6884030	
3	RAPHAEL LJODI MUNIKA	✓		MEMBER	0723668229	5632125	
4	ABDUL H. KOMBO	✓		-	0725089590	24216068	
5	ALI YUSUF OMAR	✓		ASIT INCUB	07220405851	8049818	
6	JUMA MUMINYI MUGUBUNA	✓		MEDICINE	0714435571	16041202	
7	ALI MAHANAD	✓		Amalemba	0719054613		
8	HASSAN BASHIR	✓		Amalemba	0713967146	065127	
9	ELWA ALI JUMBO	✓		Amalemba	0710390912		
10	HABIBA ABLO JUMBO	✓		Amalemba	0723287088		
11	MOHAMMED YUSUF	✓		Amalemba	0721717890	0261510	
12	SAID OMAR	✓		Amalemba	0722639221	20142130	
13	ZAFER OMAR	✓		Amalemba	0734024054		
14	JAMALI SULEIMAN AMBANI	✓		AMALEMBA	0723102707	23342219	
15	Ibrahim Mwangi	✓		AMALEMBA	0705433258		
16	MUHAMMED KHATA	✓		AMALEMBA	0700703081	24845834	
17	KARIMULHAN SAKUB	✓		AMALEMBA	0722377840	241521	
18	Abdullah Hassan	✓		Amalemba	0704100755	2302074	
19	MUWANA R. ABGALLA	✓		AMALEMBA	0725347451	1174177	
20	M. SULEIMA KAPILIB	✓		Amalemba	0720330978	11470888	



KENYA INFORMAL SETTLEMENT IMPROVEMENT PROJECT (KISIP)

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Lot 1 Re-planning & RAP Meetings in 4 No. Informal Settlements in Embu, Kakamega & Kilifi Counties – Plan Presentation

SETTLEMENT: AMALEMBIA

DATE: 18/06/2019

No.	Name	Tick Gender		Institution/Village/ Designation	Telephone	ID No.	Signature
		M	F				
1	ROSEMARY KHALELA IMBENZI		✓	AMALEMBA	0724728895	9510891	Bahenini
2	PROSS MANGO		✓	AMALEMBA	0703451111	20656759	Pransha
3	SALINA KHUSA		✓	AMALEMBA		0241499	
4	MORHARNISI MOHAMED		✓	AMALEMBA	0724102523	23901735	(RDC)
5	AGNES ACIDA		✓	AMALEMBA	0722962820	13052516	Agnes
6	JENIPHER Mwachogo		✓	AMALEMBA	0722079372	24638226	Gen
7	SWINELENDUEN M	✓		y	0721672122	9273261	J
8	Theresa Madi GAGE	✓		Amalemba	0711365555	2456272	Am
9	MAUREEN K KHAKABO		✓	AMALEMBA	0726776676	24657099	Am
10	ABDULKARIM ABUDIRAHMAN	✓		—	0722832028	928766	Am
11	HALIMA TOMO		✓	AMALEMBA	0715404352	22144622	Am
12	PERIC MTEMBA		✓	AMALEMBA	0707399946	24714579	Am
13	JACKSON M. FUGO	✓		SHIERO	07290922	2200301	Am
14	MARY HAJIH		✓	AMALEMBA	0706447762		Am
15	Mingosi Aguyi		✓	Amalemba	0718326117	22680948	Am
16	Mallu Nideva Amugongo		✓	Amalemba	0720200664	4553749	Mal
17							
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20							



KENYA INFORMAL SETTLEMENT IMPROVEMENT PROJECT (KISIP)

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SETTLEMENT: AMALEMBIA

DATE: 18/06/2019

No.	Name	Tick Gender		Institution/Village/ Designation	Telephone	ID No.	Signature
		M	F				
1	HASSAN HACHI	MALE		AMALEMBA	0727628432	6519656	Same
2	Hadija Hamisi		✓	Amalemba	0714482934	1558018	Am
3	maumura jemeli	FEMALE		Amalemba	0715100952	3601577	maumura
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C. Plan Presentation item of Amended Plan for Amalemba Informal Settlement

**MINUTES ON PAPS SENSITIZATION FOR AMALEMBA SETTLEMENT, ON 31ST JULY 2019
AT 11:00 AM IN KAKAMEGA TOWN, KAKAMEGA COUNTY SOCIAL HALL**

Meeting/ project name	Consultancy for Re-planning & Resurveying of Informal Settlements in Kilifi, Kakamega and Embu Counties		
Date of meeting	31 st July 2019	Time	11: 00 a.m. – 12:30 p.m.
Meeting facilitator	KISIP County Team	Location/venue	Kakamega County Social Hall
Meeting objective			
Project Affected Persons Meeting (Amalemba Amended Plan)			
Attendance			
Name		Institution	
CLIENT TEAM –KISIP NATIONAL REPRESENTATIVES			
Faith Birir		KISIP – Component II	
John Ireri		KISIP Social Safeguards	
Janet Kilea		KISIP Representative	
COUNTY GOVERNMENT OF KAKAMEGA REPRESENTATIVES			
Stephen Chune		KISIP County Coordinator– Director of County Planning	
Pamela A. Ongalo		KISIP County Team – Social Development Officer	
Alfred Mulamba		KISIP County Team – Environmentalist	
CONSULTANT TEAM			
Felix Swai		CURP Planner & RAP Expert	
David Omido		CURP Planner	
ABSENT WITH APOLOGIES			
Renson K. Mbwagwa		Principal Consultant, CURP	
Meeting Agenda			
i. Introduction and Identification of PAPs			
ii. Sensitization session			
iii. Plenary session			
iv. Discussions			
v. Adjournment			
MIN 01/7/2019: Introduction and Identification of PAPs			
The meeting was called to order at 11:00 AM by the Social Development Officer and Consultant team and the meeting opened with a word of prayer from the Settlement’s Sheikh.			KISIP County Team &
Present for the meeting were the PAPS, Settlement Executive Committee (SEC), Grievance Redress Committee (GRC), KISIP National Team & Kakamega County Government Representatives – forming the KISIP County Team; who all made self-introductions by stating names and respective designations			Consultant team, CURP

<p>Identification of PAPs (both structure owners and tenants) present was done – by calling of their names & respective plot numbers to confirm quorum – where all PAPs were present, which convened the meeting.</p>	
<p>MIN 02/7/2019: Sensitization of PAPs</p>	
<p><i>KISIP County Coordinator & Director of County Planning</i></p> <p>The KISIP County Coordinator began by acknowledging the setup settlement institutions – SEC & GRC and PAPS for 100% attendance and indicated this as community readiness to implement the ARAP;</p> <p>PAPS and community at large were reminded of established primary institutions and protocols to channel any grievances that there may arise – these being the SEC, GRC and KISIP County team, which would be important in addressing these substantively;</p> <p>The Coordinator presented to the PAPS that as the County Government envisions Kakamega Town to attain City status by 2022, it would be important for key settlements such as Amalemba being a beneficiary to cooperate in implementing the project;</p> <p><i>Consultant Team</i></p> <p>The Planner from Consultant team began by acknowledging all for stakeholders for having seen the project reach this far;</p> <p>The objective of the RAP was detailed out – as to document and address the impacts arising from plan amendment in Amalemba Informal Settlement in Kakamega County, in accordance with World Bank, KISIP and Kenya Government Policies.</p> <p>What renders the group as project affected persons – this being affected by proposed road wayleaves in the amended plan that affected their assets completely or partially was discussed. The details on the type of impacts occasioned to different PAPs was indicated to impact on residential structures and a few commercial stores;</p> <p>It was noted that impacts are also positive including enabling tenure regularization e.g. titles which can improve the value of land as well as been used as collateral for accessing finances for development of the plot.</p> <p>The PAPs were informed of valuation that had been done after the resurvey, and a final verification to be completed in the next few days – as regard all assets, income-generating activities, tenants on ground, vulnerability categories, (Elderly persons – above 65 years, Widowed groups, PLWD, Persons living with chronic illnesses among others) assets etc.</p> <p>The PAPs were sensitized to channel grievances and concerns (if any arose) to the already instituted Grievance Redress Committee (GRC); or to KISIP Kilifi County Government Team and or National KISIP for complex issues unresolved at GRC level;</p> <p>It was stated that the implementation of the RAP will be a joint KISIP and County endeavor.</p>	<p><i>Consultant team, CURP & KISIP Team</i></p>

Consultant team sensitized the PAPs to have their bank details up to date, or for the case of none, to set up through commercial banks, or SACCO accounts etc.

KISIP Team

The KISIP Social Safeguards began by presenting to the PAPs that the disclosure of valuation will be confidential for maintaining confidentiality and privacy;

The PAPs were informed that KISIP will offer facilitation for the impact on assets to enable the PAPs to rebuild or re-establish the assets within their plot boundaries. However, it was reiterated that KISIP does not offer facilitation for public land and the aim of the project is to transfer the land to the individuals. KISIP also offers some facilitation for impact on livelihoods e.g. some allowance to cushion owner of business as he/she re-establishes the business or for lost tenants.

He reiterated to the PAPs to have their bank details up to date, or for the case of none, to open up through commercial banksaccounts etc. Incase these are not available, *they will be required to open bank accounts.*

It was reiterated to the PAPs to use the instituted Grievance Redress Committee effectively, noting that KISIP had undertaken the strengthening of the GRC providing them with the necessary tools for the work i.e. grievances forms and register (black book) and training;

KISIP Team confirmed to the PAPs that after the review and approval of the RAP document, there will be a ground verification of the identified PAPs, where KISIP working with a government Valuer will do verification of valued assets, to ascertain considerations made by Valuer from the Consultant team;

It was stated to the PAPs, that after disclosure meeting to be held by KISIP once the report was approved by the World Bank, the County Government of Kakamega enforcement, mandated with implementation of the plan will serve reasonable notice – of 3 months from date of facilitation to allow for moving of the PAPs;

KISIP Team reminded the PAPS of involvement of family members and most importantly marriage Partners for transparency and mitigate family disagreements.

KISIP Team assured the PAPs, GRC & SEC of constant sensitization & confirmation of dates for verification process after the RAP is reviewed and approved by KISIP and the World Bank;

MIN 03/7/2019: Plenary Session

Issues raised		Response	<i>All</i>
<i>JumaMwinyi – SEC</i>	Called on the project team to move forward and finalize planning & implementation	Project team present assured the PAPs and settlement committee present.	
<i>MikeOdhiambo</i>	Whether tenants who may have not had time to relocate within the notice window	The Consultant team reiterated that reasonable notices will be served, which will be enough time	

<i>Abdul Razak Gula</i>	The community member asked the project team to implement the project as they have waited long	Project team present assured the PAPs and settlement committee present that it will be implemented with speed.
<i>Mwanahamisi</i>	Sought to know from the Consultant team, whether the consultant survey team will be coming to ground to sensitize members who have issues with interpretation of beacons	The Consultant team confirmed this will be considered during filling of beacon certificates in the upcoming week
<i>Yusuf Odongo</i>	Whether affected tenants should pay rents to their landlords in the notice window, after facilitation or will be factored by KISIP	KISIP Social Safeguards Expert stated that facilitation made on tenants is for relocation, but in the event that they will still be on ground during this phase, they ought to follow their tenancy agreement terms otherwise they will be required to move.

MIN 04/7/2019: Discussions & Way forward;

The Project team assured the PAPs of speedy planning process to expedite a Project List Beneficiaries for processing of land ownership documents.

All

MIN 05/7/2019: Adjournment

The meeting was adjourned at 12: 30 p.m., by the Consultant team, as there was no other business.

Consultant team

Picture representations of the meeting

PAPs Sensitization Meeting



See attached attendance list



KENYA INFORMAL SETTLEMENT IMPROVEMENT PROJECT (KISIP)
PLANNING AND SURVEYING INFORMAL SETTLEMENTS
CONTRACT NO: MH/KISIP/CS/005B/2013-2014



Consultancy for Replanning & Resurvey of Settlements in Kilifi, Kakamega and Embu Counties – PAPS SENSITIZATION MEETING

SETTLEMENT: AMALEMBIA

DATE: 31/7/2019

No.	Name	Tick Gender		Institution/Village/ Designation	Telephone	ID No.	Signature
		M	F				
1	Stephen Chuma	✓		CGK	0727864702	10718381	[Signature]
2	JOHN MARI	✓		KISIP Senior Surveyor	0722613830	20720872	[Signature]
3	Faith Biri		✓	KISIP	0722462985	11662561	[Signature]
4	Felix Swell	✓		CURP	0729985455	20720872	[Signature]
5	Janet Kileg		✓	KISIP	0714267165	20183192	[Signature]
6	Ramahi Az. Chucelo		✓	County Surveyor	0706658642	8637143	[Signature]
7	David Omidi	✓		CURP	0717469379	30357145	[Signature]
8	Alfred Mulamba	✓		County Environment	0723125633	20752247	[Signature]
9	Chlor Ondesa	✓	✓	Amalemba	0717037327	9217572	[Signature]
10	Juma AKINA	✓		Amalemba	0708819787	20757451	[Signature]
11	Emily Aminirua	✓	✓	Amalemba	0743120546	13263018	[Signature]
12	Mary C. Bukhala		✓	Amalemba	0702509951	5377401	[Signature]
13	Monerie Mideva Amugang		✓				
14	Hediyat S. Mbarak		✓	AMALEMBA	0724770322	8972088	[Signature]
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KENYA INFORMAL SETTLEMENT IMPROVEMENT PROJECT (KISIP)
PLANNING AND SURVEYING INFORMAL SETTLEMENTS
CONTRACT NO: MH/KISIP/CS/005B/2013-2014



Consultancy for Replanning & Resurvey of Settlements in Kilifi, Kakamega and Embu Counties – PAPS SENSITIZATION MEETING

SETTLEMENT: AMALEMBIA

DATE: 31/7/2019

No.	Name	Tick Gender		Institution/Village/ Designation	Telephone	ID No.	Signature
		M	F				
1	Habiba Jumbe		✓	AMALEMBA	0722857058	0261294	[Signature]
2	MARTIN OPULA AMWISHA		✓	AMALEMBA	0707730552	7932422	[Signature]
3	MWANAIDI RAMADHAN		✓	AMALEMBA	0718440908	0261587	[Signature]
4	MARIAMU AKAMALAGULA		✓	AMALEMBA	0714452954	0260939	[Signature]
5	SAUM ADAM		✓	AMALEMBA	0790188630	2966493	[Signature]
6	HAKISI RAHMADHAN	✓		AMALEMBA	0702411443	11414938	[Signature]
7	ESTHER AGUVERA AMBAHI		✓	AMALEMBA	0797869761	34003209	[Signature]
8	JOSEPH MANG'ALE AMUSA	✓		AMALEMBA	0717388277	0965891	[Signature]
9	ZAINABU SAID		✓	AMALEMBA	0714006866	0261599	[Signature]
10	Jamal Suleiman Ambani	✓		AMALEMBA	0723102907	2334219	[Signature]
11	MICHAEL ODIAMBO	✓		AMALEMBA	0718505360	9758864	[Signature]
12	SHEM WITABA	✓		AMALEMBA	0795668952	25692482	[Signature]
13	IBRAHIM NYAKS SILE	✓	✓	AMALEMBA	0705433318	0261176	[Signature]
14	JOYCE VIMENDA		✓	AMALEMBA	0729302703	790763	[Signature]
15	ALI YOUSUF OMARI	✓		AMALEMBA	0720405861	2079313	[Signature]
16	Mohamed MUSA TABIR	✓			0706524932	1790803	[Signature]
17	Sano Omaa	✓		AMALEMBA	0792859221	20146136	[Signature]
18	MERRY BUKHALA		✓	AMALEMBA	0902569951		[Signature]
19	MWANAIDI YOUSUF		✓	AMALEMBA	0718505360	261310	[Signature]
20	NASORO Demetrio	✓		AMALEMBA	0725540631	11306359	[Signature]



KENYA INFORMAL SETTLEMENT IMPROVEMENT PROJECT (KISIP)

PLANNING AND SURVEYING INFORMAL SETTLEMENTS

CONTRACT NO: MIE/KISIP/CS/005B/2013-2014



Consultancy for Replanning & Resurvey of Settlements in Kilifi, Kakamega and Embu Counties – PAPS SENSITIZATION MEETING

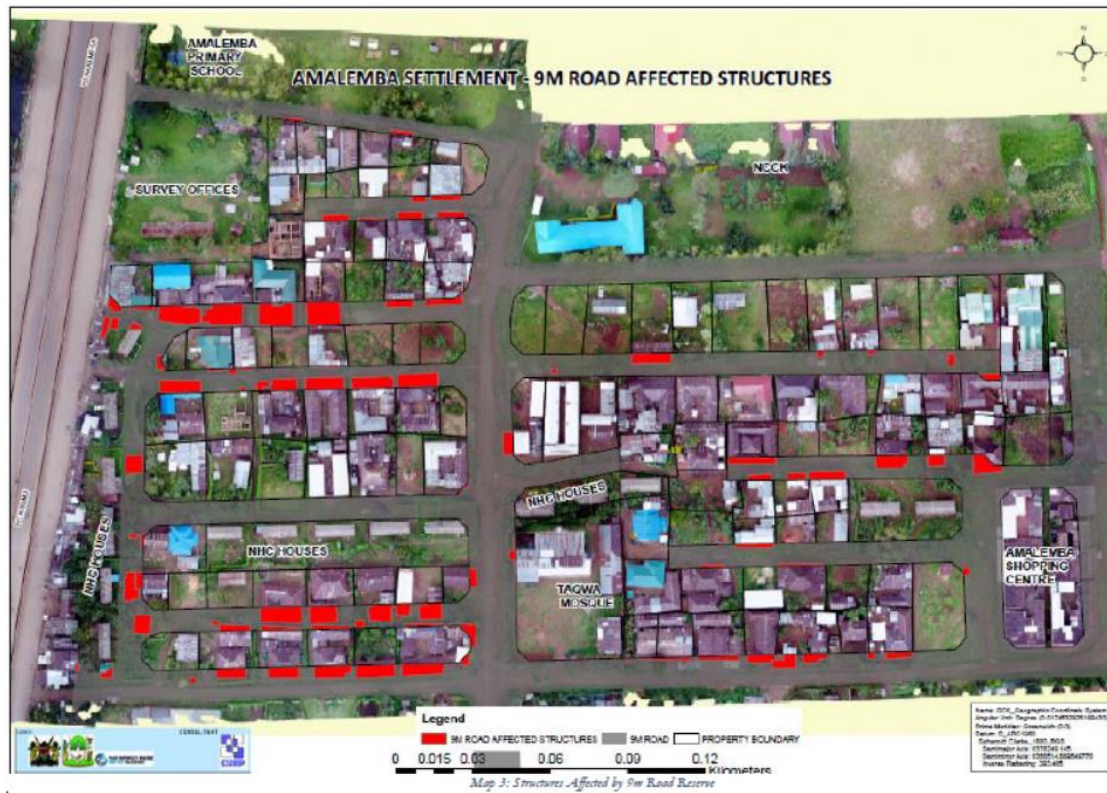
SETTLEMENT: AMALEMBA

DATE: 31/7/2019

No.	Name	Tick Gender		Institution/Village/ Designation	Telephone	ID No.	Signature
		M	F				
1	Awayle Adanwan			Amalemba	0729444309	24915998	<i>[Signature]</i>
2	Bwanakpa Mwasali			Amalemba	0729444369	73947307	<i>[Signature]</i>
3	Yakya Hames Tabwa			Amalemba	072696610	10722287	<i>[Signature]</i>
4	ABDUL RAZAQ G.	✓		Amalemba	0723793525	1047873	<i>[Signature]</i>
5	Kembo Hamisi	✓		Amalemba		2131553	
6	Mohammed Yusuf	✓		Amalemba	0721717250	0261510	
7	ADDALLA AMISI ISLA	✓		Amalemba	0742220875	0587817	
8	Gabriel O. Shitseran	✓		Amalemba	0773535928	3240131	<i>[Signature]</i>
9	AMINA Juma	✓		Amalemba			
10	Mariam Mohammed	✓		Amalemba	072073226	2015792	<i>[Signature]</i>
11	Patrick Wimbekho	✓		Amalemba	0799056905	32035270	<i>[Signature]</i>
12	PATRICK OTIENO	✓		Amalemba	0725658204	25437100	<i>[Signature]</i>
13	MUHAMMADI MAKORAP			Amalemba	0424102022	23901735	<i>[Signature]</i>
14	RASHAH HAMISI			Amalemba	0741983151	20656510	<i>[Signature]</i>
15	FARIDAH LILANDI		✓	Amalemba	0724778115	10215319	<i>[Signature]</i>
16	FIDAWIS AQWAYD		✓	Amalemba	0724764223	20576709	<i>[Signature]</i>
17	James Kicebe		✓	Amalemba	0724273507	13411423	
18	Mwambani Shisambee		✓	Amalemba			
19	YUSUF ODONG	✓		Amalemba	0725962697	28299136	<i>[Signature]</i>
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Annex C – Amended Plan RAP Affected Structures Map: Conventional Versus Adoptive Planning

Map 3: Affected Structures using conventional Planning Approach¹⁵



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CURP, 2017



¹⁵Some structures might not be legible due to scale of the map and the size of impact

Map 4: Affected Structures after Re-planning (Adoptive Planning Approach)¹⁶



¹⁶ Some structures might not be legible due to scale of the map and the size of impact

Annex D – PAP and Asset register (See separate Excel document)

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E. Initial PAP meeting
Community and PAP sensitization meeting on 26th August, 2017

**MINUTES FOR RAP SENSITIZATION MEETING HELD ON 26TH AUGUST
 2017 IN AMALEMBA SETTLEMENT AT AMALEMBA TAQWA MOSQUE**

Project name:	Consultancy for Development of Resettlement Action Plans (RAPs) for Newly Planned and Surveyed Informal Settlements in Kilifi, Kakamega And Embu Counties Done Under Lot 1
Date of meeting:	26/08/2017
Meeting objective:	To sensitize the community on the RAP process
ATTENDANCE	
Name	Institution
COUNTY GOVERNMENT TEAM	
1) Pamela Adamba	
2) Zena Abubakar	
CONSULTANT TEAM	
1) Mr. Renson K. Mbwagwa	Principal Consultant
2) Moses Kemboi	GIS Expert
3) Lusala Logedi	Planner
4) Raymond Omondi	Valuer
5) Elizabeth Mutisya	Planner
6) David Omido	Planner
7) Caroline Maina	Planner
SEC MEMBERS	
1) Mwanaidi Khavesa	
2) Marriam Wakamala	
3) Juma Mwinyi	
4) Habib Anyolo	
5) Ali Mohamed Ali	
Community Members	88 Members
ABSENT WITH APOLOGIES	

Meeting Agenda
<ol style="list-style-type: none"> 1. Introduction 2. Brief overview of the project 3. Purpose of the exercise 4. Deliverables of the exercise 5. Community Feedback 6. Community participation 7. AOB
Minutes
MIN 01/8/2017: Introductory and opening remarks
<p>The meeting was opened with a word of prayer by Seikh Ali Mohamed. At 11:30am. He called upon the SEC chairman who welcomed all the members present and urged them to ensure maximum cooperation throughout the project. He later called the County KISIP representative to welcome all the officials present in the meeting.</p>
MIN 02/8/2017: Brief overview of the project.
<p>Pamela Adamba the KISIP representative at the County level briefed the members present on the aim of the meeting. She welcomed the MCA; Farook Machane to brief the members present on the importance of the RAP and emphasized on the importance of cooperation from the PAPs. She later welcomed the Principal Consultant to introduce the entire consultancy team.</p> <p>The consultant also elaborated on the elements of planning and surveying with a key focus on infrastructure. He stated that infrastructure would play a very key role since it would open up the settlement. He explained that all the project affected persons (PAPs).</p>
MIN 03/8/2017: Purpose of the exercise and its deliverables.
<p>The principal consultant addressed the members present on the aim of the project this entailed all the PAPs. The Project Affected Persons. He stated that the project would entail planning and survey of the settlement being inclusive of resettlement of the PAPs to individual plots.</p> <p>He also indicated that the valuer would play a crucial role in determination of the household costs of the various structures within the settlement at the current market prices.</p> <p>He later called upon plan. LogediLusala to form the GRC committee which would play a crucial role in solving the agitation from the PAPs.</p>
MIN 04/8/2017: Comments and remarks from the participants.

The KISIP representative at the County level urged the community members to observe maximum cooperation during the project time. She further urged them to avail themselves and present the right information during the enumeration.	
MIN 05/8/2017: Grievance Redress Committee.	
<p>There was formation of Grievance Redress Committee where the community were asked to nominate some of the members to have representatives from SEC, elders, youth and disable. Ward administrator and the area chief will be among the GRC Formation of the GRC committee:</p> <ol style="list-style-type: none"> 1) Ward Administrator - Godfrey Mbai 2) Chief - Morris Muchiti 3) SEC - Habib Rashid Anyoro 4) SEC - Marriam AkamalaGumba 5) Women Representative - Christine Minyoso 6) Youth Representative - Hassan Musa 7) Elderly Representative - Ahmed Salim 8) Disabled - Mwanaidi Kai 9) Mosque Official -Seikh Ali Mohamed 10) Ex-officio Member - JosphatSerenge 	
MIN 06/8/2017: Arising issues from the community.	
<p><u>Concerns</u></p> <ol style="list-style-type: none"> 1) Element of plots overlaps within the settlement and how it will be handled. 2) Processing of the title deeds 3) Element of cases that are already in the courts. 	<p><u>Response</u></p> <ol style="list-style-type: none"> 1) Aspect of the interboundary relocation would be factored in to ensure all the PAPs are well facilitated for. 2) The title deeds to be processed for the PAPs would be done after the planning and surveying is complete. 3) All the cases within the courts will be solved by the courts and not the SEC.
MIN 07/8/2017: AOB	
The consultant elaborated that the SEC committee was still as operational as the GRC. Each committee has its different mandate to perform. He further indicated that all the affected assets would be valued at the current market rates and the PAPs would be compensated for.	

MIN 08/8/2017: Vote of thanks
The KISIP representative thanked the committee for their continued cooperativeness throughout the project. He further urged the community members to cooperate with the consultant in order to ensure smooth operation of the project.
MIN 09/8/2017: Adjournment
The meeting ended at 1:00pm with a word of prayer from Seikh Ali Mohamed. The members present were served with refreshments and were free to leave at their own will.
















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KENYA INFORMAL SETTLEMENTS IMPROVEMENT PROJECT (KISIP)
DEVELOPMENT OF RESETTLEMENT ACTION PLANS (RAPs) FOR NEWLY PLANNED AND SURVEYED INFORMAL SETTLEMENTS IN KILIFI, KAKAMEGA AND EMBU
COUNTIES DONE UNDER LOT 1

SETTLEMENT A MAT-EMBA

MEETING PURPOSE COMMUNITY ORGANIZATION MEETING

DATE 26/01/2017

No.	Name	Organization /village	Phone no.	Signature
1.	THOMAS ABDI CHE	Amalamba	0711 156 555	
2.	THOMAS BASHID AM-1020	Amalamba	0722 402 124	
3.	ALI MATHIAS	Amalamba	0713 967146	
4.	Juma MWINJI	Amalamba	0714 735 511	
5.	FALECK MACHANIE	MCA	0222 273 883	
6.	Simon Juma MWINJI	CHIREMAN AMALAMBA	0722 160 764	
7.	LEONARD AARON	SHIRAZI P.S. (Group)	0722 623 602	
8.	ZENAH ABUDAKAR	ATNI-KAKAMEGA TOWN	0722 966 555	
9.	HASAN K. MUSA	Amalamba	0725 211 670	
10.	Elizabeth M. Muthiga	CURP	0707 488 812	
11.	Candice H. Muthiga	CURP	0707 081 428	
12.	Kucada George	CURP	0725 909 017	
13.	R. K. Mwangi	CURP	0722 263 049	
14.	Moses Kibindi	"	0720 986 692	
15.	David omido menyasa	CURP	0717 469 879	
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Annex F – Initial RAP Preparation Engagement Minutes

The RAP kicks off meeting for the consultancy services on 3rd May 2017



MINISTRY OF TRANSPORT, INFRASTRUCTURE, HOUSING AND URBAN DEVELOPMENT

Kenya Informal Settlement Improvement Project (KISIP)

MINUTES OF THE KICK OFF MEETING FOR THE CONSULTANCY SERVICES TO
DEVELOP RESETTLEMENT ACTION PLANS (RAPs) FOR PLANNED AND
SURVEYED INFORMAL SETTLEMENTS IN KILIFI, KAKAMEGA AND EMBU
COUNTIES, HELD BETWEEN KISIP, WORLD BANK AND CENTRE FOR URBAN &
REGIONAL PLANNING (CURP) ON 3RD MAY 2017 IN ARDHI HOUSE, 6TH FLOOR
BOARDROOM.

ATTENDANCE:

	NAME	ORG	EMAIL	PHONE
1)	Peris Mangira	KISIP-coordinator (chairing)	chiriperis@yahoo.com	0723392807
2)	Ann Mugo	Head of KISIP comp.2	amutmugo@yahoo.com	0720561665
3)	Sheila Kamunyor	World Bank Urban Specialist	skamunyor@worldbank.org	0726177767
4)	Lilian Kahindo	World Bank Social Specialist	lkahindo@worldbank.org	0724903801
5)	Renson K. Mbawaga	CURP - lead Consultant	info@curp.or.ke	0722363049
6)	Osengo K. Charles	CURP - Consultant	Osengo479@gmail.com	0721275274
7)	Dr. BeneahMutsotso	CURP - Consultant	bmutsotso@yahoo.com	0722833012
8)	BendonKimeu	CURP - Consultant	benkimeu@gmail.com	0725751427
9)	Casty Njoroge	CURP - Consultant	Njoroge33@yahoo.com	0722874891
10)	Daniel Mutegi	KISIP - Component 1	mutegigiti@gmail.com	0726295038
11)	Antony Kimosop	KISIP - Component 2	mastakoi@yahoo.com	0771884201
12)	Celestine Wanjala	KISIP - Component 2	wanjalacnina@gmail.com	0722677903
13)	Anne Kioko	KISIP - Component 1	annmbili@gmail.com	0712611525
14)	Gladys Juma	KISIP - Component 1	gimbosa@yahoo.com	0722385220

15)	Stella Gitimu	KISIP - Component 1	S1gitimu@yahoo.com	0726349610
16)	SalesioKaburu	KISIP - Component 2	sjkaburu@yahoo.com	0722853907

Apologies:

1. George Arwa
2. Evans Omagwa
3. Faith Birir
4. ZenahKurui

Agenda

1. Introductory and opening remarks by the chair.
2. Confirmation of the availability of Key personnel
3. Agreeing on contractual deliverables and timing
4. Commencement of work (Introduction of consultants to the counties)
5. AOB.

Min 01/3/5/2017: Introduction and opening remarks from the chair

The meeting was called to order at 9.30 am and opened with a word of prayer from one of the members; the chair welcomed all members and gave them opportunity to introduce themselves. The chair congratulated the consultancy team and gave a brief overview of the assignment at hand with key emphasis on the expectations as follows:

- Timelines; the contract period is five months and must be adhered to since there will be no extension.
- Consultant staff; we believe you have a sufficient and able team to execute the assignment and we request that you maintain the same team during the contract period.
- work very closely with the County and the communities in getting adoption of the reports by the Counties. Give priority to Kilifi settlements as community is not welcoming any infrastructure activities until RAP is implemented.
- The client is ready to assist in any capacity as required by the contract to have the consultant deliver on time.

Min 02/3/5/2017: Confirmation of the availability of Key personnel

The Key personnel of the consultants were called and they were all confirmed to be present except for the Land economist Mrs. Carolyn Niyororo who was attending a different meeting but will participate in the assignment. The lead consultant assured the client that all the key personnel will be available for the assignment for the stipulated time.

Min 03/3/5/2017: Review of contract deliverables and timing.

Component 2 head took members through the specific tasks as outlined in the terms of reference (ToR) which shall be the basis of developing the listed deliverables/ outputs (as read in the ToR).

The time frame shall be 5 Months.

Clarification of Issues:

The consultant agreed to the expectations by the client however, needed clarification on the following;

	<i>Concern</i>	<i>Response</i>
1.	Level of facilitation; - All affected persons have been stuck on how to move on after survey, many have so much expectations of facilitation and since in some of these settlements the material used for construction is recyclable, how far can we facilitate?	- Where demolitions cannot be avoided, facilitation shall be evaluated at market rate however, some cases will be based on replacement cost. This should be done in accordance with the WB OP4.
2.	Some of the beneficiaries claim ownership of the undeveloped plots and have sale agreements. Since the facilitation is not on land but assets, how do we handle such issues? If we carry out the asset evaluation, who shall be the legitimate receiver of the replacement cost?	- All affected persons should receive the same treatment, those claiming ownership of undeveloped plots to receive a share equivalent to the title. The consultant to investigate and establish who is legitimate to receive facilitation of the lost land. Seek views from relevant institutions as NLC.
3.	The contract period is five months and as we move into the political period our exercise is likely to be affected by this politics, how do we deal with this issue?	- This should not be a challenge as you only require 3 months for the field visits. this can be achieved before August 2017.
4.	We are likely to have two values in our evaluation; the technical value (by the valuer) and the people's value. Which of these should take the lead?	- The technical value by a professional valuer should take the lead. The consultant should clearly define the term "facilitation" to the community to avoid misunderstanding.

4.	We understand that our entry to the settlement is SEC, are we going to put in place a committee to assist in the RAP exercise?	<ul style="list-style-type: none"> - These settlements already have a committee in place (SEC) and are still awake. KISIP will however just inform them of the coming activity for them to take the lead. - Additionally, County staff who was already involved in the earlier assignment will be contacted to assist in RAP. KISIP Component 1 & 2 will also be directly involved to supervising the consultancy.
5.	Plots which do not meet the minimum size for a title, can they be combined to be issued one group title?	- Consultant to agree with the communities (Beneficiaries) on the best tenure options.

Min 04/3/5/2017 Commencement of work and Introduction of consultant to the Counties:

It was agreed that the commencement date would be the date of kick off meeting that is (3/5/2017) thus officially the contract is running.

Members agreed that the introductory visits be held between 8th to 15th May 2017 to enable the consultants start the work.

The scheduled is as follows;

Date	Settlement	County
8 th May 2017	Kwa Ndomo	Kilifi
9 th May 2017	Muyeye Phase 1	
12 th May 2017	Kathita	Embu
15 th May 2017	Amalemba	Kakamega

Min 6/3/3/2017 A.O.B

- The consultants expressed their gratitude for the opportunity given and assured the client of delivering their best within the agreed time. They also proposed that the open spaces set aside be landscaped for the benefiting communities.
- The bank's social safeguard specialist urged the consultant to develop an entitlement matrix capturing attributes for all affected persons.

- The consultant to represent the Kenyan Government and the Bank in the right and proper manner, avoid unnecessary noise from the affected persons and stick to the OP4 guidelines.

Agreed actions

- Kimosop to share a copy of the study report done by component 4 consultants.
- Lilian to share the Bank's presentation (on obligations and expectations) with the consultant.
- KISIP to facilitate introduction of consultant to respective counties.

There being no any other business, the meeting ended at 1300 pm.

DISCLOSURE COPY

Annex G – Grievance Redress Form

ARAP GRIEVANCE REDRESS FORM ARAP Reference Number:	
Full Name:	
Contact Information Please mark how you wish to be contacted (mail, telephone, e-mail)	Address: Telephone: _____ Email: _____
Preferred Language for Communication (Please mark how you wish to be contacted)	English Kiswahili
National Identity Number	I.D. No
Description of Incident or Grievance: What happened? Where did it happen? Who did it happen to? What is the result of the problem?	
Date of Incident/ Grievance: One-time incident/ grievance(date _____) Happened more than once (How many times _____) Ongoing (Currently experiencing problem _____)	
What would you like see happen to solve the problem?	

Annex H – SAKALI MEETING INVITATION LETTER



MINISTRY OF TRANSPORT, INFRASTRUCTURE, HOUSING AND URBAN
DEVELOPMENT
STATE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
Kenya Informal Settlement Improvement Project (KISIP)

Telephone: (02) 2718050
Fax No. (20) 734886
When replying please quote

ARDHI HOUSE
1ST NGONG AVENUE
OFF NGONG ROAD
P.O. BOX 30119-00100
NAIROBI

REF: MTIHU/HUD/SUD/8/21/VOL.5(206)

9th August 2019

Sakali Ramadhan Musa
P.O Box 2147-50100
Kakamega
Tel.0721555272

RE: AMALEMBA SLUM UPGRADING PROJECT-WORLD BANK AND MINISTRY OF
LANDS SPONSORED KAKAMEGA TOWN KAKAMEGA COUNTY

Reference is made to your letter dated 10th June 2019 (copy attached) and a meeting held on 18th July 2019 whereby a meeting was convened to discuss the grievance. We appreciate that you attended this meeting to shed light on the issues upon which they were discussed.

We have proposed a follow up meeting on 15th and 16th to fast track proposal on strengthening of GRC. Please purpose to attend.

The purpose of this letter is to share with you draft minutes of the meeting for your review and concurrence and to further inform you that County and NLC has been advised to fast track resolution on safeguarding public land next to project planning area.

Peris Mang'ira (Mrs.)
KISIP National Coordinator

-KISIP County Coordinator
-SEC
-GRC

Annex I: RESPONSE MATRIX ON FOLOW UP OF SAKALI COMPLAINT

Follow up on Grievance Raised by Sakali Ramadhan Musa; Amalemba Settlement

No	Comment	Response	Evidence/Supporting documents
a	The report only mentions the entities that attended the meeting i.e. County Government, KISIP, GRC etc. It would be useful to have the list of the individuals that attended attached to the report to ensure that your record keeping is solid.	Availed.	Minutes of the meeting held on 18 th July 2019 and Attendance list.
b	We recommend that the resolutions that involve action by other entities such as County Government and the NLC be officially communicated by KISIP to the complainant and copied to the SEC/Community. KISIP should endeavor to keep good record of these communications should there be need to provide them for audits.	Communication was made as advised on 9 th August 2019. Records kept.	Letter to Complainant and County dated 9 th August 2019. Ref. MTIHUD/HUD/SUD/8/21/Vol 5 (206) and MTIHUD/HUD/SUD/8/21/Vol 5 (205)
c	KISIP needs to publicize the existence of the escalation and appeals mechanisms of the GRM. It is possible that the complainant resorted to extra-GRM mechanisms due to lack of information on the possibility of	Addressed. Community meeting was held on 15 th August 2019 at the settlement whereby issues on Grievance Redress were discussed. Sensitization touching on	Report of Community meeting held at Amalemba Social Hall and Attendance List

	<p>appeal. The community needs to be aware of the next tier in the GRM and how they can access it.</p>	<p>types of Grievances, GRM tier and Re-training of GRC/SEC on recording and handling of Grievances was done.</p>	
d	<p>We recommend that the PCT takes a close look at the grievance logs in both registers and works out a mechanism to separate genuine grievances from those fraudulently registered. It is possible that genuine grievances logged into the 'fake' grievance register remain unresolved and vice versa depending on whose side of the divide the complainant is. This review will be best done by the appeals tier of the GRM and not either faction of the SEC/GRM.</p>	<p>Letter was done to County on 9th August 2019.</p> <p>Issue was brought up in a meeting held on 15th August 2019.</p> <p>County has since obtained the two registers and in the process of sorting out the grievances with a view of separating genuine vs Fraudulently registered grievances</p> <p>PCT Making follow up to ensure all grievances are closed.</p>	<p>Letter Ref. MTIHUD/HUD/SUD/8/21/Vol 5 (205)</p>
e	<p>We agree with the assessment from the meeting that the GRC as currently constituted seems not to enjoy overwhelming community support and might have limited</p>	<p>A meeting with Community was held on 15th August 2019.</p> <p>Community passed a resolution to retain the existing SEC/GRC, but proposed that</p>	<p>Meeting Report and attendance List</p>

	<p>effectiveness. It's also not clear why some members are inactive which leaves the Chairman (and possibly a few members) running the committee affairs. The three options seem fine, but we recommend that the community be central in determining which of the three to take. A community engagement meeting would be a good way to arrive at this decision.</p>	<p>they get training on handling grievances.</p>	
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Annex J: MINUTES OF MEETING ON SAKALI COMPLAINT

Minutes of the Meeting held on 18th July 2019 at Kakamega to address Grievance in Amalemba Informal Settlement Raised by Sakali Ramadhan

Present

No	Name	Organization	Contact
1	Stephen Chune	County Government of Kakamega (CGK) Director, Physical Planning	stephenchune@yahoo.com
2	George Arwa	KISIP-Head, Component 2	garwa2005@yahoo.com
3	Pamela Ongalo	CGK-Community Development officer	ongalopamela@gmail.com
4	Millicent Cherotich	CGK-Land scape architect	millie2013@gmail.com
5	Gladys Juma	KISIP-Component 1/Community	gladysjuma70@gmail.com
6	Zenah Kurui	KISIP-Component 2	zenahkurui@yahoo.com
7	Kenneth Nyaseda	CGK-Municipal manager	nyasedaomondi@gmail.com
8	Alfred Mulamba	CGK-Environmental administrator	Ammualfred02@gmail.com
9	Shitiabayi Stanley	Intern- CGK, Physical Planning	shitibayistanley@gmail.com
10	Ahmed Salim	Amalemba GRC	0722992270
11	Salim Juma	SEC Chair	0722160764
12	Minyoso Christine	GRC Secretary	0718386117
13	Sakali Ramadhan	Complainant	0721555272
14	Yakub Ramadhan	Complainant	0710257389
15	Salima Khabtsa	Complainant	074008288

Agenda

1. Technical Discussion between KISIP and County Government officials prior to meeting the Complainant and GRC
2. Welcoming remarks from the chair and Preliminaries
3. Discussion on issues raised by complainant
4. Way forward
5. A.O.B

Agenda	Issues	Resolution/s
No. 1: Technical Discussion between KISIP and County Government officials prior to meeting the Complainant and GRC	KISIP team briefed the County that the meeting was called as a result of grievance that had escalated through a letter to World Bank and other offices.	Technical team agreed to listen to complainant and GRC, investigate and take up the matter to ensure the project satisfies the law and conditions of financier.
	It was said the accusations/issues raised by complainant were cutting across several players including KISIP, County officials and Community Representatives It was noted that The letter by Complainant gave an indication of disputes and grievances that needed to be resolved.	
	It was deemed necessary to discuss and take up the matter with a view of investigating and resolving the issues raised. KISIP and County	

	<p>team were amazed by the action of complainant to escalate the grievance before exploring available options. However, it was noted that Complainants have a right to register their grievance.</p> <p>Issues touching on illegality and double allocation. It was said that Amalemba sits on public land with attempts by Government of regularize tenure to the people. It was also noted that there are several fake allotment letters in the settlement coupled with complexities resulting from illegal and fake allotments.</p> <p>It was reported that the earlier approved plan had more plots than beneficiaries. This was because community wanted standardized plot size.</p> <p>Issues related to Community leadership. It was noted that the project has been involving the stakeholders including the community. SEC/GRC was elected through public participation by community.</p> <p>County said they were aware of wrangles between elected community leaders and a section of community members purporting to be champions for the peoples' interest. Several attempts have been done to resolve issues.</p>	<p>County to retrieve minutes of the meetings with community/recordings of Community agreement whereby community agreed to disregard all the allotment letters and undertake insitu upgrading. It was said that the project was good and was going to solve many Land related problems in Amalemba.</p> <p>To seek Community opinion on whether to proceed with the current leadership or re-election</p> <p>Continuous engagement of community to reach an amicable solution.</p>
No. 2: Welcoming remarks from the chair and Preliminaries	<p>The GRC and complainant were welcomed to the session and informed that the meeting was called as a result of a grievance that had escalated to WB. KISIIP said complaints raised are very serious and can have an implication on project.</p> <p>The chair GRC in brief remarks said the Committee comprising 7 members was elected in 2017 by Community through public participation. He noted that some members were no-longer active in the committee. He noted that the committee has been handling arising grievances to the best of their ability; indicating that other cases are resolved at settlement level whereas others are forwarded to the county through letters.</p> <p>The chair reported interference in the GRC operation by a section of people including the complainant and his brother and said that at</p>	

	<p>one point, the Grievance Register book was taken away by a team who branded themselves 'GRC'. The GRC chairman informed the meeting that the current Grievance log was bought by the legitimate GRC. In rejoinder, the complainant said he is not answerable to the acts of his younger brother. The complainant further informed the meeting that he participated and played the role of GRC since there were issues at the settlement and the legitimate committee was not handling issues well. He acknowledged that grievance book provided by KISIP was kept away from the GRC.</p> <p>Members were taken through a letter the written by the complainant Mr. Sakali Ramadhan Musa addressed to DCI and copied to World Bank amongst other. On this specific complaint, GRC Chair said they had not received the complaints at the Settlement level therefore the complaint has never been recorded in the grievance book nor discussed the issues.</p> <p>KISIP County coordinator Mr. Chune informed the meeting that there was a time a letter was written to his office by people purporting to be officials of 'GRC', forwarding complaints alleged to be from the beneficiaries. KISIP County coordinator acted by requesting legitimate GRC Chair to furnish his office with minutes of the GRC sitting. It was at this point that he learnt that the person who was alleging to act on behalf of GRC was an impostor. He confirmed that most of the complaints raised through his office are addressed either by responding to specific person, through GRC, and during participatory community meetings.</p>	
No.3: Discussion on issues raised by complainant	<p>Specific issues raised by Complainant.</p> <p>Allegations Against GRC Chair Ahmed Salim were highlighted and the Chair was asked to respond to them.</p> <p>Allegation No. 1: That the chair has grabbed public land next to his plot. Members interrogated the base map and indeed there were extensions of structures on land next to chairman's plot no. 64. The Director Planning confirmed that these extensions encroached into public land that is outside KISIP planning area. See base map in annex 1.</p>	<p>Noted. It was agreed that County Government and NLC will take up the matter of public land next to the settlement to ensure it is safeguarded.</p>

	<p>Response: GRC Chair responded that he didn't know the extent of his boundary based on the letter of allotment for plot 64 which he has been holding for 20 years. He owned up to the allegation and apologised for any wrong doing. He promised to remove the structures. He also confirmed that there were many fake allotment letters including one that he was himself holding for plot no 125.</p> <p>Allegation No. 2: That his son appeared in the list of beneficiary. There was contestation on who the complainant was referring to. The Complainant responded that the list of beneficiary placed at the mosque by Consultant contained the name of Chairman's son (Salim Ahmed). It was confirmed that the said son owned structure outside the KISIP Planning area. However, had been issued with enumeration card.</p> <p>Allegation No. 3: HIS COUSIN OCCUPIES PLOT NO 78 BELONGING TO COMPLAINANT This case was discussed and it was found out that the parcel and structures therein had been marked as disputed. Whereas the chair said his cousin had requisite documents and occupying the plot, the complainant said he has an allotment letter.</p>	<p>Salim Ahmed is not a beneficiary within planning area and should therefore not appear in the list of beneficiary and that enumeration card should be withdrawn.</p> <p>The plot should be marked disputed until this matter is resolved. Sakali Ramadhan (Complainant) and the other parties to provide proof of ownership by 25th July 2019. The letter of allotment once received will be subjected to scrutiny at the Lands department, Ministry of Lands and Physical Planning to confirm their authenticity.</p>
	<p>Allegation No. 4: HIS WIFE GRABBED AND CONSTRUCTED A HOUSE ON PLOT 54. The chair said that plot 54 doesn't belong to his wife. The complainant corrected that it is should be plot no. 51</p> <p>Response: On the ground, there are 2 plots i.e. Plot 51 and 65 but merged in the draft LPDP. The complainant said that there is a dispute between the two parcels. GRC responded that the issue had been handled at Settlement level and resolved. This was not adequate; hence the meeting resolved and determined the matter as follows;</p>	<p>That the plots be spilt in the LPDP and registered to rightful owners. If they are disputed, this section will be marked as disputed and no further processing of ownership documents will be allowed.</p>

	<p>Allegation No. 5: CHANGED HIS LATE BROTHER 'S NAME TO ANOTHER WHEREAS THERE IS A WIDOW WITH 4 CHILDRED.</p> <p>Response: The Chair responded by saying that matter of his brothers' widow was discussed and agreed upon at family level which included the widow. He said he was surprised to receive this complaint whereas his in-law didn't have a problem.</p> <p>KISIP emphasized that interest of PLWD, Orphans and Widows is of great concern to the project. Therefore, rights of this group of people MUST be protected at all cost.</p> <p>Allegation No. 6: FENCING OF GRABBED LAND</p> <p>Response: The land in question is outside project planning area. The Chair said he was not involved in fencing of land.</p> <p>Disbanding of Committee. It was brought to the attention of the meeting that some members are no-longer active. The complainant was of the opinion that the Current Committee was inefficient and need to be strengthen.</p> <p>Allegation of corruption <i>Fake allotment letters in the settlement-</i> It was reported that KISIP had taken up the matter to confirm whether there are genuine letters of allotment and whether alleged allotments were paid for at lands. This matter will be handled by KISIP through the</p>	<p>Being the next of keen, it was resolved that the plot should be registered in the name of widow jointly with her 4 children and not to the chairman's brother. Enumeration of widow and the children to be undertaken and the card earlier issued to the other person be withdrawn.</p> <p>County to take up the matter with NLC to safeguard this and other public land surrounding the settlement.</p> <p>It was agreed that KISIP will take up the matter in consultation with other key stakeholders and advise on way forward and take either/and or any of the following actions;</p> <ul style="list-style-type: none"> ✓ Re-training the existing committee to arm them with better ADR skills ✓ Co-opting other members in the existing committee ✓ Disband and re-elect new officials. <p>Decision reached to be actioned by 25th July 2019, the action is to be undertaken by KISIP and the county in consultation with other stake holders</p>
	<p>department of Land Administration, Ministry of Lands and Physical Planning</p> <p>Allegation relating to dealings with public land outside KISIP Project area are to be handled by relevant National and County Government agencies.</p> <p>It was agreed that all fake allotment letters will not be honoured and that Re-planning in-situ as agreed earlier by community will continue. Disputed parcels will be marked and registered under County Government of Kakamega until the disputes are solved by the NLC and the County.</p>	

		The Enumeration card issued should be returned and his name will not appear in the final list of beneficiary. KISIP will follow up with Consultant to ensure this is done.
No. 4 Way forward	<ol style="list-style-type: none"> 1. Project to go on and all disputed parcels to be clearly marked and processing of the same halted 2. Consultant to be given clear instructions on how to handle cases touching on Specific merged plots and contested names in the List of Beneficiary. The final LPDP and LOB will be subjected to Community validation and vetted by NLC, Min of Lands and Physical Planning officials, County Government officials and KISIP National teams. 3. Those claiming same plot to provide proof of ownership by 25th July 2019. 4. Visit of contentious plots to be undertaken 19th July 2019. 5. Sociologist to take up the matter of Strengthening of GRC 	
No. 5 AOB	<p>Complaint raised by Khavetsa alleging to be owner of 98 but had been left out during replanning. She presented an allotment letter GRC informed that the complainant was not a beneficiary of Amalemba but they had proposed to consider her since she had resided in the settlement as a tenant for long.</p> <p>There being no other business, the meeting ended at 4p.m</p>	The allotment letter to be verified.

Confirmed

County Government of Kakamega Representative.....

Shunz

Date.....

9.09.2019.

KISIP Representative.....

Shunz

Date.....

9/9/2019

GRC Representative.....

Atumijaro

Date.....

9/9/2019

Complainant: NAME&SIGNATURE.....

Date.....



MINISTRY OF TRANSPORT, INFRASTRUCTURE, HOUSING AND URBAN DEVELOPMENT
KENYA INFORMAL SETTLEMENTS IMPROVEMENT PROJECT (KISIP)

Date: 18th July 2019

Meeting: Technical Meeting held in Kakamega County

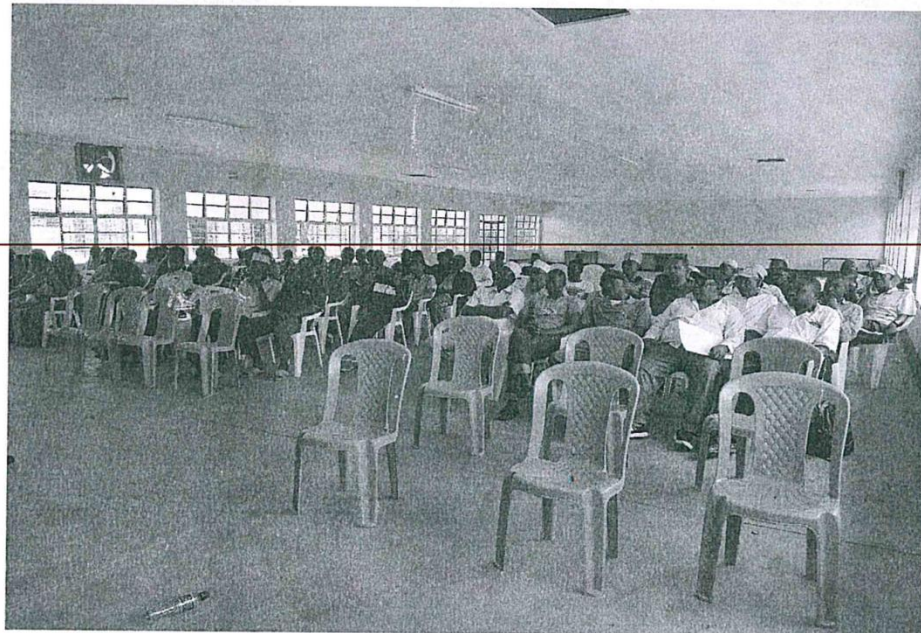
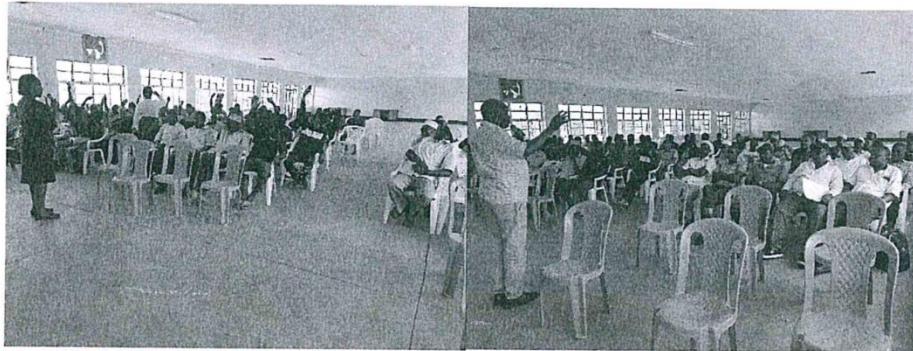
PART 1: Officials from Kisip & County

Attendance List

Sno	Name	Organization/ position	Email/Telephone No.	Signature
1	Stephen Chure	CGK - Physical Planning	stephencchure@yahoo.com	
2	George Adu	VIPL - NATIONAL	gadu2015@yahoo.com	
3	Pamela A. Njugala	CGK - Site C.D.O	pnjugala@gmail.com	
4	Mulicel Cherotich	CGK - Landscape Architect	mulic2013@gmail.com	
5	Glady's Juma	KISIP - National	gladyjuma70@gmail.com	
6	Zenah Kurui	KISIP - comp. 2	zenahkurui@yahoo.com	
7	Kenneth Nyweda	Municipal Manager - Kakamega	nywedekeundi@gmail.com	
8	Alfred Mulamba	Environmental Administrator - Kik Muni	amunatfred02@gmail.com	
9	Initiabayi Stanley	Urban Physical Planning	initiabayi.stanley@gmail.com	

Annex K: REPORT ON STRENGTHENING GRM FOR AMALEMBA SETTLEMENT

REPORT ON THE STRENGTHENING OF THE GRIEVANCE REDRESS MECHANISM IN AMALEMBA SETTLEMENT, KAKAMEGA COUNTY



Report by

Salesio Kaburu, Gladys Juma and Zenah Kurui

Dated 19th August 2019



INTRODUCTION

Community meeting was organized in Amalemba Settlement on 15th August 2019. This was a follow up meeting based on recommendation of the meeting held on 18th July 2019 whereby it was deemed necessary to seek Community opinion on whether to proceed with the following options;

- ✓ Re-training the existing committee to arm them with better ADR skills
- ✓ Co-opting other members in the existing committee
- ✓ Disband and re-elect new officials.

Courtesy call

A courtesy call meeting was held in the office of County Director of Physical Planning at 9:00 a.m on 15th August 2019. During this meeting, KISIP briefed the Director on steps undertaken after the meeting with complainant on 18th July 2019. KISIP representatives said this follow up meeting was organized to ensure agreed actions in resolving issues raised was achieved and especially in sensitizing community and GRC on Grievance Redress Mechanism.

The Director/County KISIP Coordinator pointed out the following issues during discussions;

1. That the County in consultation with the National Land Commission will take necessary steps in ensuring the contested public land adjacent to project planning area is safeguarded. They proposed that County will prepare PDP for the portion of land.
2. Reported that Complainant (Sakali) did not avail letter of allotment on 25th July 2019 as agreed during a meeting of 18th August 2019. In that case, there was no way it to be verified to confirm his claim on plot 78.
3. Few beneficiaries had submitted copies of allotment letters to County for verification. These documents will be submitted to Ministry of Lands through KISIP for verification.
4. It was reported that grievances that are forwarded to County are being addressed continuously as they arise. However, there were 2 pending cases in court and will be marked as disputed in the list of Beneficiary.

At the end of discussion, members were optimistic that the project will be complete smoothly without hindrances. The County team was informed that Complainant (Sakali) had been invited through a letter to attend the community meeting.

Community meeting.

Community meeting was held on 15th August 2019, starting at 10:00 am at Kakamega Social Hall. SEC chair welcomed participants to the meeting and requested a word of prayer from a volunteer. Then introductions from all stakeholders starting with the SEC chairman introducing the SEC members. The SEC was asked to indicate which group they represented and to indicate if one was a member of a SEC or GRC. This was important so as to remind them that they represented interests of certain groups of people in these committees. The County government

representatives also introduced themselves, thereafter KISIP National team. It is regretted that Complainant neither attended the meeting nor sent an apology.

In the remarks, community said they were satisfied with the planning and surveying process and they were eagerly waiting for next steps i.e Facilitation of Project affected persons and receiving of title deeds.

KISIP team appreciated the support to the project and re-sensitized the community on the project and its main objective. The team went ahead to inform the participants on the purpose of the meeting i.e determine if the community were aware of Grievance Redress Mechanism and its effectiveness. The strengthening of the GRM mechanism was therefore meant to ensure the process of lodging grievances is clear to concerned parties, and more so to strengthen the GRCs in responding to these grievances with the assurance of a timely and satisfactory resolution.

KISIP Component 2 representatives recapped on the main steps in the planning and surveying process and gave a status on the plan approvals. Further, Sensitization on Benefits of titles, various tenure options (including individual and Joint ownership) and types of grievances that may emerge in tenure regularization. Importance of safeguarding public spaces for current and future generation was also emphasized during discussions with community.

On the list of Beneficiary, community was encouraged to ensure names in the List of Beneficiary is correct and as per the National ID. Community was also to make sure beacons are placed in the correct position as per the plan, properly protected and should avoid conflicts with neighbours.

It was said that the grievance redress committees at the Community and County Level should be able to address arising issues. Overall, the methodology used in re-training and Strengthening SEC/GRC was participatory i.e. involving the participants to the extent possible e.g. asking them how they communicate grievance to GRC, how they are handled, and letting them name types of grievances encountered so far.

Some of the Grievances mentioned were due to the following reasons among others.

- a) Misidentification of plots; There are people claiming they have lost plot, i.e they have allotment letters but cannot identify plot
- b) Dispute over the plot ownership (two individuals claiming 1 plot with allotment letters issued by County)
- c) Disagreement due to family issues (Successions, divorces, and other family issues, resulting in disputes between heirs and other family members, over ownership or ownership shares for a given asset

It was reported that Consultant is in the process of beaconing and in few days' time, beneficiaries will sign beacon certificates. Grievances related to technical issues are continuously been addressed with the help of SEC, Consultant and the County.

Community opinion on SEC/GRC

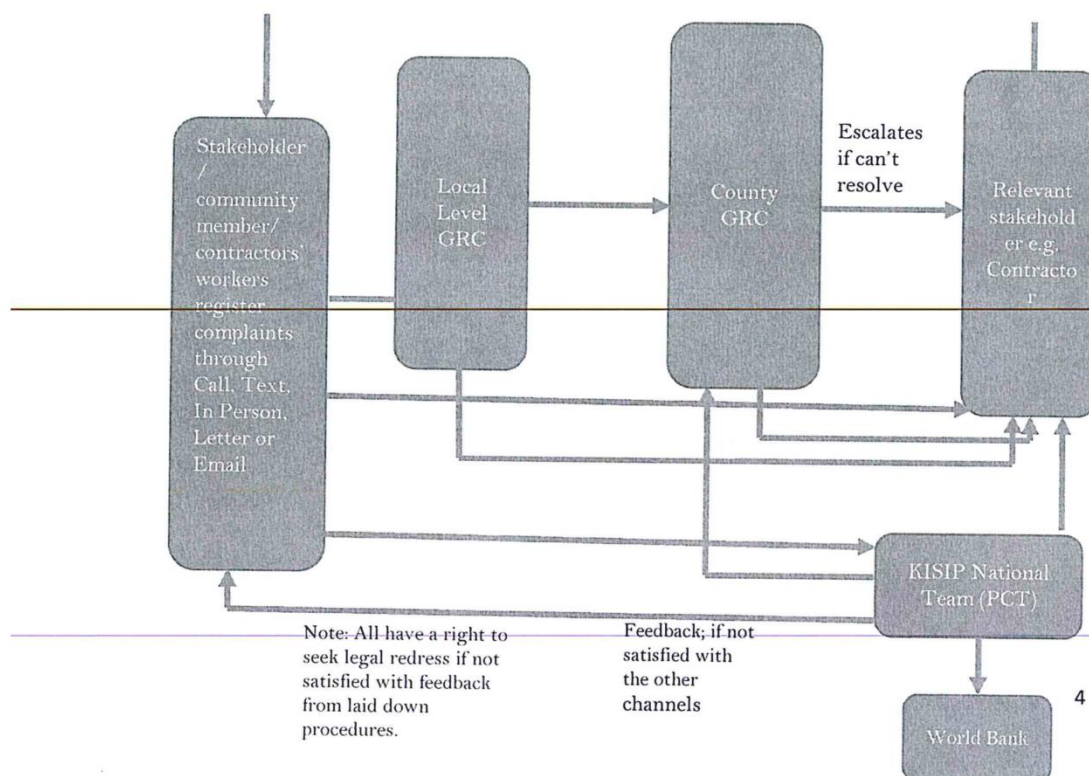
Community were asked whether they were satisfied with SEC and GRC. One member stood and said that they elected the current leaders through democratic process in 2013. They confirmed that as much as some members of SEC and GRC were no longer active It was noted that there were 7 members, 2 are passive leaving 5 members playing the role. Community said the current leadership was meeting their needs and were satisfied with composition. Community was briefed on emerging issues and complaints raised by section of community case of Ramadhan Sakali. To resolve the issue of SEC/GRC Community was given three options to choose from i.e;

1. Re-training the existing committee
2. Co-opting other members in the existing committee
3. Disband and re-elect new officials.

Voting was done and majority (42 out of 54 community members) voted for retaining and training of current SEC/GRC and proposed that they get trained in handling of Grievances since most of them did not have capacity. They said considering that work is also complete, there was no need of electing other members. This option was adopted by the community.

Community sensitization on GRM

The strengthening of the GRM was done by Gladys Juma (KISIP National) and Pamela Ongalo (CDO, Kakamega County). Community were explained on how and where to first lodge their grievances. The first office will be the local GRC, if the issue cannot be resolved then it moves to the County GRC then to Consultants thereafter to KISIP National. Some of the issues which can be solved by consultants can be forwarded directly to consultants without going through the County. This involved display of the GRC procedures chart.



- a) Timelines: The GRC was advised not to delay handling cases as this triggered anxiety amongst the complainants who are then tempted to bypass the systems and procedures set up. A proposed timeline of 1 month was said to be satisfactory from receipt of complaint, investigation, deliberation to feedback
- b) Feedback: Feedback can make or break this process. Thus is crucial for the GRC to update the complainant on progress, even when issues are escalated to County, they should be informed. In some cases, it would also require involving the complainant in investigation e.g. having a sitting with the complainant.
- c) Escalation of Issues: Although some community members complained on GRC ability to handle some issues, it was reported that some grievances were resolved at settlement level while others escalated to the County. They were encouraged to continue working with the County on matters that were considered beyond them. This could be in organizing joint meetings with the complaint for the very major issues.

Concerns from the community

No	Issue	Response
1	The project has taken too long, and we are concerned that settlements like Kambi Somali has surpassed us.	Due to anticipated displacements in the earlier planning, it was agreed that the settlement is replanned. The process is now on course and soon this settlement will be among those getting tenure regularization completed
2	Why give us lease and not freehold title?	It was explained applicability of various tenure systems. Amalemba is within municipality boundary
3	Some roads have become too narrow after replanning.	It was explained that the Consultant was avoiding affecting permanent structures. There are modalities of achieving standards in future through incremental and development control
4	What is County doing in resolving cases of double claims and fake allotment letters	Verification of allotment letters. Documents will be subjected to thorough vetting of documents. Meanwhile, all the disputed cases will be clearly marked.
5	The community were concerned about the county allowing major constructions in their settlements against the planning laws	The issue is not related to KISIP. County promised to follow up with relevant officers.

Sensitization Meeting with The Settlement Executive Committee and The Grievance Redress Committee.

The meeting took place following day after the meeting with the community members held at the Kakamega Social Hall.

1. **Evaluation of the community meeting** – The members had an evaluation of the meeting with the community and they noted that the meeting was well attended because leaders had done enough mobilization. Community leaders said the few members who were complaining are those who don't normally attend meetings and that the main complainant had not attended the meeting thus his allegations were not verified.
2. **Sensitization on the Grievance Redress Mechanism.** The GRC mechanism was discussed further since the same had been presented during the in the community meeting. The GRC were advised by KISIP on the following issues regarding grievances:
 - The grievances should be addressed without fear of favour
 - They should keep their records very well. All grievances should be recorded.
 - The GRC should maintain confidentiality when addressing the cases. No extra persons should be present when a member is reporting or when the grievance is being addressed.
3. **Membership of the GRC and SEC.** As agreed during the community meeting the GRC and SEC members who were most active were confirmed and it was agreed that they will continue with their roles.
4. **Emerging issues-** The GRC and the SEC noted the following issues;
 - The community were very ready for the project and thus were very supportive. They confirmed community participation in the planning and surveying process.
 - The committees did not have representation of the village elders but this was not a major issue
 - Most of the complainants did not own plots in Amalemba. It was reported that majority are those holding fake allotment letters with no plot on ground or claiming public land not within KISIP Planning area
 - Complaints were also brought about due to a lot of absenteeism. The plot owners who were residing outside the settlement would delegate to others especially during beaconing and this brought issues once the beacons were placed they would resurface and complain. This landlord absenteeism has also brought a lot of setbacks.
 - It was noted that the surveyor normally informs the community of his activities in advance.
- Some members of the community feel that they should also be leaders to protect their hidden interest. However, the community endorsed/ voted for existing leaders.
- The GRCs agreed to have the plots with grievances marked as disputed.
- The leaders confirmed that participatory planning involving community was used and that they agreed /validated with the current latest draft plan presented by the Consultant.
5. **Issue of the major complainant -** It was noted that the complainant (Sakali) did not turn up and 1 member of GRC (Sheik) was nominated to deliver the letter addressed to him.

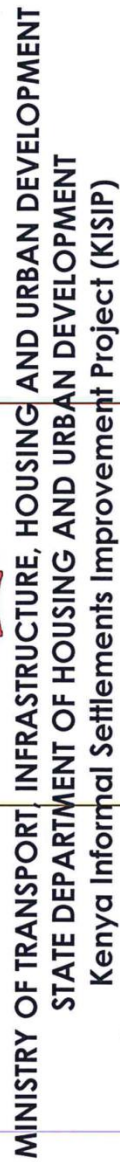
6. **Joint Meeting** - The SEC agreed that KISIP plans for a joint meeting / training with the other settlements e.g Kambi Somali so that they can share their experiences as per the stage they are currently.

Report prepared by.....*[Signature]*.....Date.....*19/8/2019*.....

Confirmed by:

County Representative.....*[Signature]*.....Date.....*09.09.2019*.....

SEC Chair.....*[Signature]*.....Date.....*09/9/2019*.....



Date: 15/8/19

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**MINISTRY OF TRANSPORT, INFRASTRUCTURE, HOUSING AND URBAN DEVELOPMENT
STATE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
Kenya Informal Settlements Improvement Project (KISIP)**

ATTENDANCE LIST

Date: 15/8/2017 Community Meeting in Amalemba Venue: Kakamega Social Hall

S/N	NAME	ORGANIZATION	EMAIL ADDRESS	PHONE NO.	SIGNATURE
1	Zenah Kurui	KISIP	ZenahKurui@yahoo.com	0725989357	<i>[Signature]</i>
2	SALESIO J. KABURU	KISIP	sjkaburu@gmail.com	0722853907	<i>[Signature]</i>
3	IBRAHIM L. BAKARI	AMALEMBA	ibakari@yahoo.com	0722279764	<i>[Signature]</i>
4	ABDUL-H. KOMB	KISIP Member	<i>[Signature]</i>	0715089959	<i>[Signature]</i>
5	THANAB ABDI CAPE	Secretary	ThunabAbdi@gmail.com	0711156555	<i>[Signature]</i>
6	AMINAH SHIM	CHAIR		0722992270	<i>[Signature]</i>
7	SALIM JUMA	CHAIR SEC	SalimJ@885.Gmail	0722160764	<i>[Signature]</i>
8	JUMA MWINYI	MEMBER			
9	ABDUL RAZAQ G	AMALEMBA	mwingimkuu@gmail.com	07233793525	<i>[Signature]</i>
10	Juma MWINTI	IS	-	07147355	<i>[Signature]</i>
11	ISRAHIM DADALI	AMALEMBA	Worali	0727625733	<i>[Signature]</i>
12	ABDUL KARIM A.	AMALEMBA	abdulkarimadibul@gmail.com	0722863520	<i>[Signature]</i>
13	ALI MOHAMAD	AMALEMBA		0713967146	<i>[Signature]</i>
14	Rajab Feisal	Amalemba	feisalrajab2017@gmail.com	0702857622	<i>[Signature]</i>
15	HASSAN BAKARI	Amalemba	-	079905963	<i>[Signature]</i>
16	KAMUHAN ZAKUB	AMALEMBA		072632270	<i>[Signature]</i>

17	MUBANA ABALIA	AMALEMBA	-	0727-347751	Am
18	ABDALLA MUSA	AMALEMBA	-	0722-433180	Am
19	SADI BAKAR (SADI)	AMALEMBA	-	0723-607107	Am
20	Mohammed Yusuf	AMALEMBA	-	0721-717280	Am
21	Mohammed Amisi Tawana	AMALEMBA	-	0705-248342	Am
22	ZACHARIA BUKHALAH	AMALEMBA	-	0792839221	Am
23	ZALFA INDOI	AMALEMBA	-	0722-618509	Am
24	SADI OMAH	AMALEMBA	-	0792839221	Am
25	ALI YUSUF	AMALEMBA	-	0720405861	Am
26	ADAMS K. JUNA	AMALEMBA	-	0712610272	Am
27	Idahum N. Sulomon	AMALEMBA	-	0765-233248	Am
28	MINIGHT BRIAN KHAMAS	AMALEMBA	brianminight@gmail.com	0707344745	Am
29	PETER SIYATI	AMALEMBA	-	0704379108	Am
30	HAJIN MUYA	AMALEMBA	-	0769559893	Am
31	Gabriel Ogongo Shitosa	AMALEMBA	-	0772835928	Am
32	SADI OMAR K. JUNA	AMALEMBA	-	0723509594	Am
33	KIDA JUNA	AMALEMBA	-	0702319783	Am
34	RUTH OSIDE FELICIA	AMALEMBA	ruthoside@gmail.com	0724461511	Am
35	OMISWANA JUMA OGOLA	AMALEMBA	-	0702472053	Am
36	SHARIF WITABA	AMALEMBA	-	075649454	Am
37	Ari Bazzani	AMALEMBA	-	072960075	Am
38	Cedrick Lwembakito	AMALEMBA	-	0799755995	Am
39	FUSSEIH AMBANI	AMALEMBA	-	0723524821	Am
40	ABDULLAH S. INGASO	AMALEMBA	-	0743667396	Am



**MINISTRY OF TRANSPORT, INFRASTRUCTURE, HOUSING AND URBAN DEVELOPMENT
STATE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
Kenya Informal Settlements Improvement Project (KISIP)**

ATTENDANCE LIST

Date: 15/8/2019 Community Meeting Venue: Kakamega Social Hall

S/N	NAME	ORGANIZATION	EMAIL ADDRESS	PHONE NO.	SIGNATURE
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3	WALYA HAMIS TABWA	AMALEMBA		0726966116	[Signature]
4	AGGREY SORE AMOLOA	AMALEMBA		0721749615	[Signature]
5	Juma Ali Juma	AMALEMBA	jumajuma@gmail.com	0726966116	[Signature]
6	HABIB RASHID ANJOLA	AMALEMBA	habibanjola@gmail.com	0722402124	[Signature]
7	HANZA ASHITA	AMALEMBA		0758527690	[Signature]
8	HASSAN AMBARI	AMALEMBA	hassanambari@gmail.com	0720549417	[Signature]
9	Kombo Hamisi	AMALEMBA		07998246	[Signature]
10	Zachary Bwala	AMALEMBA		072238976	[Signature]
11	OMAR MATENDECHERE	AMALEMBA			[Signature]
12	Christine Mungoso Ayuga	AMALEMBA	ayugachristine@yahoo.com	0718386117	[Signature]
13	Jamal Suliman Ambari	AMALEMBA		0723102707	[Signature]
14	Ilhadya Hamis	AMALEMBA		0714483934	[Signature]
15	Musarendi Sadi	AMALEMBA			[Signature]
16	GLOYS Juma	KISIP			[Signature]

GP - Committee

CRC	Name	ID. NO	TEL. NO	Sign.
1	Ahmed Salim	058095	072299270	Salim
2	Christine Mungoso	22680948	0718386117	Christine
3	Habib Amos	6884030	0722402124	Habib
4	Mariam Akamala	0260939	0714452939	Mariam
5	Mwainaidi Kamadhani	0261537	0718408050	M.R.
SEC				
1	Salim Juma Mwinyi	11306349	0722160764	Salim
2	Tinalib Abdi	24156272	071456655	Abdi
3	Juma Mwinyi	16041202	0714735511	Juma
4	Ali Mohamed Ali	0651527	0713967146	Ali
5	Abdul Kombo	24216068	0725089590	Abdul
6	Habiba Tumbe	0261294	0722287083	Habiba

Annex L: KISIP COORDINATORS LETTER TO SAFEGUARD LAND



**MINISTRY OF TRANSPORT, INFRASTRUCTURE, HOUSING AND
URBAN DEVELOPMENT**
STATE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
Kenya Informal Settlements Improvement Project

Telephone: (02) 2718050
Fax No. (20) 734886

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1ST NGONG AVENUE
OFF NGONG ROAD
P.O. BOX 30450-00100
NAIROBI

When replying please quote

REF: MTIHUD/HUD/SUD/8/21/Vol. 5(205)

9th August, 2019

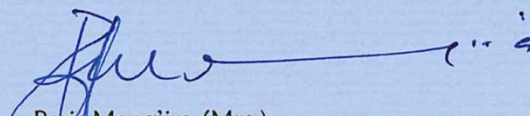
County KISIP Coordinator
Kakamega County

**RE: Amalemba Slum Upgrading Project-World Bank and Ministry of Lands Sponsored
Kakamega Town Kakamega County**

Reference is made to complaint by Sakali Ramadhan Musa (Copy attached) and the meeting held on 18th July 2019. Find the attached draft minutes for your review. We advise that you take up the matter with National Land Commission and ensure that public land next to project area is safeguarded as per the meetings resolution.

As a follow up on resolution to strengthen GRC, we have proposed to hold community meeting on 15th and 16th August, 2019 at the settlement to see possibilities of co-opting other members to GRC and to retrain them on handling GRC. The team will also look at the grievance log in both registers with a view of sorting genuine and fraudulently registered grievance. Schedule of activities is hereby attached.

Kindly arrange participation of NLC and mobilization of community and other key stakeholders.



Peris Mang'ira (Mrs.)
KISIP NATIONAL COORDINATOR