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**MINISTRY OF TRANSPORT, INFRASTRUCTURE, HOUSING AND  
URBAN DEVELOPMENT**

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**KENYA INFORMAL SETTLEMENTS IMPROVEMENT PROJECT  
ABBREVIATED RESETTLEMENT ACTION PLAN**

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**RIIG INFORMAL SETTLEMENT  
PHASE 2**

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**GARISSA COUNTY**



**THE WORLD BANK**



**AUGUST, 2019**

This Abbreviated Resettlement Action Plan (ARAP) for Planning and Surveying of Riig Informal Settlement (Phase 2) located in Garissa County has been prepared by Renaissance 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 has affected less than 200 Project affected persons in accordance to World Bank OP 4.12.

**Compensation/Facilitation:** means payments made in cash/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 roads.

**Cut-off date** is the date of start of the socio-economic survey/census and asset inventory of PAPs. 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.

**Grievance:** any dissatisfaction or sense of injustice or unfairness felt by a person in this respect a PAPs or his/her representative in connection with his/her compensation entitlements, the ARAP implementation process, the project and other scenarios related to project implementation.

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

**Market rate:** 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.

**Public Participation** is a facilitative process of strengthening the organizational and management capacities of people in such a way that they become self-reliant in solving their own problems. It connotes the organized action of the people towards the resolution of issues or acquisition of what they desire and what may benefit them. This, then, requires that people, as a group, must have proper ownership of actions and highly organized course of action.

**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 e.g. labor support.

**Relocation/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 roads.

**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.

**Resettlement Action Plan** is a resettlement instrument (document) to be prepared when program locations are identified. It identifies and documents impacts and provides mitigation measures resulting from project activities. In such cases, planning and survey activities including demarcation of roads leads to to impact on assets, and/or loss of shelter, and /or

loss of livelihoods. ARAPS or 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, RAP is prepared where project affected persons are more than 200 while ARAP is prepared where project affected persons are less than 200.

**Resettlement Assistance:** is 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.

**KISIP Resettlement Policy Framework (RPF):** instrument to be used throughout the informal settlements improvement project implementation. The RPF was disclosed to set 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. The Resettlement Action Plans ("ARAPs") for the project will be prepared in conformity with the provisions of this RPF.

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

**Specialized Assistance:** Involves assistance to the vulnerable PAPs in reconstruction of affected structures through provision of transport and labor from the community or SEC during reconstruction of the affected structures.

**Vulnerable Groups** include all those affected by the project who are below the poverty line, the elderly, women and children headed households, Persons Living with disabilities, **Indigenous People**.

## LIST OF ABBREVIATIONS AND ACRONYMS

ARAP	Abbreviated Resettlement Action Plan
AFD	Agence-Française de Development
GO	Grievance Officer
HH	Household
GRM	Grievance Redress Mechanism
KISIP	Kenya Informal Settlements Improvement Project
MoTIH&UD	Ministry of Transport, Infrastructure Housing and Urban Development
LIS	Land Information System
LPDP	Local Physical Development Plan
IoL	Inventory of Losses
NLC	National Lands Commission
NLP	National Land Policy
NGO's	Non-Governmental Organizations
OP	Operations Policy
PAD	Project Appraisal Document
PAPs	Project Affected Persons
PDP	Part Development Plan
PC	Project Committee
PCT	Project Coordination Team
RAP	Resettlement Action Plan
RIC	Resettlement Implementing Committee
RIM	Registry Index Maps
ROW	Right of Way
RPF	Resettlement Policy Framework
SGRC	Settlement Grievance Redress Committee
SEC	Settlement Executive Committees
SIDA	Swedish International Development Cooperation Agency
WB	World Bank

## EXECUTIVE SUMMARY

### Project Information

The Ministry of Transport, Infrastructure, Housing and Urban Development (MTIHUD) is implementing the Kenya Informal Settlements Improvement Project (KISIP) in 14 counties in Kenya. The overall objective of KISIP is to improve living conditions within informal settlements in the country through tenure regularization and infrastructure development. This Project is part of KISIP component 2 which aims to ensure security of tenure within target settlements. The component supports systematization and scaling-up of settlement planning and tenure security in urban informal settlements.

The settlement is located in Galbet Ward, Garissa Township Sub-County in Garissa County. Garissa County is one of the three counties in the North Eastern region of Kenya. The project area lies off Garissa-Wajir Highway (A3), borders Riig informal settlement (Phase I) to the North, Makhanu to the far North and Qubar Mosque to the Southwest. The project area spatially occupies several areas namely; Bulla Hagar, Bulla Medina and Bulla Adhan. The entire Riig Informal Settlement covers an approximate area of 474 Ha. However, the section delineated for the planning and survey project covers an approximate area of 210.22 Ha (45% of the entire settlement area). The project area covers 45% of entire Riig informal settlement and has a population of 13,343 persons

This report presents Abbreviated Resettlement Action Plan (ARAP) prepared for Project Affected Persons (PAPs) in the settlement that are affected by the planning, surveying and tenure regularization process for phase (2<sup>2</sup>) undertaken under KISIP component 2. The report also provides applicable entitlement, compensation and livelihood restoration measures to the Project Affected Persons (PAPs) identified as required by the World Bank Social Safeguard Policy OP 4.12 on Involuntary Resettlement and Kenya's Laws and regulations.

### **Planning and Surveying Process in the Settlement**

The initial Local Physical Development Plan (LPDP) for the Settlement was prepared through a participatory planning approach where the stakeholders' concerns were taken into consideration. However, the plan could not be implemented because it was based on conventional planning standards for road reserve ranging from 9m to 12m. This ultimately resulted to possible impact on 571 PAPs who own structures affected by proposed road wayleaves. Therefore, the planning and survey impacts related to the initial LPDP described above necessitated re-planning of the settlement through the use of <sup>1</sup>hybrid of the conventional planning standards and adoptive planning option. The initial LPDP of the year 2018 was therefore amended and now approved<sup>2</sup> as the Local Physical Development (Advisory) Plan (LPDP) prepared to guide development for a period of Seven (7) years, (2019 – 2025).

<sup>1</sup>A combination of conventional planning standards and adoptive option

<sup>2</sup> KISIP intervention in the settlement under phase 2 entailed planning and surveying of 210.22 Ha part of the settlement where 1781 beneficiaries who include; single ownership 1331 (999 males, 332 females), co-ownership 10 (male 6, female 4), multiple ownership 73 (males 65, female 8), absentee occupiers 355 and 12 public facilities. Absentee occupiers 355 out of which 149 own bare land while 203 own land with unoccupied structures and 12 public facilities. The analyzed beneficiaries have a total of 1859 plots. The LPDP provides that the County Government of Garissa and the National Lands Commission (NLC) hold in Trust the plots that were not enumerated, until such a time that the right plot claimants would turn up. This position was adequately communicated to the community on all sensitization forums detailed strategy on safeguarding the un-identified parcels is presented in section 2.2.3 of this report

The amended LPDP provides road size width ranging from<sup>3</sup>12-15m for primary roads, 9m for secondary roads, and 8-6 M for service lane and below 6M for footpaths. The plan also provides that every beneficiary with a plot abutting specific roads should surrender<sup>4</sup> for incremental upgrading as per the proposed standard roads. This incremental road expansion shall be achieved through a development control regularization policy by Garissa County Government. The County Government will ensure that the regularization policy is prepared and completed within six months after the approval of this plan. The amended plan has 1859 plots (leases) out of which 12 are occupied by public community facilities, these include: 9 mosques, 1 cemetery, and 2 schools.

The amended LPDP will benefit 1781 beneficiaries who include; single ownership 1331 (999 males, 332 females), co-ownership 10 (male 6, female 4), multiple ownership 73 (males 65, female 8), absentee occupiers 355 out of which 149 own bare land while 203 own land with unoccupied structures and 12 public facilities. The analyzed beneficiaries have a total of 1859 plots. The LPDP provides that the County Government of Garissa and the National Lands Commission (NLC) hold in Trust the plots that were not enumerated, until such a time that the right plot claimants would turn up. This position was adequately communicated to the community on all sensitization forums detailed strategy on safeguarding the un-identified parcels is presented in section 2.2.3 of this report.

### **Tenure Regularization Impacts**

The total number of PAPs enumerated in the settlement are 51. These PAPs include 27 who are male including 2 PAPs who are vulnerable (both aged). There are 8 female PAPs including 6 who are vulnerable (3 aged, 2 widowed and 1 divorced). The remaining 16 PAPs are unknown despite efforts done by the SEC and the community local administration during planning and survey process to identify them. These PAPs were among the absentee occupiers discussed in sub section 2.2.3.

The strategies that were used to identify the unknown PAPs was through; (i) Announcement in local mosques, public barazas and during market days and local radio stations in Garissa which broadcast in Somali language. At the time of ARAP implementation, additional efforts to identify the PAPs will be undertaken.

For loss of business, 6 Structure Owner PAPs will temporarily lose livelihood derived from small scale businesses, among them 4 males and 2 females.

At the time of ARAP implementation, additional efforts to identify the PAP will be undertaken at ARAP implementation stage. The 16 unknown PAPs will not be facilitated until they are positively identified through the strategy provided in sub section 2.2.3 of these report. The normal facilitation procedure will be adopted thereafter once positively identified. If not identified, the funds will be deposited into the public affairs office domicile in the department of legal and justice affairs at the County Government”

<sup>3</sup> The wider roads that did not encroach structures were retained for connectivity purposes.

<sup>4</sup> The surrenders will happen when an individual will be seeking approval of development plans in the future *and is part of Development Control by the County to enhance Accessibility*

## **Approach and Methodology**

The methodology adopted during preparation of this report was guided by World Bank OP 4.12 on Involuntary Resettlement, KISIP Resettlement Policy Framework (RPF) 2014, Land Act, 2012 and other relevant enabling legislations.

## **Public Consultations**

The process of preparing the initial Local Physical Development (Advisory) Plan (LPDP) was done through consultations with stakeholder throughout planning and surveying process in the settlement. The consultations were held at various planning stages which included the following workshops; Mobilization & Sensitization of Key Stakeholders, Awareness, Sensitization, Visioning and Base map validation and the Draft Local Physical Development (Advisory) Plan (LPDP) presentation Workshop.

The stakeholders' technical review meeting on amendment of the LPDP was held on 15<sup>th</sup> to 19<sup>th</sup> January 2019 in Nakuru between Director of Physical Planning, Garissa County Representatives, KISIP PCT and the Consultant. The main outcome of the meeting was an agreement on the roads hierarchy which was summarized as primary roads: 12m, secondary roads: 9m, service lanes: 6-8m, foot paths: below 6m). In the workshop it was also agreed that the desired road hierarchy shall be achieved incrementally through the development control mechanisms to be developed by the County Government of Garissa through a policy.

A PAPs meeting was held with the PAPs on 8<sup>th</sup> August, 2019 at Masjidul Madina Mosque at Riig Settlements in Garissa Town where various issues were discussed related to; (i) legal and policy provisions with regard to ARAP, (ii) Identified ARAP impacts in the settlement after census and applicable entitlement, (iii) Community preferred mode compensation, Gender inclusivity in the ARAP process, (iii) Support to vulnerable groups and Plenary discussion.

## **Mitigation of Adverse Impacts**

The Project Affected Persons (PAPs) irrespective of their tenure status are eligible for assistance or compensation if their assets or livelihoods sources were affected by planning and surveying activities before the cut-off date set at 4<sup>th</sup> March, 2018. This date was adopted during the Draft Plan Presentation workshop that was held at Lantern House in Garissa town on 24<sup>th</sup> January, 2018.

Therefore, all structures affected will be compensated at full replacement cost while livelihoods will be compensated with cash as per the provisions of the entitlement matrix presented in table 8-1 in chapter 8 of this report. For vulnerable PAPs and as provided by the KISIP Resettlement Policy Framework (RPF), this ARAP provides for additional Kshs 4,000 for the first 2 months, specialized<sup>5</sup> assistance during relocation and priority in disbursement of compensation funds. KISIP will forward the details of the elderly to Garissa County Government for enlisting to government social programme such as the "*Inua Jamii*" cash transfer programme for aged persons.

## **Grievance Redress Mechanism**

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<sup>5</sup>Specialized assistance will include assistance in reconstruction of affected structures through provision of transport and labour by the community and SEC during reconstruction of the affected structures.

This ARAP provides for a three tier Grievances Redress Mechanism (GRM) at no cost to the PAPs. The first tier is the Settlement Grievance Redress Committee (SGRC) which already exists within the settlement with assistance of the clan elders and the SEC members who discuss and agree on amicable resolutions. This committee will be the first level of grievance redress.

The second level will be the Resettlement Implementation Committee (RIC) which will comprise of KISIP Project Coordinating Team (PCT), Garissa County KISIP representative and the local administration. The third tier will be the Courts of Law to be adopted as the last resort. A grievance log already issued to the SGRC will document all grievances and their status and will be used to monitor GRM progress.

### **Implementation of the ARAP**

The primary responsibility for the implementation of this ARAP is with KISIP Project Coordination Team (PCT) and the Garissa County Government KISIP Unit. These units will ensure that all PAPs are adequately facilitated as provided in the implementation schedule provided as table 10.4 in chapter 10 of this ARAP.

### **ARAP Implementation Budget**

This ARAP provides a total implementation budget of KShs 4,822,355.00 (Four Million, Eight Hundred and Twenty-Two Thousand, Three Hundred and Fifty-Five Shillings only). The cost includes valuation of the affected structures and livelihood sources for 51 PAPs<sup>6</sup>, extra assistance cost of the 8 PAPs who are vulnerable, Awareness raising, extra community engagements to identify the 16 unknown PAP sand sensitization of Beneficiaries and PAPs and cost of Monitoring and Evaluation. The PAPs will be paid compensation allocation prior to issuance of Lease certificates as presented in the ARAP implementation schedule provided in chapter 10 table 10.4.

### **Monitoring and Evaluation**

The monitoring and evaluation framework provided by this ARAP spells out a 3-level monitoring arrangement to be used to evaluate achievement of ARAP commitments. The levels include; internal monitoring to be undertaken by KISIP RIC and safeguards team, external monitoring to be undertaken by an independent firm hired by KISIP and a final completion audit to be undertaken after implementation of the LPDP.

The parameters to be monitored will include among others; number of PAPs facilitated including vulnerable PAPs, number of beneficiaries issued with Lease certificate and number of grievances triggered and successfully resolved. Detailed monitoring and evaluation plan are presented in chapter 11 of this ARAP.

### **ARAP Commitments**

The primary responsibility of implementation of the ARAP is with KISIP Project Coordination Team (PCT). The team will ensure that all PAPs are adequately facilitated according to the entitlements and commitments of this ARAP prior to issuance of Lease certificates to

<sup>6</sup> The 16 unknown PAPs will not be facilitated until they are positively identified through the strategy provided in sub section 2.2.3 of these report. The normal facilitation procedure will be adopted thereafter once positively identified. If not identified, the funds will be deposited into the public affairs office domicile in the department of legal and justice affairs at the County Government.

beneficiaries. This ARAP also provides specific commitments that will be undertaken by KISIP during ARAP implementation phase; these commitments are provided in chapter 12 section 12.2.

DISCLOSURE COPY

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## CHAPTER 1: BACKGROUND INFORMATION

### 1.1 KISIP General Information

The Kenya Informal Settlements Improvement Project (KISIP) is a five-year project with the objective improving living conditions of residents in Kenya's urban informal settlements. The Project Development Objective (PDO) is to improve living conditions of people living in informal settlements in selected Counties in Kenya. The Project is jointly financed by the World Bank, AFD and SIDA. The Ministry of Transport, Infrastructure, Housing and Urban Development, is the implementing arm of the Government. The Project's specific interventions include enhancing tenure security, settlement level planning, infrastructure services provision, and planning for future urban growth to prevent the growth of informal settlements. The KISIP Project became effective in June, 2011 and will close in November 2019.

The Project covers the following fourteen (14) Counties: Nairobi City, Mombasa, Kisumu, Nakuru, Uasin Gishu, Nyeri, Kiambu, Embu, Garissa, Kakamega, Kericho, Kitui, Machakos and Kilifi. In line with the Project's Component 2 on enhancing tenure security, KISIP prepared a local Physical Development (Advisory) Plan (LPDP) 2019 – 2025 for Riig Informal Settlement (Phase 2<sup>7</sup>) located in Garissa County.

### 1.2 Riig Informal Settlement (Phase 2)

The settlement is located in Galbet Ward, Garissa Township Sub-County in Garissa County. Garissa County is one of the three counties in the North Eastern region of Kenya. The project area lies off Garissa-Wajir Highway (A3), borders Riig informal settlement (Phase I) to the North, Makhanu to the far North and Qubar Mosque to the Southwest. The project area spatially occupies several areas namely; Bulla Hagar, Bulla Medina and Bulla Adhan.

The entire Riig Informal Settlement covers an approximate area of 474 Ha. However, the section delineated for the planning and survey project covers an approximate area of 210.22 Ha (45% of the entire settlement area).

#### **Population Size**

The project area covers 45% of Riig informal settlement and has a population of 13,343 persons with approximately 1542 households and an average household size of 8.

#### **Population Projection**

Garissa County has a population growth rate of 4 percent per annum. Using this growth rate, the population of the project area is projected to increase to approximately 13,910 and 16,924 persons by the year 2020 and 2025 respectively. However, several other factors will influence the population projections. These include fertility rate, growth rate, immigration and emigration, HIV prevalence among others

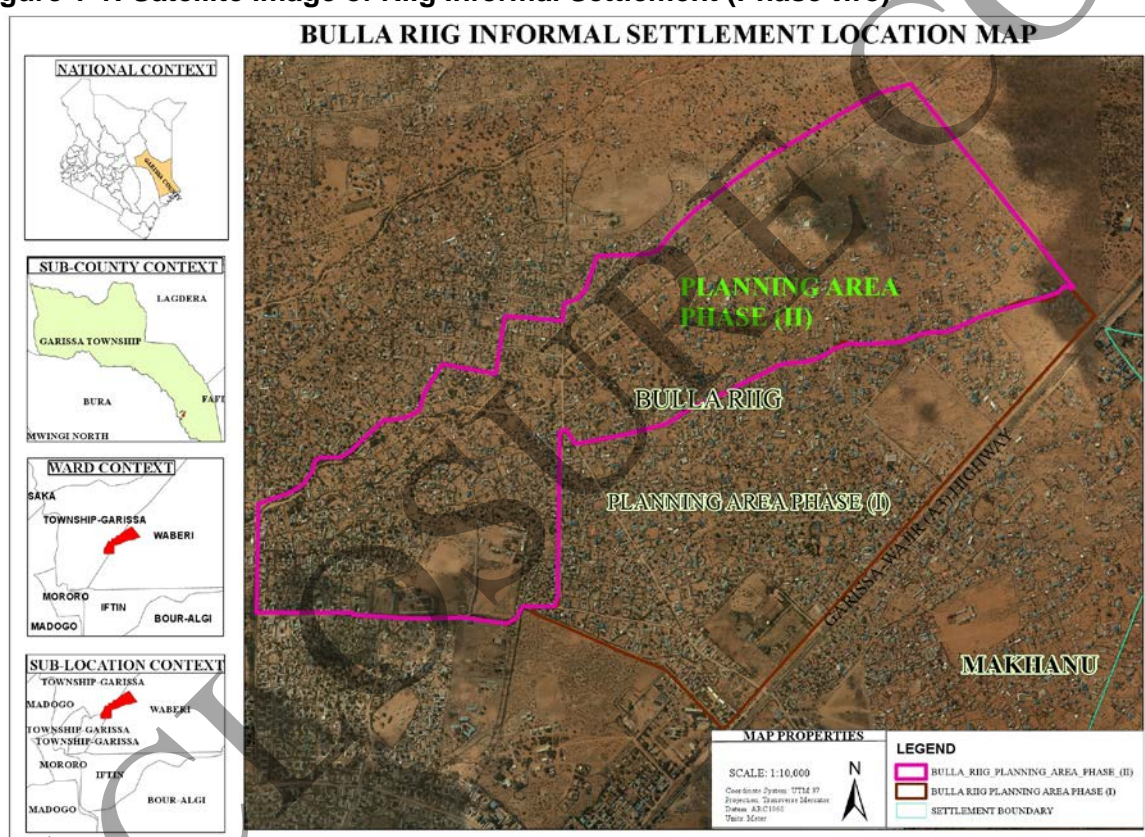
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<sup>7</sup> KISIP intervention in the settlement under phase 2 entitled planning and surveying of 210.22 Ha part of the settlement where 1781 beneficiaries who include; single ownership 1331 (999 males, 332 females), co-ownership 10 (male 6, female 4), multiple ownership 73 (males 65, female 8), absentee occupiers 355 and 12 public facilities. A separate ARAP report has been prepared for phase 1.

**Table 1-1: Population Projection**

Settlement	Area (Ha)	Projected Population		
		2019	2020	2025
Planning Area	210.22	13,343	13,910	16,924
Entire Riig Informal Settlement (Cluster IV, Phase One)	474	17,372	18,067	21,982

Source: Field Survey, 2017

**Figure 1-1: Satellite image of Riig Informal Settlement (Phase two)**

### 1.3 KISIP's Interventions in the Settlement

KISIP Component 2 intervention in Riig Informal Settlement (Phase 2) involved physical planning and surveying of the settlement to ensure the beneficiaries are issued with Lease certificates for the plots they occupy (tenure security). The initial Local Physical Development Plan (LPDP) for the Settlement was prepared through a participatory planning approach where by the stakeholders' concerns were taken into consideration.

However, the plan could not be implemented because it was based on conventional standard road reserve of 9-15M that ultimately resulted to possible displacement of 571 PAPs who own structures that encroach into the road reserves. Therefore, the displacement impacts related to the LPDP described above necessitated re-planning of the settlement through the use of

<sup>8</sup>hybrid of conventional and adoptive standards. Ultimately, this resulted to amendment of the initial LPDP to now approved (7<sup>th</sup> May, 2019) Local Physical Development (Advisory) Plan (LPDP) prepared to guide development for a period of Seven (7) years, (2019 – 2025).

The amended LPDP eliminated displacement impacts initially triggered in the settlement. However, opening of access roads proposed in the amended advisory LPDP will impact 51 PAPs who own structures encroaching into road reserves, this information is detailed in chapter 6 of this report.

#### **1.4 Objective of the ARAP**

The main objective of this ARAP is to identify and provide mitigation measures for social impacts caused by tenure regularization activities to people's assets and sources of livelihood in the settlement. Further, this ARAP provides Project Affected Persons (PAPs) with appropriate compensation for their affected assets at full replacement cost and compensation for affected livelihoods. The ARAP also provides appropriate support to the 8 PAPs identified as vulnerable within the settlement.

#### **1.5 Scope of the ARAP**

Therefore, the scope of the assignment involved the following tasks:

- a. Development of ARAP for the settlement in line with national legislations, KISIP Resettlement Policy Framework and World Bank's OP 4.12
- b. Preparation of a socio-economic survey of the affected PAPs with focus on income streams and women.
- c. Development of innovative and implementable resettlement options for the PAPs based on existing situation and context of the settlement.
- d. Conduction of extensive and in-depth stakeholder consultations with all project stakeholders.
- e. Proposing an acceptable entitlement matrix to guide compensation and other mitigation actions to PAPs.
- f. Compilation of an accurate PAP and asset register that is acceptable to the PAPs.

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<sup>8</sup> A combination of conventional planning standards and adoptive option

## CHAPTER 2: LAND TENURE REGULARISATION AND TITLING

### 2.1 Tenure Regularization the Settlement.

The initial Local Physical Development Plan (LPDP) for the Settlement was prepared through a participatory planning approach where by the stakeholders' concerns were taken into consideration. However, the plan could not be implemented because it was based on conventional standard road reserve of 9-15M that ultimately resulted to possible displacement of 571 PAPs who own structures that encroach into the road reserves. The process is summarized in **table 2.1** below:

**Table 2-1: Tenure Regularization and Land Titling Process – Initial LPDP (2016)**

Stage	Activities	Primary Actor	Secondary Actor	Indicators	Timelines
Mobilization Stage	Community mobilization introduction of KISIP activities in the settlement Outlining the objective of planning and survey which will lead to issuance of Lease certificates.	SEC KISIP	County Government	Equal representation in SEC composition Community Welcomed the project as they have been waiting on Lease certificate for a long time. Community committed to embrace and support the project until completion	Undertaken
<b>Planning Stage</b>					
Base Map and physical verification	Transect walks guided by SEC, beneficiaries identified. existing plot boundaries form basis for planning and surveying 100 % socioeconomic survey of beneficiaries	Community SEC Consultant working under KISIP	KISIP County Government	Base map for the settlement Every Beneficiary is enumerated Participation of SEC ensured that only members of the settlement are the Beneficiaries Beneficiary list representative	Undertaken

Stage	Activities	Primary Actor	Secondary Actor	Indicators	Timelines
				of women beneficiaries.	
Visioning and LPDP preparation	A community led visioning process Community prioritizes accessibility Community involved in preparation of plan that best represents their interests.	Community SEC Consultant working under KISIP	KISIP County Government	Active Women participation in every planning stakeholder meeting. Community endorse road hierarchy for the settlement. Community aware of and endorse minimum reduction in plot sizes to provide accessibility and facilitate titling	Undertaken
Plan Validation and Approval	A community led validation of plan ensured community vision is represented Community endorsed and approved Plan Plan approved by county and Director of Physical planning	Community SEC Consultant working under KISIP	KISIP County Government	Community approval of plan County and Director of Physical Planning approval of Plan step towards tenure regularization and issuance of titles	Undertaken
<b>Surveying stage</b>					
Surveying and beaconing of plots	Physical Survey of Plots Women asked to be present during exercise and shown	Community SEC Consultant working under KISIP	KISIP County Government	Women aware of plot boundaries. Impacts and PAPs documented	Undertaken triggers displacement of 571 PAPs because of use of conventional planning

Stage	Activities	Primary Actor	Secondary Actor	Indicators	Timelines
	boundaries of new plot where beacons have been placed. Identification of impacts				standards therefore re-planning initiated
Validation of Beneficiary List	Every beneficiary allowed scrutinizing the beneficiary list to ensure correct details have been input. Women encouraged participating.	Community SEC Consultant working under KISIP KISIP	County Government	Women ensure correct details are in the beneficiary list and sign against the details	Undertaken

## 2.2 Amendment to the Local Physical Development Plan (Advisory Plan)

The displacement impacts to 571 PAPs related to the LPDP described above necessitated re-planning of the settlement through the use of a <sup>9</sup>hybrid of conventional and adoptive standards and subsequent amendment Local Physical Development (Advisory) Plan (LPDP) prepared to guide development for a period of Seven (7) years, (2019 – 2025).

The amendment to the LPDP was participatory where the community, opinion leader and technical personnel from Garissa were consulted. The process of community involvement was achieved through community meeting organized in Garissa on 17<sup>th</sup> September 2018 for the community and opinion leaders and a technical stakeholder workshop on amendment of the LPDP held in Nakuru on 15<sup>th</sup>-19<sup>th</sup> January 2019. Details of the meeting outcome are presented in sub section 5.2

The re-planning process adopted is summarized in **table 2.2** below.

**Table 2-2: Amendment to the Local Physical Development Plan (Advisory Plan)**

Stage	Activities	Primary Actor	Secondary Actor	Indicators	Timelines
<b>Re- Surveying stage</b>					
Re-planning	A community led re-planning process to minimize	Community SEC	KISIP County Government	Community approval of the amended Plan	Undertaken

<sup>9</sup> A combination of conventional planning standards and adoptive option

Stage	Activities	Primary Actor	Secondary Actor	Indicators	Timelines
	displacement impacts endorsed by Director of Physical planning	Consultant working under KISIP			
Stakeholder Workshop on Re-planning	Stakeholder workshop with the department of Physical Planning and County Government to build consensus for re-planning	Director of Physical Planning and County Government of Garissa Officials	Director of Physical Planning KISIP County Government	Proposal of amending the LPDP approved	Undertaken
Re - Surveying and beaconing of plots	Physical Survey of Plots Women asked to be present during exercise and shown boundaries of new plot where beacons have been placed. Identification of impacts	Community SEC Consultant working under KISIP	KISIP County Government	Women aware of plot boundaries. Impacts and PAPs documented	Undertaken
<b>ARAP Preparation</b>					
ARAP Preparation	Identified impacts are as a result of planning and survey are identified, documented and mitigated	Community SEC Consultant working under KISIP	KISIP County Government	Entitlements are given to mitigate impacts	Undertaken
ARAP Approval	Ensure client commitment to implementation of ARAP. All safeguards provisions are	KISIP World Bank	Consultant working under KISIP	Approved ARAP to guide implementation process and issuance of Titles	Ongoing

Stage	Activities	Primary Actor	Secondary Actor	Indicators	Timelines
	met and addressed				
ARAP implementation	Implementing ARAP activities as per implementation schedule	KISIP Community County	Consultant working under KISIP	Facilitation of PAPs GRM Issuance of Lease certificates (undertaken after facilitation)	Not yet undertaken
<b>Land Titling</b>					
Sensitization on Title ownership	Registrar of Titles Sensitizes Beneficiaries and their spouses on (i) Joint Ownership of titles (ii) Types of registrations (iii) Benefits of the Titles (iv) Conditions to be granted on leasehold Titles (v) Law requirements in Regulation of land transactions	Registrar of Titles Community SEC KISIP	County Government Consultant working under KISIP	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
Change of beneficiary List	Beneficiary list open for final change of names to appear in the title	Community SEC Consultant working under KISIP KISIP	County Government	Increased number on Joint Title between spouses Beneficiaries on the final beneficiary list forwarded to the Ministry of	On Going

Stage	Activities	Primary Actor	Secondary Actor	Indicators	Timelines
				Lands for Title printing.	
Titles Printing and Signing	The final beneficiary list is the basis of printing of Titles	Ministry of Lands- Chief Land Registrar		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 the Settlement	National Land Commission		The names of Beneficiaries is 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	County	Beneficiaries finally have individual titles to their land. Tenure regularization is complete	Not yet undertaken

### 2.2.1 Minimization of Tenure Regularization Impacts

The approved Local Physical Development Advisory Plan (LPDP) was prepared with minimum acceptable levels of impacts on PAPs Assets and Livelihoods using <sup>10</sup>hybrid of conventional and adoptive planning approach option. This option proposes provision of <sup>11</sup>12-15m for primary roads, 9m for secondary roads, and 8-6M for service lane and below 6M for footpaths to be implemented in the immediate term. In addition, through the development control regularization policy to be developed by the County Government of Garissa, the 6m services lanes will be expanded to 9m road reserves while the footpaths will be expanded to 6m service lanes.

This will be done by ensuring that the owners of the plots abutting these roads surrender the recommended widths for road expansion when they submit their development applications for approval during the development regularization process. **Table 2-3** provides the options that were considered during the planning phase the effort to minimize tenure regularization impacts.

<sup>10</sup>A combination of conventional planning standards and adoptive approach

<sup>11</sup> The wider roads that did not encroach structures were retained for connectivity purposes.

**Table 2-3: Planning Options Considered minimizing disruptions**

<b>Planning Standard</b>	<b>Advantages</b>	<b>Disadvantages</b>
<b>Provision of Standard Hierarchical Road Network Option</b>	<ul style="list-style-type: none"> <li>- Improved accessibility</li> <li>- Improved road connectivity</li> <li>- Improved local economy through the provision of additional commercial areas</li> <li>- Provision of basic social facilities like an ECD centre</li> </ul>	<ul style="list-style-type: none"> <li>- High levels of disruption a phenomenon which is against the stakeholder's concerns of ensuring minimal disruption'</li> <li>- High number of the Project Affected Persons (PAPs) which would result to high compensation costs.</li> <li>- High cost of implementation</li> </ul>
<b>Provision of Basic Minimum Access Roads Option</b>	<ul style="list-style-type: none"> <li>- Ensure minimal disruption</li> <li>- Reduced number of PAPs hence low compensation costs</li> <li>- Low cost of implementation in the short run</li> </ul>	<ul style="list-style-type: none"> <li>- Limited road connectivity</li> <li>- Limited access to individual properties</li> <li>- Congestion and traffic snarl ups in the long run</li> <li>- High cost of road expansions in the future</li> </ul>
<b>Hybrid of Convectional and Adoptive Approach Option</b>	<ul style="list-style-type: none"> <li>- Eliminated / Reduced displacement impacts</li> <li>- Short travel distance in accessing various activity spaces in the settlement</li> <li>- Relatively low cost of implementation as the number of PAPs will significantly reduce</li> <li>- Desired roads will be attained through subsequent expansion free of cost through the development control regulation policy of the County Government.</li> <li>- Enhanced local economy through the provision of additional commercial areas</li> </ul>	<ul style="list-style-type: none"> <li>- Limited road connectivity</li> </ul>

### 2.2.2 List of Beneficiaries

KISIP intervention in the settlement under phase 2 entitled planning and surveying of 210.22 Ha part of the settlement where 1781 beneficiaries who include; single ownership 1331 (999 males, 332 females), co-ownership 10 (male 6, female 4), multiple ownership 73 (males 65, female 8), absentee occupiers 355 and 12 public facilities. The table below summarizes the plot distribution by ownership and gender:

**Table 2-4: List of Beneficiaries**

Category of Beneficiary	Total Number of Titles/Plots	Total Number of Beneficiaries by Gender		
		Male	Female	Total
Single ownership	1331	999	332	1331
Co-ownership	5	6	4	10
Multiple Ownership	156	65	8	73
Absentee Occupier <sup>12</sup>	355			355
Public Parcels	12			12
<b>TOTAL</b>	<b>1859</b>			<b>1781</b>

### 2.2.3 Identification and Safeguarding of Absentee Occupiers

Garissa Town is situated in an Arid and Semi-Arid land where majority of the people are pastoralist. Therefore, the absentee occupiers could be linked to pastoralism whereby people move with livestock in search for fodder and water. Numerous attempts of reaching them through the SEC members, neighbors and several visitations to the plots, during and after the enumeration exercise. The other strategies that were used to identify the unknown PAPs was through; (i) Announcement in local mosques, public barazas and during market days and local radio stations in Garissa which broadcast in somali language. Further inquest was done at the Garissa County land rates offices but no data of such persons was secured.

Table 2-5 below present's details of absentee occupiers.

**Table 2-5: Breakdown of Absentee Occupiers**

Category	Number of Absentee Occupier
Undeveloped/vacant (not occupied and the owners are not known)	149
Developed (have structures <sup>13</sup> ) but details of actual plot owners not known	203

### Annex 8 of this report presents Map of Absentee Occupiers

The LPDP provides that the County Government of Garissa and the National Lands Commission (NLC) hold in Trust the plots that were not enumerated, until such a time that the right plot claimants would turn up. This position was adequately communicated to the community on all sensitization forums.

To correctly identify the absentee plot owners, the LPDP provides that beneficiary produces proof of plot possession (letter of allotment, land rates receipts, sale agreement, transfer document, etc.) which will then be authenticated by the County KISIP Team, NLC representative and the County Land Administrator / Registrar. To further safeguard the sanctity of the process, the SEC members, Local administration (ward administrator, Area Chief);

<sup>12</sup> These numbers can rise in case the beneficiaries are joint owners of some plots.

<sup>13</sup> The structures are unoccupied and abandoned while others are incomplete.

immediate neighbors and tenants, in cases where the plot has rental units, will be required to vet the claimant.

The County Executive Member (CEC) should thereafter give an official authorization for the legal process of transfer of the plot to commence (as stipulated in the Land Registration Act, 2012 and National Land Commission Act, 2012) if satisfied that the verification procedure of the claimant has been conducted properly and that the plot is clear of disputes.

**Annex 1 of this report presents amended approved Local Physical Development (Advisory) Plan (LPDP) for Riig Informal Settlement (Phase 2).**

## **CHAPTER 3: POLICY AND LEGAL PROVISIONS**

### **3.1 General Information**

Provisions of both GoK Laws and OP 4.12 of the World Bank will apply in the KISIP project and where gaps are encountered, gap filling measures have been provided. Additionally, project development has been firmly anchored on principles aimed at mitigating displacement impact as follows:

- i. Involuntary Resettlement should be avoided where feasible
- ii. Minimization of displacement
- iii. Ensure all PAPs are adequately compensated for all losses they suffer as a result of the project intervention.
- iv. Enhancement of benefits and Livelihood Restoration.
- v. Assistance to vulnerable groups.
- vi. Gender Empowerment and Inclusivity.

In order to mitigate the adverse social impacts to the affected persons, the Government of Kenya as and the World Bank have legal provision and safeguard policies (OP 4.12) as summarized in table 3-1 below:

**Table 3-1: Legal and Policy Provision in relation to Resettlement**

Applicable legal and policy provisions	Applicable Provisions
The Constitution of Kenya, 2010	<p>The Constitution of Kenya, 2010,<sup>14</sup> protects the sanctity of private property rights and states that no property can be compulsorily acquired by the Government except in accordance with law.<sup>15</sup> Article 40(3). The Constitution entrenches the protection of legally acquired land and property rights, and any acquisition of rights to land and property; whether it's voluntary or involuntary, must comply with the applicable law. However, in the settlement, planning and regularization is on public land therefore land acquisition is not applicable. The recognition of alternative dispute resolution mechanisms is aimed at expediting issues of land rights, transfer and supporting economic development.</p>
Constitutional Provisions and Disability	<p>The Constitution of Kenya 2010, (Chapter 4, part III), Application of Rights (Clause 54) recognizes people with any disability and provides for their:</p> <ul style="list-style-type: none"> <li>a) treatment with dignity and respect and to be addressed and referred to in a manner that is not demeaning; for</li> <li>b) reasonable access to all places, public transport and information;</li> <li>c) And to access materials and devices to overcome constraints arising from the person's disability.</li> </ul> <p>This ARAP identified no disabled person among beneficiaries.</p>
National Land Policy 2007	<p>The <b>National Land Policy</b> ("NLP" or "Policy")<sup>16</sup> was adopted in August 2009 with the aim of providing an overall framework for new legislation and defining key measures required to address critical issues such as land administration, access to land, land use and restitution related to historical injustices and an outdated legal framework.</p> <p>Section 3.6 of the Policy is exclusive on Informal Settlements and its provisions deal with the challenges presented by squatters in informal settlements; of importance to KISIP is the provision on regularization of existing squatter settlements found on public and community land for purposes of upgrading or development which is in line with what KISIP seeks to achieve in the settlement. The same section provides guidelines</p>

<sup>14</sup> The Constitution of Kenya, 2010, was adopted by the Government of Kenya on 27 August 2010. The full text is available at [http://www.kenyalaw.org/klr/fileadmin/pdfdownloads/Constitution/Constitution\\_of\\_Kenya2010.pdf](http://www.kenyalaw.org/klr/fileadmin/pdfdownloads/Constitution/Constitution_of_Kenya2010.pdf), accessed May 25, 2011.

<sup>15</sup> Constitution of Kenya, art. 40

<sup>16</sup> *Sessional Paper No. 3 of 2009 on National Land Policy* (referred to as the "National Land Policy" in this report) was adopted in August 2009 by the Ministry of Lands. Available at [http://www.lands.go.ke/index.php?option=com\\_content&task=view&id=238&Itemid=48](http://www.lands.go.ke/index.php?option=com_content&task=view&id=238&Itemid=48), accessed May 25, 2011.

Applicable legal and policy provisions	Applicable Provisions
	on gender and equity principles relating to land rights on matters to do with land and resettlement. Land rights for women will be upheld in granting titles in the settlement.
The Land Act (2012)	The Land Act 17("LA") was adopted on 2nd May 2012 and provides for sustainable administration and management of land and land-based resources. 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 Act was amended in 2016; relevant amendments related to involuntary resettlement are presented in the next row below.
The Land Laws (Amendment) Act 2016 to include Evictions Guidelines April 2017	<p>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 negative impacts on a wide range of international recognized human rights.</p> <p>This policy will be 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 in. Where assets and livelihoods are affected, the project provides for compensation. The beneficiaries will also be given sufficient notice to self-demolish affected assets (after compensation).</p>
The Environment and Land Court Act, 2012	The Act is in line with Article 162(2) (b) of the Constitution; to establish a superior court to hear and determine disputes relating to the environment and the use and occupation of, and title to land, and to make provisions for its jurisdiction, functions and powers, and for connected purposes. This shall be an important institution in case of grievances with regard to displacement that cannot be solved through the proposed ARAP grievance redress system.
The Valuers Act (1985)	The Valuers Act <sup>18</sup> establishes the Valuers Registration Board, which regulates the activities and practice of registered valuers. As of March 2011, there were 285 registered valuers in Kenya. <sup>19</sup> The ARAP team has made use of the services of registered valuers who are approved by Valuers Registration Board.

<sup>17</sup> Land Act, 2012.

<sup>18</sup>The Valuers Act, Chapter 532, [http://www.kenyalaw.org/kenyalaw/klr\\_app/frames.php](http://www.kenyalaw.org/kenyalaw/klr_app/frames.php), accessed May 25, 2011.

<sup>19</sup>Government of Kenya, Kenya Gazette notice no. 2892, March 18, 2011.Registered and Practicing Valuers.

Applicable legal and policy provisions	Applicable Provisions
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 like land. In complying to this Act, this ARAP provides for equal right to information regarding compensation of affected structure and disbursement of compensation funds through a joint account opened by both spouses.
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 Bill of Rights under the Constitution of Kenya. Section 5 of the Act outlines involvement of the affected persons through awareness, sensitization, training and education on causes, impacts, consequences and prevention measures. The Act therefore provides enacted guidelines in the event of displacement in the settlement.
KISIP's Resettlement Policy Framework	The main purpose of the RPF is to guide resolution of any displacement anticipated from project activities. The World Bank OP 4.12 requires that an RPF be prepared for all projects that anticipate displacement of both settlements and livelihoods. There will be no displacement anticipated from KISIP activities. ARAP has been prepared for the Project and 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 persons to improve or at least restore their pre-impact living standards.

### 3.2 World Bank Safeguard Policy on Resettlement

The World Bank Operational Policy 4.12 is a common standard of approved principles and guidelines for compensation/resettlement for this type of project. World Bank principles should, however, be harmonized with the national laws of the subject country where the project is to be funded to the extent possible. In case of conflict between OP/BP 4.12 and national laws, OP/BP 4.12 will prevail as detailed in **table 3.2** below.

**Table3-2: World Bank OP 4.12 and Government of Kenya requirements including Gap filling Measures**

OP 4.12	Kenyan Legislation	Gap filling Measures
<b>GENERAL REQUIREMENTS</b>		
<p>World Bank OP 4.12 has overall policy objectives, requiring that:</p> <ol style="list-style-type: none"> <li>1. Involuntary resettlement should be avoided wherever possible, or minimized, exploring all alternatives.</li> <li>2. Resettlement programs should be sustainable, include meaningful consultation with affected parties, and provide benefits to the affected parties.</li> <li>3. Displaced persons should be assisted in improving livelihoods etc., or at least restoring them to previous levels.</li> </ol>	<ol style="list-style-type: none"> <li>1. The Land Act, 2012 Act outlines procedures for sensitizing the affected population to the project and for consultation on implications and grievance procedures.</li> <li>2. The Land Act 2012 guarantees the right to fair and just compensation in case of relocation.</li> <li>3. 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 inevitable.</li> <li>4. Just and fair compensation as outlined in the Land Act 2012 is not clear and can only be determined by NLC, which can be subjective. It does not talk about improving livelihood or restoring them to pre-project status.</li> </ol>	<ol style="list-style-type: none"> <li>1. Ensure that resettlement issues are considered at the design stage of the project to avoid/ minimize resettlement. this includes minimum planning standards adopted for KISIP</li> <li>2. Implement World Bank OP 4.12 policy –affected persons should be assisted in improving their livelihood to pre-project status.</li> </ol>
<b>PROCESS REQUIREMENTS</b>		
<p><b>Consultation:</b> Displaced persons should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs, the policy is particular on involving vulnerable</p>	<p>The Land Act outlines procedures for consultation with affected population by the NLC and grievance management procedures.</p>	<p>Implement consultation procedures as outlined in both Kenyan legislation and World Bank. For involvement of vulnerable and women, the OP 4.12 will be applicable.</p>

OP 4.12	Kenyan Legislation	Gap filling Measures
and marginalized as well as women in the process.		
<b>Grievance:</b> For physical resettlement, appropriate and accessible grievance mechanism will be established.	Land Act 2012 clearly outline the steps and process for grievance redress that includes alternative dispute resolution, re-negotiation with NLC and is backed by the judicial system through Environmental and Land Court Kenyan legislation meets OP4.12 requirements.	Adopt both by providing for alternative grievance mechanism that are project based. Affected persons also free to seek legal redress if not satisfied.
<b>Eligibility Criteria</b> Defined as: (a) those who have formal legal rights to land (including customary and traditional rights recognized under the laws of the country); (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 country or become recognized through a process identified in the resettlement plan. (c) Those who have no recognizable legal right or claim to the land they are occupying. To determine eligibility:	The Land Act 2012 provides that written and unwritten official or customary land rights are recognized as valid land right. The Law provides that people eligible for compensation are those holding land tenure rights. Land Act also recognizes those who have interest or some claim in the land such as pastoralist or who use the land for their livelihood. The constitution recognizes ‘occupants of land even if they do not have titles’ and payment made in good faith to those occupants of land. However, this does not include those who illegally acquired land.	Ensure ALL users (including squatters, laborers, rights of access) of affected lands are included in the census survey or are paid.  Implement cut-off procedures as outlined in the RPF and Kenyan Law.

OP 4.12	Kenyan Legislation	Gap filling Measures
Carry out resettlement census. Cut-off date for eligibility is the day when the census begins.	Land Act 2012 provides for census through NLC inspection and valuation process but is not clear on cut-off date.	
<p><b>Measures:</b> Preference should be given to land based resettlement strategies for displaced persons whose livelihoods are land-based.</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 OP4.12 Article 6(a) requires that displaced persons are provided with prompt and effective compensation at full replacement cost for losses of assets attributable directly to the project.</p> <p>If physical relocation is an impact, displaced 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. Replacement cost does not take depreciation into account. In terms of valuing assets, if the residual of the asset</p>	<p>Land Act 2012 appears to prefer cash for cash as the mode of 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. Attorney's fees, cost of obtaining advice or cost incurred in preparing and making written claim not in the Land Act.</p> <p>The Act does not out rightly stipulate assistance for relocation but rather that is left subject to interpretation.</p>	<p>Ensure that all alternative options are considered before providing cash compensation.</p> <p>OP 4.12 Prevails.</p> <p>OP 4.12 Prevails. Implement prompt and effective compensation at full replacement cost for the losses of the assets. Ensure that ALL resettlement options are agreed on with PAPs and put in place BEFORE displacement of affected persons.</p>

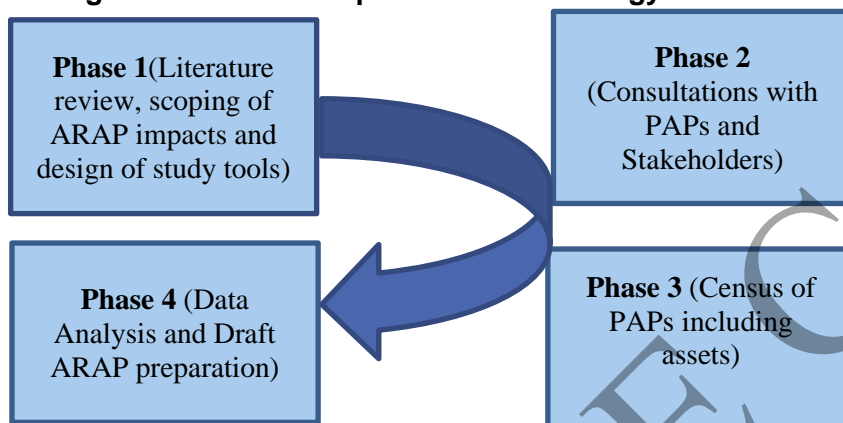
OP 4.12	Kenyan Legislation	Gap filling Measures
being taken is not economically viable, compensation and assistance must be provided as if the entire asset had been taken.		
<b>Valuation:</b> With regard to houses and other structures, it is the market cost of the materials to build a replacement structure with an area and quality similar to or better than those of the affected structure, The cost of transporting building materials to the construction site, the cost of any labor and contractors' fees and the cost of any registration and transfer taxes.	Valuation is covered by the Land Act 2012 and stipulates, as already mentioned, that the affected person receive just compensation but it is not specific of the exact amount or procedures on the same.	Apply the World Bank OP4.12 valuation and compensation measures.

## CHAPTER 4: APPROACH AND METHODOLOGY

### 4.1 Approach and Methodology

The methodology adopted during preparation of this report was guided by World Bank OP 4.12 on Involuntary Resettlement and KISIP RFP. The below listed phases detail the participatory methodology applied in the preparation of this ARAP;

**Figure 4-1: ARAP Preparation Methodology**



#### 4.1.1 Phase 1: Literature Review

The desktop review assessed relevant information and documents including sector specific policies strategies, put in place by the Government of Kenya related to ARAP. Details of Documents/ information reviewed include the following:

- i. Project Appraisal Document PAD for KISIP (2011)
- ii. KISIP Resettlement Policy Framework (RPF) revised October 2014
- iii. Approved Local Physical Development (Advisory) Plan for Riig Informal Settlement

#### 4.1.2 Phase 2: Consultations with Stakeholders including PAPs.

The task involved detailed stakeholder identification and mapping as part of the planning. The aim of this was to ensure that all the stakeholders likely to be affected or influence the project are identified and targeted as part of the planning process. Stakeholders who were engaged in the assignment included but not limited to;

- i. Garissa County Government including, town administration, County Executive Committee Member (CECM) and Chief Executive Officer (CEO) for Lands and Physical Planning, Sub County and Ward Administrators
- ii. KISIP National Coordination unit from Ministry of Infrastructure, Housing and Urban Development.
- iii. County Administration-County Commissioners, Deputy County Commissioners Assistant County Commissioners, Chiefs and Assistant Chiefs in the settlement.
- iv. Settlement Executive Committee Members (SEC) of the settlement
- v. General community members for benefiting of the settlement
- vi. Project Affected Persons (PAPs).

#### **4.1.3 Phase 3: Census and Inventory of Loss (IoL)**

This task involves consultations with affected PAPs at household-level in order to come up with a census and inventory of losses (IOL). In general, the work involved the following:

- i. Coordination with Garissa County representatives who were available to participate in the fieldwork, as agreed in the initial consultations
- ii. Household surveys with PAPs to collect information for the census and inventory of losses (IOL)
- iii. Replacement cost surveys carried out by the valuation team to establish market rates for affected assets as a basis for compensation

Details of the census field activities are given below:

##### ***Census and Inventory of Losses (IoL)***

The field team conducted complete census and inventory of losses (IOL) of all the PAPs identified within the Project area, information gathered was used to develop an inventory of assets likely to be affected by the Project.

##### ***Census***

The questionnaire collected PAP census information that registers and locates the household; and, identifies all household members (resident and non-resident) by age, sex, and relationship to head of household, education and occupation and housing conditions.

##### ***Inventory of Losses***

The process involved collection of information from PAPs about their assets that are affected temporarily or permanently: information gathered included:

- i. Structures by construction type, use, area, ownership/use rights and location, as well as the extent of loss;
- ii. Annual and perennial crops and trees, by type and area,
- iii. Business losses, by types, amounts and duration of losses (structures, incomes, jobs, customers, etc.); and,

##### **Procedures for conducting Census and IoL**

In conducting the census, the team followed the required procedures for notifying people, collecting, validating, approving and disclosing information on eligible PAPs and affected assets, stemming from national laws and regulations and OP 4.12.

##### **Valuation of Assets**

In general, the compensation for affected structures was determined on the basis of the replacement cost based on prevailing market prices. During the fieldwork the valuation team conducted systematic surveys within the Project area to determine the prices of acquiring or reconstruction similar structures. The prices were used to determine full replacement value of the affected assets.

#### **4.1.4 Phase 4: Data Processing & Analysis Methods**

##### ***Data Processing – Transcription and Translation***

The Team leader in collaboration with the other experts performed peer reviews of data transcriptions and translations for consistency, reliability and readability. Processing the data concurrently with data collection allowed for regular monitoring of team performance and data quality. Field check tables were generated during data processing to check various data quality parameters. As a result, feedback was given on a regular basis, encouraging teams to maintain high quality data collection and to correct areas in need of improvement.

The Team leader in collaboration with the other experts reviewed data to correct any errors prior to analysis. This ensured consistency, reliability and readability of the data and that data processed was of high quality. Processing the data concurrently with data collection allowed for regular monitoring of team performance and data quality during field work. Excel tables were generated during data processing to check various data quality parameters. As a result, feedback was given on a regular basis; teams had to maintain high quality data collection.

##### ***Data analysis***

Quantitative data sets were analyzed using excel data sheets, upon completion of the data entry transcriptions, the study team leader carried out qualitative and quantitative data analysis, which included a search for patterns and for concepts that help explain the patterns.

#### **4.1.5 Phase 5: Preparation of ARAP Report**

This phase involves detailed analysis of the census/ IoL data and synthesizing the results of community consultations and other consultations, previous socio-economic survey work and draft Local Physical Development (Advisory) Plan. This was in order to prepare proposals and strategies for compensation packages to be included in the ARAP.

## CHAPTER 5: PUBLIC CONSULTATION AND PARTICIPATION

### 5.1 Overview

The process of tenure regularization was highly consultative where the community members were involved through a series of meetings organized on various planning stages. The stages included socio-economic baseline survey, preparation of settlement base map, community visioning, preparation of settlement LPDP, verification of beneficiaries and during ARAP preparation as detailed in sub sections below.

### 5.2 Stakeholder Consultations Schedule.

The process of preparing the Local Physical Development (Advisory) Plan (LPDP) of the year 2018 was done through consultations with stakeholder throughout the planning and surveying process in the settlement. The process of community involvement was achieved through community meeting organized in Garissa on 17<sup>th</sup> September 2018 for the community and opinion leaders and a technical stakeholder workshop on amendment of the LPDP held in Nakuru on 15<sup>th</sup>-19<sup>th</sup> January 2019. The consultations were held as summarized in table below 5-1.

**Table 5-1: Schedule of Consultative Meetings.**

No	Meeting Type	Stakeholder	Date	Outcome
1	Mobilization & Sensitization of Key Stakeholders on the boundary delineation and commencement meeting	KISIP PCT	23 <sup>rd</sup> August, 2017	Key stakeholders aware of the project objectives and developed a participatory plan
2	Awareness, Sensitization, Visioning and Base map validation workshop	Garissa County, KISIP PCT & Settlement Representatives	11 <sup>th</sup> October, 2017	Community aware of the project objectives and developed a participatory plan
3	Socio-economic and the Draft LPDP presentation Workshop where the cutoff date of 4 <sup>th</sup> March, 2018 was declared	Garissa County, KISIP PCT & Settlement Representatives	24 <sup>th</sup> January 2018	Community endorsement of the draft LPDP and adoption of the cut-off date set on 4 <sup>th</sup> March, 2018
4	Consultative Meeting for Re-planning of Garissa Settlement	Garissa County, KISIP PCT & Settlement Representatives	17 <sup>th</sup> September 2018	Community endorsement of Re- planning of the settlements to minimize displacement impacts (minutes attached under annex 5)
5	Stakeholders' technical review	KISIP PCT	15 <sup>th</sup> – 19 <sup>th</sup> January	Decision on re-planning of the settlement was

	meetings		2019	affirmed (a combination of adoptive and conventional planning approach)
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The main outcome of the stakeholders' technical review meetings was an agreement on the roads hierarchy as summarized below:

**Table 5-2: Amendment of LPDP Workshop Resolutions.**

Workshop Date	Component	Workshop Recommendation
15 <sup>th</sup> -19 <sup>th</sup> January 2019	Road Hierarchy	<ol style="list-style-type: none"> <li>1. The road hierarchy established; (primary roads: 12-15M, secondary roads: 9M, service lanes: 6-8M, foot paths: below 6M).</li> <li>2. The desired road hierarchy shall be achieved incrementally through the development control mechanisms as established by the proposals</li> </ol>

Further, a PAPs meeting<sup>20</sup> was held at Masjidul Medina Mosque in Riig Settlements, Garissa Town on 8<sup>th</sup> August, 2019 where ARAP related issues were discussed with the PAPs as summarized in **table 5-3** below.

**Table 5-3: PAPs Meeting Outcome.**

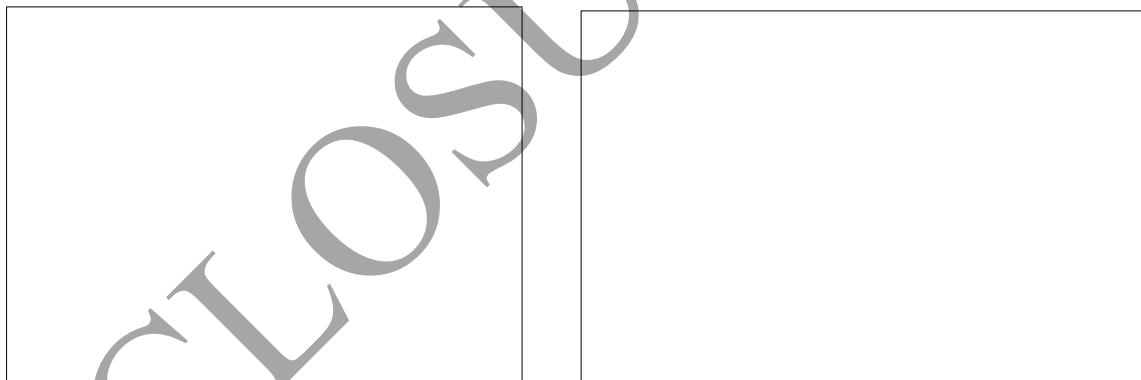
Issues raised	Resolution
They requested for more clarification on when and who will do the compensation.	The Consultant working under KISIP noted that the implementation will start within a period of not more than 3 months upon approval of the ARAP by the World Bank. He added that at the implementation phase, KISIP will ensure all PAPs are facilitated according to the provisions of this ARAP before infrastructure projects are commissioned in the settlement. He noted that the implementation tasks will be carried out by KISIP PCT with the support of Garissa County Government KISIP
Clarification on the issues regarding relocation and the parameters looked at for the structure compensation amount.	The Consultant working under KISIP informed the participants that there will be no physical relocation of the PAPs since the plots were only affected partly. He explained that the type of building material, purpose/use, area affected will be considered when determining the compensation amount.
Process to be followed in case of any grievance.	The Consultant working under KISIP explained that there is a three-tier Grievances Redress Mechanism (GRM) at no cost to the PAPs. He further noted that the first tier is the Settlement Grievance Redress Committee (SGRC) which already exists within the settlement level with assistance of the clan elders and the SEC members discuss and agree on amicable resolution. According to the

<sup>20</sup> The meeting for the Riig Informal Settlement phase one and phase two were held on the same date, However, the meetings were held at different times.

	<p>Consultant working under KISIP, this committee will be the first level of grievance redress</p> <p>The second level will be the Resettlement Implementation Committee (RIC), in case the grievances cannot be solved at the first level, which will comprise of KISIP Project Coordinating Team (PCT), Garissa County KISIP representative and the local administration, and the third tier will be the option of allowing the grieved party to seek redress at the court of law/ <i>kadhis</i>.</p>
<p>The criteria used to categorize some PAPs as vulnerable and also if they are going to get an extra assistance.</p>	<p>The Consultant working under KISIP expounded that the vulnerable PAPs were identified and will get extra assistance cost as provided by the KISIP RPF which is extra compensation given for the first two (2) months. In addition, he added that such PAPs will be given assistance in re-construction of affected structures through labor and transport costs provided by Settlement Executive Committee (SEC) or identified community members.</p>

Detailed minutes and list of attendance to the meetings described below is provided as **Annex 6** to this report.

**Figure 5-1: Photographs of PAPs Meeting in Riig Informal Settlement**



## CHAPTER 6: PROJECT IMPACTS

### 6.1 Introduction

The fundamental impact of tenure regularization is issuance of 1859 Lease certificates to 1781 beneficiaries. There was minimum loss of parcel land size in the Settlement this was achieved through community sensitization on the need to provide access to all plots as a requirement before Lease certificates are issued. Through the sensitization as well as use of <sup>21</sup>hybrid of conventional and adoptive planning approach, the amended LPDP was finalized and endorsed by the beneficiaries without loss of plots/ physical displacement of any beneficiary from the settlement.

The amended LPDP eliminated displacement impacts of 514 PAPs initially triggered in the settlement due to the initial LPDP that was prepared based on conventional planning standards. However, opening of access roads proposed in the amended LPDP will impact 51 PAPs owning structures affected by proposed road wayleaves as detailed in sub sections below.

### 6.2 Positive Impacts of the Project

Regularized land tenure will result to the below summarized benefits to community members.

#### 6.2.1 Secure Land Tenure

The Project will result to enhanced tenure security through provision of 1859 lease certificates to 1781 beneficiaries identified during planning and survey process. The main objective of KISIP's Component 2 is to provide secure land tenure in this informal settlement. Therefore, with secure land tenure, those living there can make long term investments on their land.

#### 6.2.2 Improved Housing

Traditionally, persons living in informal settlement with no legal ownership of land parcels they occupy, do not invest in permanent housing units for fear of demolitions or evictions. Secured land tenure is associated with improvement in settlement infrastructure. This is evidenced by housing investments by owners, increases in housing values, increased access to credit, access to housing infrastructure, ownership and titling, increase in household density, among others. With the tenure of the land secured, it is expected that the beneficiaries in the settlement will invest in better housing for their families.

#### 6.2.3 Improved Infrastructure

Lack of basic infrastructure such as roads, drainage, water, sewer network and security lighting are a major issue in the informal settlement. Accessibility in the informal settlement is a major challenge as roads are not developed due to lack of road reserve. The existing roads are seasonal in nature. A settlement with good road network is attractive for investment and living. Proximity of the settlement to Mombasa town will also boost the settlement outlook.

#### 6.2.4 Advancement of Women Rights to Property Ownership

Through continuous sensitization on the rights to women to own property and also encouragement of joint ownership led to increased land ownership. The total number of women

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<sup>21</sup> A combination of conventional planning standards and adoptive approach

in the settlement who will be issued with Lease certificates are 344 beneficiaries out of the total 1781 beneficiaries. This is a positive initiative towards enhancing women right to land ownership in Kenya.

### 6.3 Negative Impacts

The amended LPDP eliminated displacement impacts initially triggered in the settlement by the initial LPDP prepared under the conventional planning standards. However, opening of access roads proposed in the LPDP will impact 51 PAPs owning structures encroaching into road reserves as detailed in **table 6-2**.

#### 6.3.1 Total Number of PAPs

The total number of PAPs enumerated in the settlement are 51 PAPs. These PAPs include 27 PAPs who are male, including 2 PAPs who are vulnerable because of old age. There are 8 female PAPs of which PAPs 6 are vulnerable (3 aged, 2 widowed and 1 Female Headed Households). The remaining 16 PAPs are unknown despite efforts done by the SEC and the community local administration during planning and survey process to identify them. These PAPs were among the absentee occupiers discussed in sub section 2.3.2 and met the cutoff date of 4<sup>th</sup> March 2018 therefore eligible for compensation.

The strategies that were used to identify the unknown PAPs was through; (i) Announcement in local mosques, public barazas and during market days and local radio stations in Garissa which broadcast in Somali language. At the time of ARAP implementation, additional efforts to identify the PAPs will be undertaken.

At the time of ARAP implementation, additional efforts to identify the PAP will be undertaken at ARAP implementation stage. For loss of business, 6 PAPs will temporarily lose livelihood derived from small scale business.

All the PAPs above are structure owners who will lose part of their structures such as septic tanks, toilet or perimeter wall among others. 6 PAPs will temporarily lose livelihood derived from small scale businesses. This information is summarized in **figure 6-1** which is a PAPs flow diagram below:

**Figure 6-1: PAP Diagram**

		Total No. of PAPs 51		
	Total no. of Male PAPs- 27		Total No. of Female PAPs -8	
				Total No. of Unknown PAPs -16
Total No. of Male Vulnerable PAPs-2				Total no. of Female Vulnerable PAPs - 6

### 6.3.2 PAPs Losing Structures

The total number of PAPs losing structures is 51, among them 8 PAPs are female. There are 27 male PAPs. The unknown PAPs are 16. However, the number of structures affected are 62, this is attributed by the fact that some PAPs have more than one structure affected within the plot. The structures/assets are either used for business purpose, residential purpose, perimeter walls, septic tanks, toilets as presented in **table 6-2**.

**Table 6-1: PAPs losing Structures**

Total PAPs losing Structures	Women PAPS Losing Structures	Male PAPs losing Structures	Vulnerable PAPs	Unknown <sup>22</sup> PAPs
51	8	27	2 male PAPs 6 female PAPs	16

**Table 6.2** below presents a summary of nature of structures affected in the settlement following conclusion of census exercise while **figure 6-2** presents sample photographs of affected structures.

**Table 6-2: Nature and Type of Structures Affected**

Type of Structure	Number of structures Affected
Business building	6
Toilet	2
Septic tank	3
Kitchen	2
Perimeter walls	49
<b>Total</b>	<b>62</b>

**Figure 6-2: Photographs of affected structures (walls) in the settlement**



### 6.3.3 PAPs Losing Livelihood

<sup>22</sup> The total number of PAPs enumerated in the settlement are 51PAPs. These PAPs include 27 PAPs who are male, including 2 PAPs who are vulnerable because of age (70 years and above). There are 8 female PAPs of which 6 are vulnerable. The remaining 16 PAPs are unknown despite efforts done by the SEC and the community local administration during planning and survey process to identify them. At the time of ARAP implementation, additional efforts to identify the PAPs will be undertaken at ARAP implementation stage.

The census exercise conducted in the settlement recorded that out of the total number of 51 PAPs identified, 6 Structure owner PAPs will temporarily lose livelihood derived from small scale businesses. This information is summarized in **table 6.3** below while **figure 6-3** presents sample photographs of the affected subsistence business.

**Table 6-3: PAPs losing Livelihood**

Business Livelihood	Women PAPS Losing Livelihood	Male PAP Losing Livelihood	Total
Business Livelihood	2	4	6

The Photo below presents sample of business affected in the settlement.

**Figure 6-3: Photographs of affected business structures in the settlement**



#### 6.3.4 Vulnerable PAPs in the Settlement

The vulnerable PAPs enumerated in the settlement were 8 with regards to widowed, divorced and aged persons as summarized in **table 6-4** below.

**Table 6-4: Vulnerable PAPs**

Type of Vulnerability	Number of PAPs
Widowed	2
Aged	5
Female Headed Households	1
Total	8

**Note:** Map of affected structures is presented as Annex 7 of this report.

## CHAPTER 7: SOCIO ECONOMIC PROFILE OF AFFECTED PERSONS IN THE SETTLEMENT

### 7.1 Socio Economic Survey Context

A household socio economic survey was conducted at 100% census of the 35 PAP's who were available excluding the 16 un-identified PAPs, a questionnaire (annex 2) was used to collect PAP's census information including household members by age, sex, relationship to head of household, education and occupation and housing conditions. The total number of PAPs enumerated in the settlement are 51PAPs. These PAPs include 27 PAPs who are male, including 2 PAPs who are vulnerable because of age. There are 8 female PAPs of which 6 are vulnerable (3 aged, 2 widowed and 1 divorced). The remaining 16 PAPs are unknown despite efforts done by the SEC and the community local administration during planning and survey process to identify them. At the time of ARAP implementation, additional efforts to identify the PAPs will be undertaken at ARAP implementation stage. The census also documented housing conditions, health conditions and economic activities. This information was used (i) to establish a list of PAPs; (ii) to establish a socio-economic profile of PAPs based on existing:

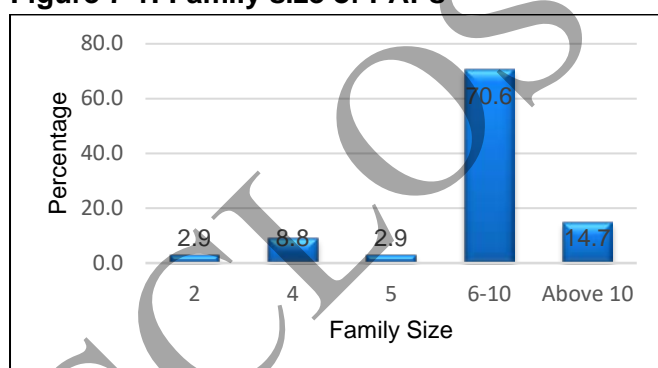
### 7.2 Demography of Project Affected Persons (PAPs)

#### 7.2.1 Family Size of PAPs

Family size is a significant socio-economic variable in analyzing the level of living conditions of Project Affected Persons. For instance, large family sizes are highly likely to fall into vulnerability if impacted by the project than family sizes with few dependents.

In Riig Informal Settlement majority of families consisted of between 6-10 people at 70.6%, 2 and 5 people at 2.9% each and families above 10 at 14.7%. Figure 7-1 below illustrates the situation.

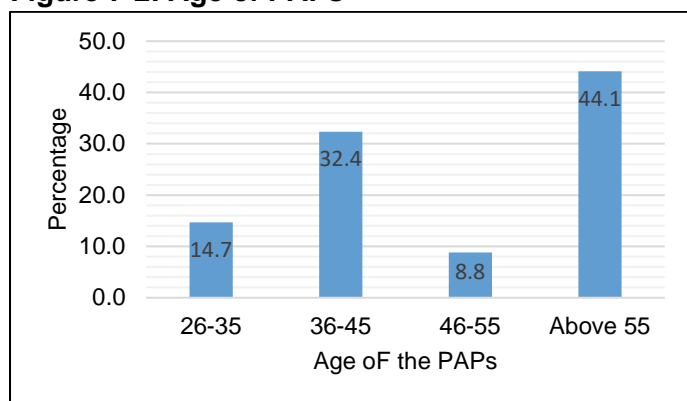
**Figure 7-1: Family size of PAPs**



#### 7.2.2 Ages of PAPs

Age is an important aspect in ARAP assessments especially during determination of vulnerability of PAPs. PAPs under the age of 18 years are normally considered as minors and PAPs above the age of 70 years are considered as vulnerable. These categories of PAPs require special assistance during ARAP implementation as stipulated by the World Bank OP 4.12.

The findings were that majority of the PAPs were aged above 55 years at 44.1%, between 36-45 years, 32.4%, between 26-35 years at 14.7% and between 46-55 years had the least percentage at 8.8%. This is illustrated in Figure 7-2 below.

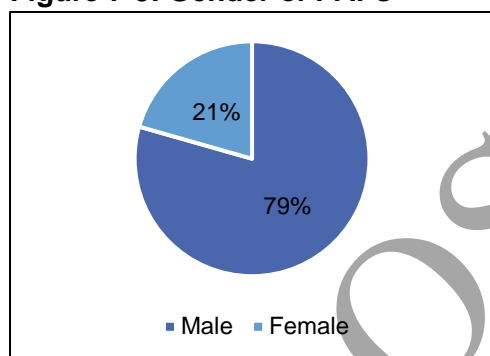
**Figure 7-2: Age of PAPs**

### 7.2.3 Gender of PAPs

As, gender inclusivity is one of the guiding principles of this ARAP as stipulated by the National Gender and Equality Commission Act of 2011 and World Bank OP 4.12, the following initiatives will be undertaken to ensure female inclusivity:

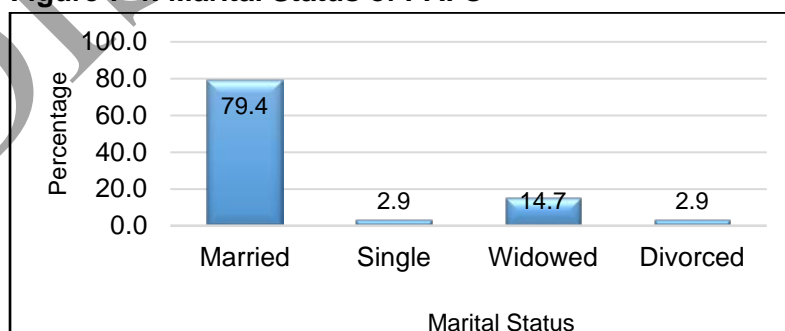
- i. Proposed joint accounts between spouses for disbursement of compensation funds
- ii. Inclusion of women representatives in the ARAP Grievances Committee

In Riig Informal Settlement, majority of the PAPs were male at 79% while female represented 21% of the PAPs as illustrated in **Figure 7-3** below.

**Figure 7-3: Gender of PAPs**

### 7.2.4 Marital Status of Persons

This ARAP also provided that deliberate efforts will be put in place to ensure that spouses of the PAPs are included in the opening of bank accounts such that compensation amount is channelled to the joint accounts. The PAPs consisted of single (2.9%), widowed (14.7%) divorced (2.9%) and married people comprising the majority at 79.4%. As illustrated in **Figure 7-4** below

**Figure 7-4: Marital Status of PAPs**

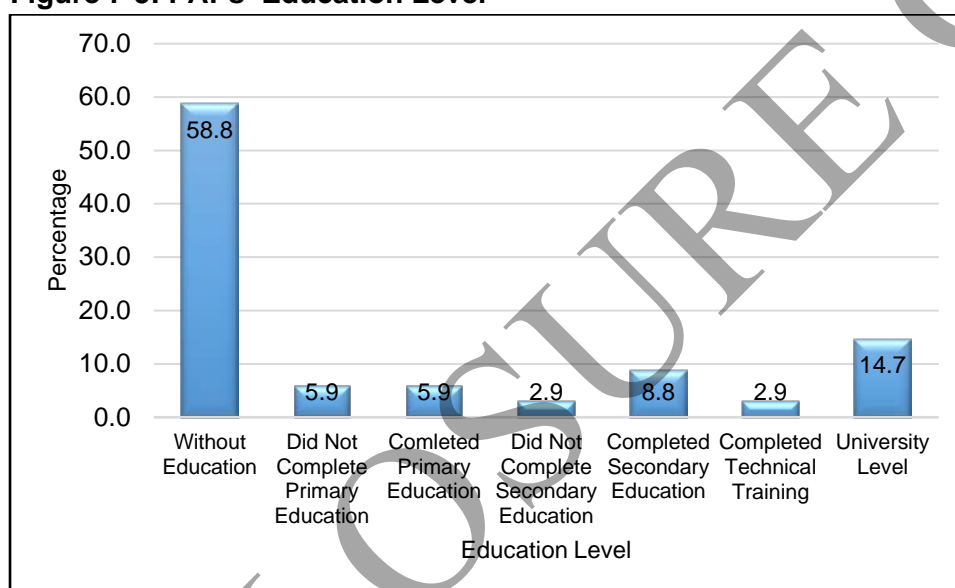
### 7.2.5 Education level of PAPs

The illiteracy level for PAPs in Riig Informal Settlement is relatively high with approximate (58.8%) of the PAPs having no formal education, while only 14.7 percent of the PAPs have attained university level education.

The Settlement has 9 private educational facilities scattered spatially within the project area boundary and 2 public education facilities located South West of the area. The Physical Planning Handbook, 2007 recommends a minimum area of 3.25 Ha for primary school and 50 Ha for a university. This implies that, all the private primary schools in this settlement have less land sizes than the recommended sizes. This deficit in land size has negative implications on the pupils' holistic development. The deficit in land size for schools has negative implications on the pupils' holistic development.

This is presented in **Figure 7-5** below.

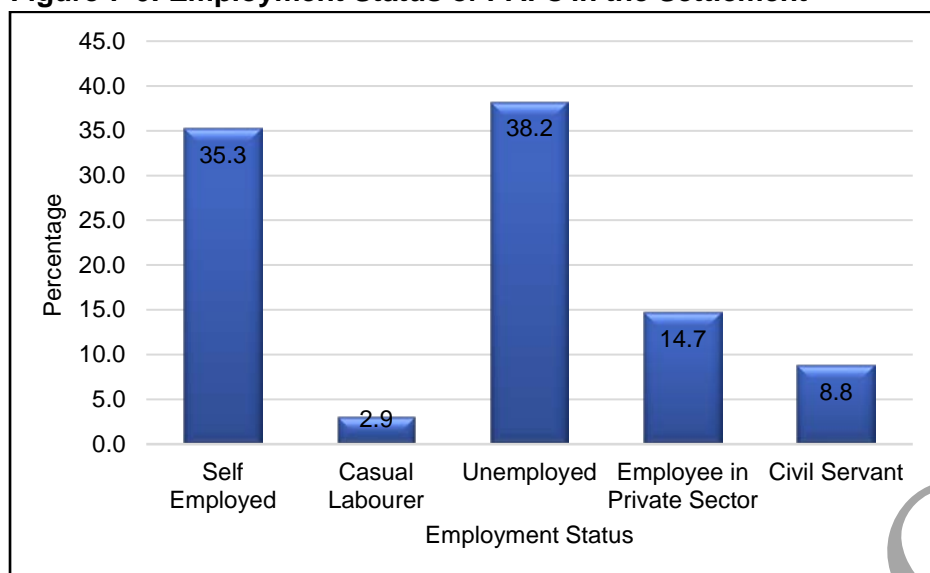
**Figure 7-5: PAPs' Education Level**



## 7.3 Economic Assessment

### 7.3.1 Income Streams of PAPs

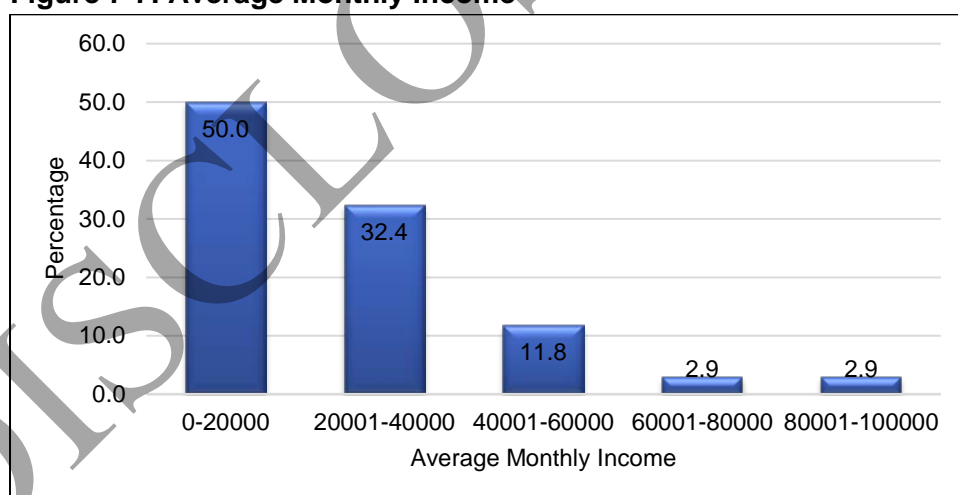
Majority of the PAPs in Riig Informal Settlement have various sources of income with 35.3% of the PAPs being self-employed. The self-employed have ventured into small scale business such as food kiosks, retail shops, and green grocer sheds, among others. Other forms of employment include civil servants (8.8%), employment in private sector (14.7%), casual laborers at (2.9%). 38.2% reported to be unemployed. This is presented in **figure 7-6** below

**Figure 7-6: Employment Status of PAPs in the Settlement**

### 7.3.2 PAPs Income

Majority of the PAPs have a monthly income of between Kshs. 0-20,000 at 50%. Between 20,001-40,000 at 32.4%. 2.9% of the respondents have a monthly income of between 60,001-80,000 and 80,001-100,000.

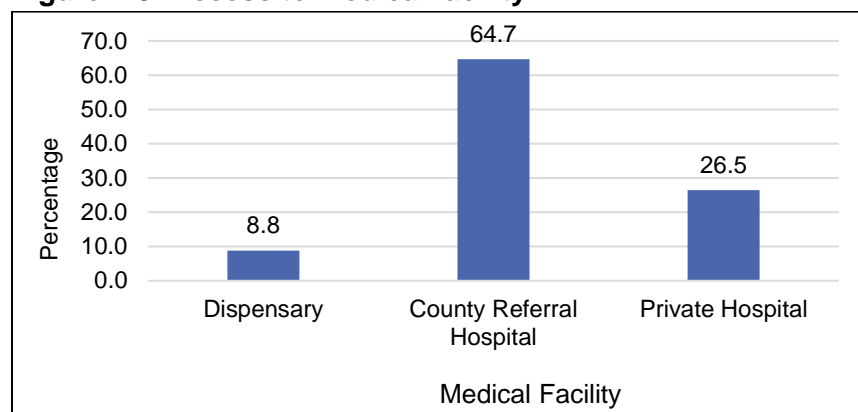
The PAPs indicated need for good roads as priority during the upgrading process. These can be interpreted that the people in this settlement need good roads to allow them to access job opportunities easily. Good roads unbundle an area that is cut off from job and market opportunities and creates a good environment for timely and efficient access to opportunities. This will not only improve the quality of life of people but also promote geographical justice and development. This is presented in **Figure 7-7** below.

**Figure 7-7: Average Monthly Income**

### 7.3.3 Health Status of PAPs

With regards to health most of the PAPs (64.7%) seek medical attention from County referral Hospital, 8.8% dispensary and 26.5% to private hospitals. This is illustrated in the figure below:

**Figure 7-8: Access to medical facility**

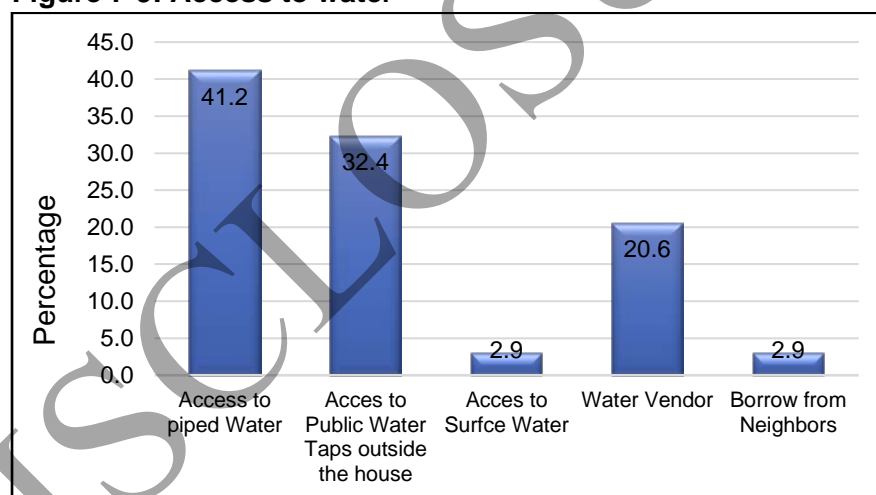


## 7.4 Water and Sanitation infrastructure for PAPs

### 7.4.1 Water Infrastructure

About 41.2% of the PAPs reported to have access to public piped water, 32.4% had access to public piped water outside their houses while 20.6% relied on water from the Water Vendors. In some cases, the water from the vendors is not certified and puts users at risk of acquiring waterborne diseases and infections.

**Figure 7-9: Access to water**



### 7.4.2 Sanitation Infrastructure

With regards to sanitation, all the respondents reported to be using latrines with septic tanks.

## CHAPTER 8: ELIGIBILITY AND ENTITLEMENT

### 8.1 Eligibility for Compensation

The PAPs, irrespective of their tenure status, are eligible for assistance if their assets or livelihood were affected by the project before the entitlement cut-off date of 4<sup>th</sup> March 2018. The cut-off date was discussed and declared to the community in the draft LPDP presentation workshop held on 24<sup>th</sup> January, 2018. Minutes of the meeting are provided as **annex 5** to this report.

Those who enter the project area after established cut-off date will not be eligible for compensation or assistance. The category of PAPs enumerated in the settlement were PAPs who own structures that encroach into the road reserves, table 8-2 below provides appropriate entitlement eligible to them.

### 8.2 Entitlement Matrix

The entitlement matrix developed for this assessment is presented in **table 8-1** below:

**Table 8-1: Entitlement Matrix**

Loss	Category of PAP	Entitlement
Fully affected / part affected remaining structures not viable	Plot owners	<ul style="list-style-type: none"> <li>• Cash compensation at replacement cost for the structure without depreciation</li> <li>• One-time shifting allowance of Ksh 5000</li> <li>• Right to salvage construction materials</li> </ul>
Part affected structures with remaining portion viable	Plot owners	<ul style="list-style-type: none"> <li>• Cash compensation at replacement Cost without depreciation</li> <li>• Repair Cost at 25% of the total compensation</li> <li>• Right to salvage construction materials</li> </ul>
Loss of Income	Business operator	<ul style="list-style-type: none"> <li>• Cash compensation based on a calculated average loss of income over an appropriate period that will enable PAPs to re-establish their business away from the road reserve (10Days)</li> </ul>
Others	vulnerable PAPs	<ul style="list-style-type: none"> <li>• The SEC will be facilitated to assist the Vulnerable PAPs to reconstruct their structures.</li> <li>• Priority consideration in processing compensation payments</li> <li>• Additional Ksh 2000 to the vulnerable persons for the first 2 months</li> <li>• KISIP will share details of Elderly PAPs to the County Government Department of Social Services for enlisting to government social programme such as the "Inua Jamii" 70 years and above cash transfer programme for aged PAPs.</li> </ul>

## CHAPTER 9: GRIEVANCE REDRESS MECHANISM

### 9.1 Grievance Procedure and Rationale

A grievance is any dissatisfaction or sense of injustice or unfairness felt by a person in this respect a PAP or his/her representative in connection with his/her compensation entitlements, the ARAP implementation process, the project and other scenarios related to project implementation. Grievance procedures may be invoked at any time, depending on the complaint and on the people involved. Grievances might be triggered due to the following reasons among others

- i Misidentification of assets or mistakes in valuing them;
- ii Dispute over the ownership of a given asset (two individuals claim to be the owners of this asset);
- iii Disagreement over the valuation of the asset;
- iv Successions, divorces, and other family issues, resulting in disputes between heirs and other family members, over ownership or ownership shares for a given asset
- v Grievances related to The titling process.
- vi

Grievance mechanism for this ARAP is proposed as a 3 tier arrangement as indicated below

- i The first tier will allow for amicable review and settlement of the grievance at the settlement level with assistance of the clan elders and the SEC members discuss and agree on amicable resolutions.
- ii The second tier will involve the RIC in case the grievance cannot be solved at the first level
- iii The third tier will be the option of allowing the grieved party to seek redress at the court of law

Levels (i), and (ii) are costs free. The legal redress option however, may incur some costs for the parties involved.

### 9.2 Grievance Redress Steps

The procedure of receiving and resolution of complaints is summarized in **table 9.1** below:

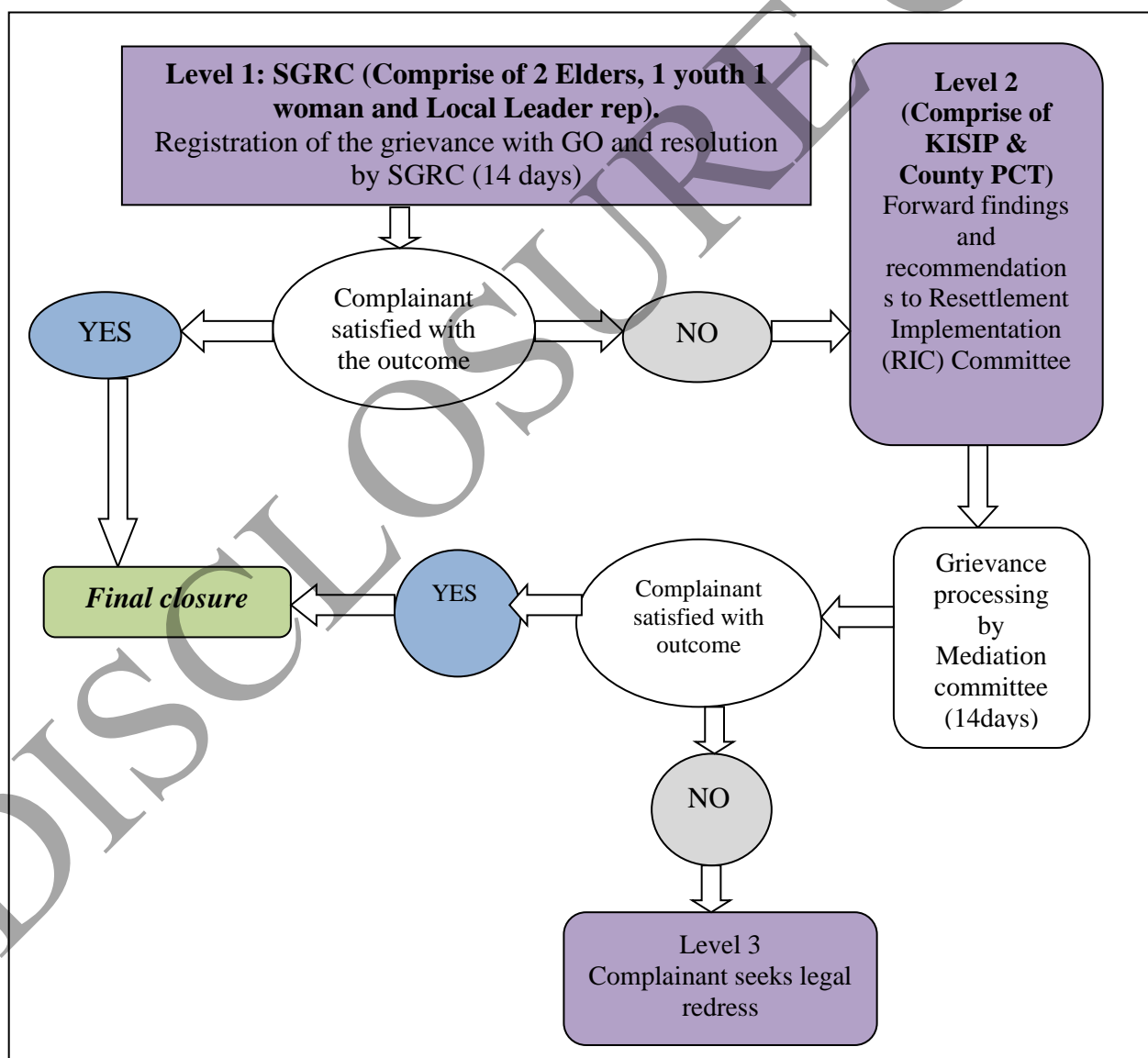
**Table 9-1: Grievance Redress Steps**

Steps	Grievance Redress Steps Details
Step 1: Receipt of complaint/grievance	A verbal or written complaint from a PAP or community member will be received by the Grievance Officer (GO) on behalf of the SGRC
Step 2: Determination of Corrective Action	If in their judgment, the grievance can be solved at this stage and the GO and SGRC will determine a corrective action in consultation with the aggrieved person. A description of the action, the time frame within which the action is to take place, and the party charged with implementing the action will be recorded in the grievance register
Step 3: Meeting with the complainant	The proposed corrective action and the time frame in which it is to be implemented will be discussed with the complainant within

Steps	Grievance Redress Steps Details
	14 days of receipt of the grievance. Acceptance of the agreement and corrective action will be documented
Step 4: Implementation of Corrective Action	Agreed corrective actions will be undertaken by the party agreed by SGRC within the agreed time frame. The date of the completed action will be recorded in the grievance register.
Step 5: Verification of corrective action	To verify satisfaction, the aggrieved person will be approached by the GO and SGRC to verify that the corrective action has been implemented. A signature of the complainant will be obtained and recorded in the grievance register

### 9.3 Grievance Redress Mechanism

The settlement has an established Settlement Executive Committee (SEC) and Grievance Redress Committee (GRC), therefore this ARAP has enhanced the GRM through the below described three-tier Grievance Mechanism: **Figure 9-1** gives a presentation of the grievance redress mechanism.



**Figure 9-1: Grievance Redress Procedure**

DISCLOSURE COPY

## CHAPTER 10: INSTITUTIONAL AND IMPLEMENTATION ARRANGEMENTS

### 10.1 Resettlement Implementation Institutions

This ARAP will be implemented within a period of not more than 3 months upon approval of the ARAP by the World Bank. At implementation phase, KISIP will ensure all PAPs are adequately facilitated according to the provisions of this ARAP before infrastructure projects are commissioned in the settlement.

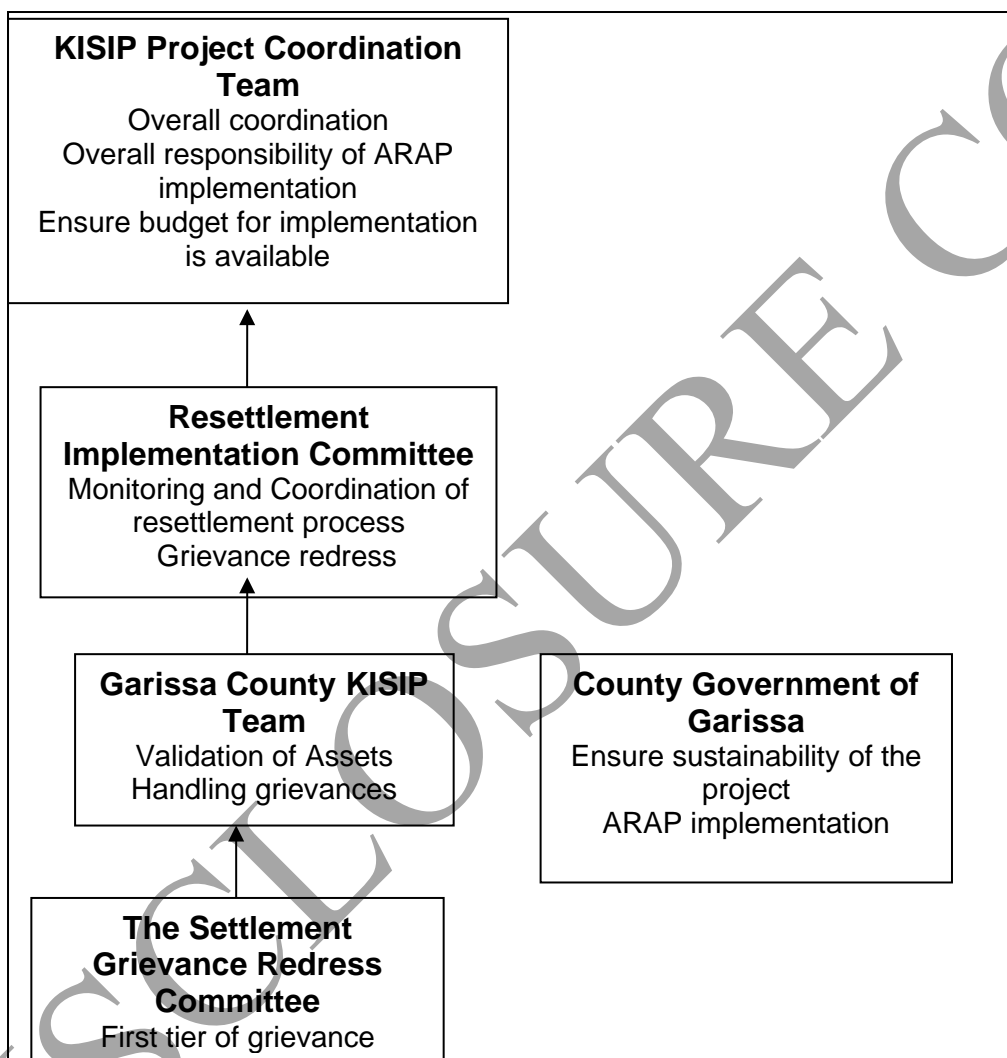
The implementation tasks will be carried out by KISIP PCT with the support of Garissa County Government KISIP team whose composition is outlined in this ARAP. **Table 10-1** below indicates the County and National Government role in this ARAP implementation:

**Table 10-1: National and County Government ARAP Implementing Institutions**

No.	Institution	Role	Capacity
1.	Ministry of Transport, Infrastructure, Housing and Urban Development.	<ul style="list-style-type: none"> <li>It houses the KISIP project and provides for policy direction.</li> </ul>	<ul style="list-style-type: none"> <li>The Ministry has the capacity for implementation of this ARAP</li> <li>The Ministry has experts in the necessary key areas: land management, land administration and physical planning.</li> </ul>
2.	Lands and Physical Planning	<ul style="list-style-type: none"> <li>The Department of Physical Planning under the ministry is responsible for reviewing and approving the LPDPs while the NLC is responsible for titling</li> </ul>	<ul style="list-style-type: none"> <li>The Ministry has adequate planners who review and recommend approval of the LPDP</li> </ul>
3.	Ministry of Finance	<ul style="list-style-type: none"> <li>Financial management on behalf of the Borrower (GoK).</li> <li>Provision of counterpart funding – part of which is used to settle compensation claims by PAPs.</li> </ul>	Capacity exists and funds will be made available.
4.	National Land Commission	<ul style="list-style-type: none"> <li>Custodian of all public land on behalf of the County Governments.</li> </ul>	The commission has the capacity to this mandate.
5.	County Government	<ul style="list-style-type: none"> <li>Ensures that all PAP's are authentic</li> <li>Ensures that there is no re encroachment or any new development after</li> </ul>	<ul style="list-style-type: none"> <li>The county has capacity in the enforcement department.</li> <li>The county has a functional social development office that</li> </ul>

No.	Institution	Role	Capacity
		cutoff date and before compensation process is completed.	has been collaborating with KISIP national office. •There is a functional KISIP County office existing.

In addition to the above government institutions, several structures have been established to ensure effective implementation of this ARAP as summarized in **figure 10.1** below while **figure 10-2** presents information sharing and Stakeholder Engagement Strategy:



**Figure 10-1: ARAP Implementing Institutions**

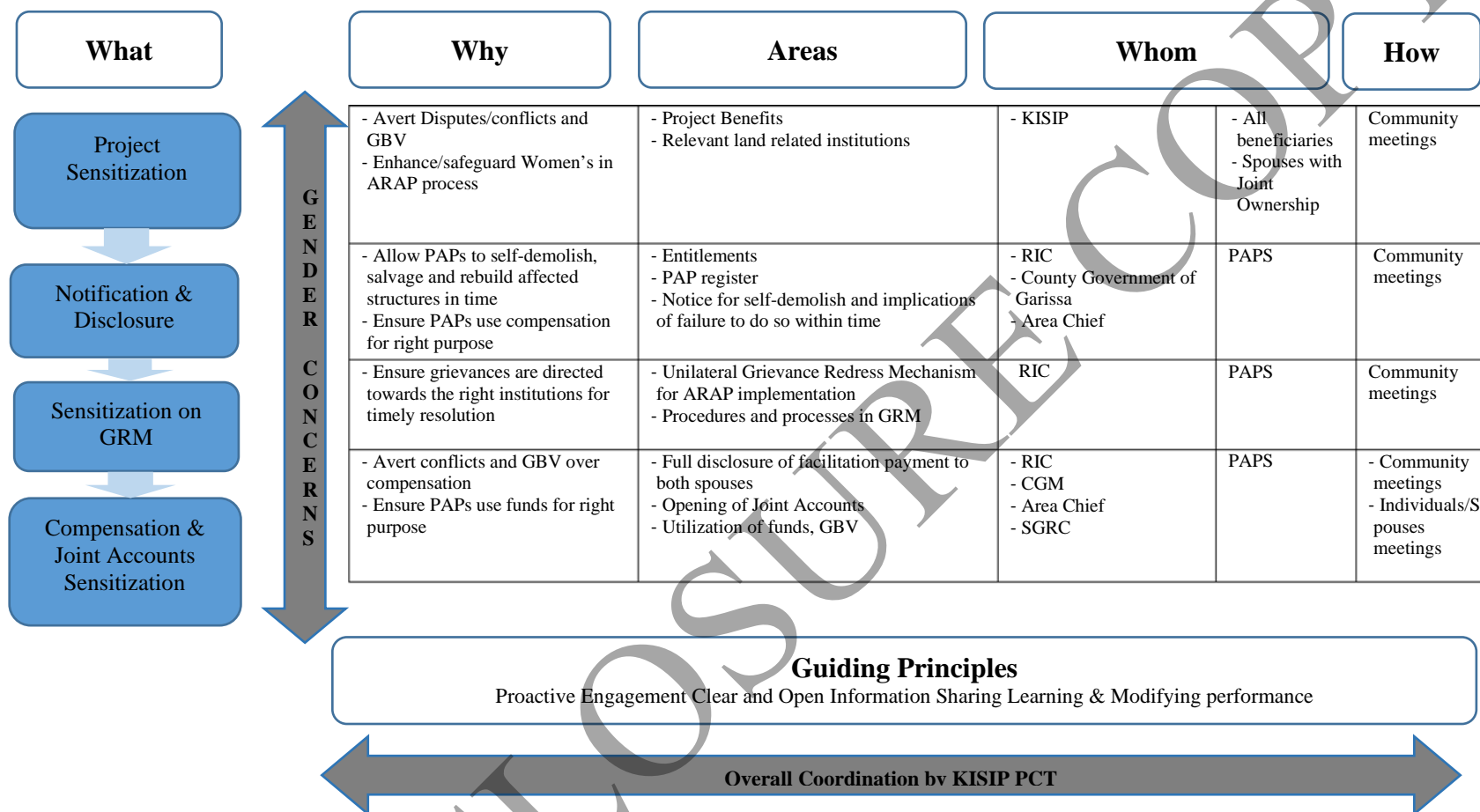


Figure 10-2: Stakeholder Engagement Strategy

## 10.2 Gender Empowerment Initiatives

To enhance gender equality and inclusivity, deliberate initiatives will be undertaken during ARAP implementation to sensitize the community members on the need to involve women in the ARAP implementations process. Also, sensitization on likely Gender Based Violence (GBV) with regards to use of compensation money will be undertaken as indicated in the ARAP implementation schedule. These sensitizations will be rolled jointly by KISIP, County Government, Gender department and women-based organizations operating within Garissa County.

## 10.3 ARAP implementing Budget

PAPs will be paid their resettlement and compensation entitlements during prior to conclusion of tenure regularization and issuance of Lease certificates. This ARAP provides a total implementation budget of **KShs 4,822,355.00 (Four Million, Eight Hundred and Twenty-Two Thousand, Three Hundred and Fifty-Five Shillings only)**.

**Tables 10.2 and 10.3** below provide ARAP budget that was determined during preparation of the ARAP report.

**Table 10-2: Structures and Livelihood Loss Compensation**

No.	PAPs	Category of Impact	Amount (Kshs)
Riig Informal Settlement	51 <sup>23</sup>	Loss of Structures	4,299,355.00
		Loss of business/livelihood	105,000.00
		Vulnerable PAPs	32,000
Sub Total 1			4,436,355.00

**Table 10-3: Budget for other ARAP Implementation Commitments**

RAP Commitment	Budget in Kshs.
Extra Assistance to Vulnerable PAPs and SEC facilitation to assist vulnerable PAPs to re-construct their assets.	56000.00
Awareness raising, extra community engagement to identify the 16 unknown PAPs and sensitization of Beneficiaries and PAPs <sup>24</sup>	90,000.00
Training and Capacity Building for GRM <sup>25</sup>	90,000.00
Operational & Administrative Costs of RAP Committees	90,000.00
Monitoring and Evaluation	60,000.00
<b>Sub Total 2</b>	<b>386,000.00</b>
<b>GRAND TOTAL</b>	<b>4,822,355.00</b>

<sup>23</sup> The 16 unknown PAPs will not be facilitated until they are positively identified through the strategy provided in sub section 2.2.3 of these report. The normal facilitation procedure will be adopted thereafter once positively identified. If not identified, the funds will be deposited into the public affairs office domicile in the department of legal and justice affairs at the County Government.

<sup>24</sup> Gender Sensitizations and Training, Bank accounts, use of facilitation money etc.

<sup>25</sup> The GRM will require sufficient skills in data management, including data entry, data analysis and storage. The team will also require training conflict resolution procedures, such as mediation and reconciliation, and other management areas such as record-keeping, report-writing..

#### 10.4 ARAP Implementation Schedule

The implementation schedule for this ARAP covers the period from the preparation of the ARAP to the conclusion of the envisaged tenure regulation activities in the settlement. As part of ARAP implementation, disclosure of ARAP will be a critical task, disclosure will be achieved through meetings will be organized at settlement level coordinated by the KISIP RIC, in the disclosure meeting, a summary of the main findings and recommendations, entitlements, and PAPs register will be presented to the community in the local language.

The process of disclosure will include more stakeholder involvement that includes the County Government of Garissa and the National Land Commission among other relevant stakeholders. In addition, the ARAP will be made available on the Ministry of Transport, Infrastructure, Housing and Urban Development website and the World Bank's. Copies of the report will also be made available to the SEC, Grievance Committees, and the County offices.

This ARAP's executive summary will also be translated appropriately to ensure all PAPs are aware of the ARAP implementation process. This will include translating to the community by use of an interpreter during ARAP disclosure meetings. The process of RAP implementation will also involve other tasks as summarized below;

- Audit of PAP register and compensation package due to each PAP. This can also include negotiation on the facilitation packages.
- Resolution of emerging grievances
- Notification and sensitization of PAPs prior to the commencement of the activities that will affect them. Facilitation
- Commencement of project operations including issuing of titles
- Monitoring and evaluation, including baseline information update

**Table 10-4: ARAP Implementation Schedule**

S/. No.	TASK NAME	Actor	Period in Months					
			Implementation to begin immediately after approval of RAP					
			1	2	3	4	5	6
1.	Approval of ARAP	World Bank						
2.	Sensitization on Title Registration (including Gender Empowerment on land ownership)	KISIP, Chief Registrar of Lands						
3.	Disclosure of ARAP	KISIP, RIC, SEC, Community						
4.	Formation and capacity building of Grievance Management Committees	KISIP, RIC, Beneficiaries						
5.	Validation of asset valuation/values	KISIP, County Government,						
6.	Grievance Redress	KISIP, RIC, PAPs, GRC						
7.	Sensitization of PAPs on bank accounts and use of compensation funds including joint spousal management of cash	KISIP, RIC, County Government, Women Based Organizations (if present), SEC						
8.	Payment of compensation	KISIP, RIC						
9.	Issuance of notice for self-demolition	KISIP, RIC						
10.	Issuance of titles <sup>26</sup>	MoTIH & UD and NLC						
11.	Self-Demolition	PAPs						
12.	Demolition of any structures that have not been demolished at the expiry of the self-demolition notice period	Garissa County						
13.	Monitoring activities	KISIP MoTIH & UD						

<sup>26</sup>Indicated as a continuous process to allow for resolution of grievances on titling if any arises

## CHAPTER 11: MONITORING AND EVALUATION

### 11.1 Introduction

Monitoring and Evaluation (M&E) procedures establishes the effectiveness of all resettlement activities, in addition to the measures designed to mitigate negative social impacts. The procedures include internal track-keeping efforts, independent external monitoring and final completion audit.

The purpose of resettlement monitoring for the Project is to verify that:

- i. Actions and commitments described in the ARAP are implemented;
- ii. Eligible PAPs receive their full compensation prior to issuance of Lease certificates.
- iii. ARAP actions and compensation measures have helped the people who sought cash compensation in restoring their lost incomes and in sustaining pre-project living standards;
- iv. Complaints and grievances lodged by PAPs are resolved.
- v. Changes in RAP procedure are made, if necessary, to improve delivery of entitlements to PAPs.

The World Bank operational policy (OP 4.12) states that the project proponent is responsible for adequate M&E of the activities. Monitoring will provide both a warning system for the project proponent and a channel for the PAPs to make known their needs and their reactions to resettlement execution.

Monitoring and evaluation activities and programs will be adequately funded and staffed. Accordingly, the primary responsibility for monitoring rests with KISIP PCT which already has social safeguards team who will work in collaboration with the RIC, and other external actors, where needed.

### 11.2 Monitoring and Evaluation Framework

#### 11.2.1 ARAP Monitoring Plan

The ARAP monitoring plan and framework involves:

- i. Internal monitoring by KISIP PCT.
- ii. External monitoring commissioned to specialized firms
- iii. ARAP Completion Audit

**Table 11-1: ARAP Monitoring Plan**

<b>Component Activity</b>	<b>Type of Information/ Data Collected</b>	<b>Source of Information/ Data collection Methods</b>	<b>Responsibility for Data Collection, Analysis and Reporting</b>	<b>Frequency/ Audience of Reporting</b>
Internal Monitoring	Measurement of ARAP monitoring indicators against the implementation schedule.	Monthly and quarterly ARAP implementation reports	KISIPPCT/RIC	Monthly and Quarterly Report
External Monitoring	Assessment of PAP satisfaction compensation of the affected assets and livelihood sources	Quarterly or semi-annual quantitative and qualitative surveys  Regular public meetings and other consultation with people affected by the project; review of grievance mechanism outputs	KISIP Social safeguards and RIC or contracted external monitoring agency	Quarterly Report
Completion Audit	Measurement of output indicators such as productivity gains, livelihood restoration, and developmental impact against baseline	External assessment of ARAP implementation, independent surveys and consultation with affected persons	Contracted external auditing and evaluation agency	On completion of the ARAP time table

### 11.2.2 RAP Monitoring Framework

The **Table 11-2** below shows internal monitoring indicators that will be checked during internal performance monitoring by KISIP:

**Table 11-2: Internal Monitoring Indicators**

Activity/Parameters	Indicators
<b>Compensation and Livelihood restoration</b>	<ul style="list-style-type: none"> <li>• Number of PAPs promptly paid disaggregated by gender</li> <li>• Number and amounts of payments made to PAPs</li> <li>• Number of PAPs with restored assets disaggregated by type of structure</li> <li>• Number of PAPS with restored livelihood enterprises</li> <li>• Number of restored structures disaggregated by type, building/construction material, asset use/purpose and standard</li> <li>• Average income level by source</li> <li>• Employment status of household head</li> <li>• Use of compensation cash</li> <li>• Number of people/groups with improved livelihoods</li> <li>• Development of settlement triggered by land tenure process</li> <li>• Changes in land values and plot ownership</li> </ul>
<b>Access to services</b>	<ul style="list-style-type: none"> <li>• Number of PAPs with access to water services disaggregated by type of water source</li> <li>• Number of PAPs with access to sanitation services disaggregated by type of water source</li> <li>• Number, type of educational establishments and proximity to PAPs</li> <li>• Number, type of health facilities establishments and proximity to PAPs</li> <li>• Length of roads that are newly constructed or expanded</li> </ul>
<b>Vulnerability</b>	<ul style="list-style-type: none"> <li>• Status of “vulnerable” homesteads</li> <li>• Structures constructed to PAPs through Additional Assistance</li> </ul>
<b>Community participation and public engagement</b>	<ul style="list-style-type: none"> <li>• Number of local consultative meetings held</li> <li>• Type of issues raised at public consultation meetings</li> <li>• Number of participants attending public consultation meetings related to displacement disaggregated by gender</li> </ul>
<b>Training and Capacity Building</b>	<ul style="list-style-type: none"> <li>• Number of trainings held disaggregated by target group/institutions and issues</li> <li>• Number and type of participants disaggregated by gender</li> <li>• Themes discussed in various trainings</li> <li>• Perception of PAPs on usefulness and timing of these issues discussed</li> </ul>

Activity/Parameters	Indicators
<b>Gender Concerns</b>	<ul style="list-style-type: none"> <li>• Number of women with land titles disaggregated by type (e.g. sole owners, joint owners)</li> <li>• Participation of women and men in trainings</li> <li>• Number of Joint accounts opened for facilitation funds</li> </ul>
<b>Grievance management</b>	<ul style="list-style-type: none"> <li>• Number of grievances received</li> <li>• Number of grievances resolved promptly (within the duration allowed in the grievance redress mechanism)</li> <li>• Number of outstanding grievances not resolved</li> <li>• Average timelines for resolution of grievances disaggregated by the various levels of grievance redress mechanism/institutions</li> <li>• Number of grievances referred to Level 3 (Courts of Law)</li> <li>• Number of complaints referred to World Bank</li> </ul>
<b>Awareness and Access to Information</b>	<ul style="list-style-type: none"> <li>• Type of information disclosed to PAPs during each meeting</li> <li>• Accessibility of the ARAP document at the local level</li> <li>• Accessibility of the ARAP document on the Ministry's website and the Bank's Info shop</li> <li>• Awareness on ARAP/Entitlement information</li> <li>• Number of people seeking information on displacement and compensation</li> </ul>
<b>Process Management</b>	<ul style="list-style-type: none"> <li>• Formation of proposed institutions or better alternatives</li> <li>• Census and asset verification/quantification procedures in place</li> <li>• Effectiveness of compensation delivery system by KISIP</li> <li>• Efficiency of compensation delivery system by KISIP</li> <li>• Co-ordination between KISIP national, KISIP County, County Government and the community</li> <li>• Availability of adequate funds for the process</li> </ul>

The indicators presented above will be revised and appropriate Terms of Reference (ToR) established for the external monitoring party. Evaluation will be done against the existing baseline information identified in the ARAP and indicators identified in table above.

Therefore, monitoring (and evaluation) will be undertaken regularly during implementation and post implementation for the purposes of compiling the Project Completion Report. The report will include an evaluation that ascertains whether resettlement compensation goals and objectives were realized.

### 11.3 Resettlement Completion Audit

The purpose of the completion audit will be to verify and ascertain that the resettlement process at the end of ARAP implementation has complied with resettlement commitments as defined by the ARAP. The Completion Audit will have following specific objectives:

- i. Assessment of compliance of implementation with laws, regulations and safeguard policies;

- ii. Assessment of the fairness, adequacy and promptness of the compensation and resettlement procedures as implemented;
- iii. 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
- iv. Identification of potential corrective actions necessary to mitigate the negative impacts of the program, if any, and to enhance its positive impacts.

The Completion Audit will be based on documents and materials generated by internal and external monitoring. In addition, auditors will make their own assessments, surveys and interviews in the field and with the PAPs.

## CHAPTER 12: CONCLUSION AND COMMITMENTS

### 12.1 Conclusion

The subject of this ARAP Report is for mitigating impacts from the planning and surveying of Riig Informal Settlement that will result to tenure regularization and issuance of 1859 Lease Certificates to 1781 beneficiaries. This ARAP is prepared in line with applicable legal and policy provisions of Kenyan Government and the provisions of the World Bank's Safeguard Policy on Involuntary Resettlement (OP 4.12). The report provided an asset register of PAPs and the proposed compensation packages to the PAPs.

The objective of this ARAP was to identify and quantify all losses impacted on assets and sources of livelihood of PAPs as a result of the implementation of the approved LPDP. This ARAP identified a total of 51 PAPs in the settlement who were affected by planning and survey activities as detailed in chapter 6 of this report. The RAP also provides adequate mitigation measures in conformity with the World Bank OP 4.12, the Government of Kenya Policies and laws and KISIP RPF.

Therefore, this objective was achieved by ensuring that all affected persons have been provided with adequate compensation for their losses. Also, vulnerable PAPs receive additional assistance, women land rights are safeguarded, implementation committees are constituted and made aware of their roles, an implementation budget and schedule are provided and a monitoring and evaluation framework is in place. This paves way for issuance of Lease certificates to beneficiaries ultimately achieving Component 2 Objectives.

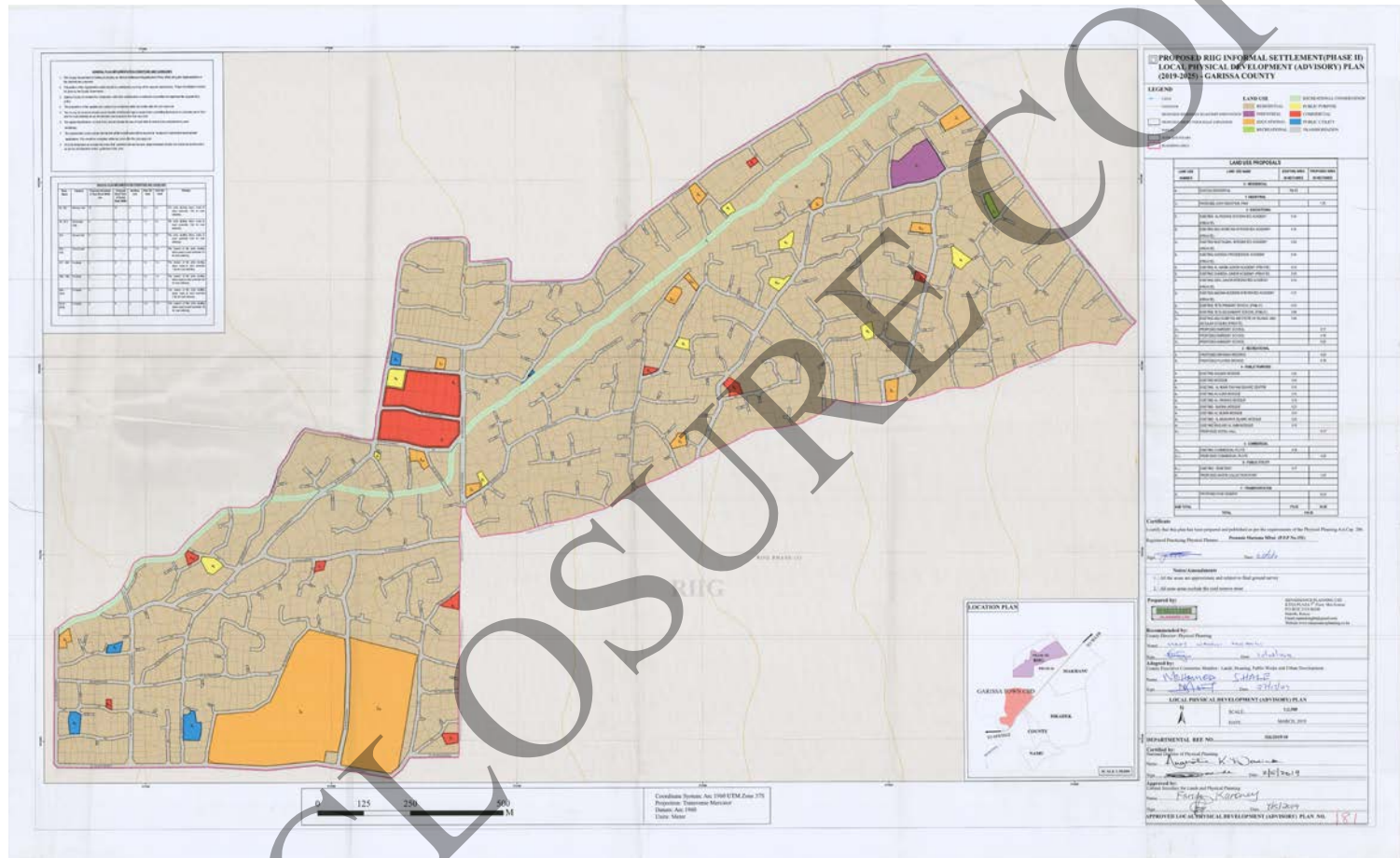
### 12.1 Commitments

Therefore, in order to ensure smooth conclusion of tenure regularization process in the settlement, the below listed commitments will be undertaken by KISIP.

- i. KISIP will collaborate with the Registrar of Titles to organize and carry out Sensitization exercises aimed at enhancing women land rights and against any form of Gender Based Violence (GBV) in use of funds triggered by compensation as documented in this ARAP.
- ii. KISIP will facilitate all the Project Affected Persons according to provisions of this ARAP including the budget for compensation and timelines as per the implementation schedule.
- iii. KISIP will ensure Grievances raised are addressed and resolved on a timely manner during implementation of the ARAP as provided by the GRM.
- iv. KISIP will promptly facilitate all the vulnerable persons enumerated in this ARAP in accordance with the provisions of the entitlement matrix in this ARAP.
- v. Through the National Land Commission, KISIP will undertake issuance of Lease certificates within three months after approval of the ARAP through the Ministry of Transport Infrastructure Housing and Urban Development (MoTIH&UD), and NLC to beneficiaries and PAPs concurrently with compensation payment.
- vi. KISIP also commits to writing to the Garissa County and National Lands Commission (NLC) documenting the 355 un-identified plot owners and emphasising on the need to protect the parcels against land grabbing as detailed in section 2.2.3 of this report.
- vii. **KISIP will take all effort to reach the 16 unidentified PAPs so as to compensate them for their loss. However, in case any PAP remains unidentified, KISIP will deposit the funds into the County Public Affairs committee of the Department of Legal and Justice affairs with clear Instructions to the County on the use of the funds after the project closes**

- viii. KISIP will issue a minimum of three months self-demolition period to the PAPs to enable them salvage their assets. This notice will be communicated during a community Meeting organized in the settlement
- ix. To undertake monitoring and evaluation to ensure compliance to national laws and regulations and safeguard policy.
- x. KISIP will work with the County Government of Garissa in ensuring the RAP is successfully implemented. The County Government will be part of the RIC and GRM committees. The County Government will also enforce development controls, clearance of structures on road reserves after the expiry of self-demolition period
- xi. At the time of ARAP implementation, KISIP will undertake additional efforts to identify the absentee PAPs who were not enumerated at RAP preparation stage.
- xii. .

# **ANNEXES** **ANNEX 1: APPROVED LPDP FOR RIIG PHASE TWO INFORMAL SETTLEMENT**



## ANNEX 2: SOCIO-ECONOMIC SURVEY QUESTIONNAIRE FOR PAPs

CONSULTANCY SERVICES FOR PLANNING AND SURVEYING OF SELECTED INFORMAL SETTLEMENTS IN GARISSA COUNTY, CLUSTER IV (PHASE TWO)

### ABBREVIATED RESETTLEMENT ACTION PLAN (ARAP) SOCIAL ECONOMIC SURVEY QUESTIONNAIRE

JUNE/JULY, 2019

#### GENERAL INFORMATION

Country: <u>Kenya</u> County: <u>Garissa</u> Settlement Name: <u>King</u>			GPS Coordinates of the Affected Structure Northings: <u>9952265.124</u> Eastings: <u>571400.8649</u>		Name of Respondent: <u>Ismael Ibrahim</u> Relationship with the Head of the household: <u>Head</u>	
Plot No: <u>231</u>			Household No: <u>11</u> ID number of the respondent: <u>3518765</u> Interview date: <u>24/07/2019</u> Telephone number of the respondent: <u>0720499393</u> Enumerators: 1. <u>Victor Wambua</u> 2. <u>Saglat Adan</u>		Verified by: _____ Verification date: _____ Entered electronically by: _____	
No. Photos: <u>20190924-163616</u>						

# 1. HEAD OF HOUSEHOLD

- 1.1 Name of the Head of household: Ismail Ibrahim Shurie
- 1.2 Gender: ☒ 1-M ☐ 2-F Age: 57 Tel: 0720499393 ID No: 3518765
- 1.3 Other household members: Provide information on other household members specifying their relationship with the Head of the household

No.	Name of Household Member	Relationship with the Head of the household	Gender		Age	Education			Occupation	Can read and/or write	
			1-M	2-F		Primary	Secondary	Tertiary		1-Yes	2-No
1.	Batula Isman	1	2		40	1			15	2	
2.	Hud Ismail	2	1		17		8		14	1	
3.	Amran Umail	2	2		18			6	14	1	
4.	Abdullahi Ismail	2	1		17	1			16	2	
5.	Anab Ismail	2	1		17			7	14	1	
6.	Hafsa Ismail	2	2		13	8			14	1	
7.	Aman Ismail	2	1		8	8			14	1	
8.	Aisha Ismail	2	2		5	1			16	2	
9.	Ana Ismail	2	2		1	1			16	2	
10.	Abdullah Ismail	7	1		15	8			14	1	

## Relationship with the household head:

- ☐ 1-Spouse ☐ 2-Son/Daughter ☐ 3-Parent (Father/Mother) ☐ 4-In-laws (Father/Mother) ☐ 5-Brother/Sister ☐ 6-Brother/Sister-in-law
- ☐ 7-Nephew/Niece ☐ 8-Grand-son/daughter ☐ 9-Cousin ☐ 10-Other (specify) .....

**Primary, Secondary and Tertiary occupation:**

☐ Refer to codification question 2 below

**Education:**

☐ Refer to codification question 3 below

**2. OCCUPATION OF THE HEAD OF THE HOUSEHOLD**

- ☐ 1- Subsistent trader ☐ 2- Farmer ☐ 3- Farmer-breeder ☐ 5- Builder ☐ 6- Agricultural worker ☐ 7- Animal breeding labor  
☐ 8- Building labor ☐ 9- Self-employed craftsman/woman ☐ 10- Employed craftsman/woman ☐ 11- Non-employed home helper  
☐ 12- Shop assistant ☐ 13- Civil servant ☐ 14- Student ☐ 15- Housewife ☐ 16- Unemployed  
☐ 17- Employed by private institution ☒ 18- Other... *Self-employed*.....

**3. EDUCATION LEVEL OF THE HOUSEHOLD HEAD:**

- ☐ 1- Without education ☒ 2- Did not complete primary education ☐ 3- Completed primary education ☐ 4- Did not complete secondary education  
☐ 5- Completed secondary education ☐ 6- Completed technical training ☐ 7- Completed vocational training ☐ 7- University level  
☐ 8- Student ☐ 9- Other (Specify) .....

3.1 Can read and write: ☒ 1- Yes ☐ 2- No

#### 4. HOUSEHOLD'S LIVING CONDITIONS

4.1 Access to drinking water (more than one possible answer):

- ☐ 1- Traditional well at home ☐ 2- Borehole at home ☒ 3- Access to piped water ☐ 4- Access to public water taps outside the house
- ☐ 5- Access to river water (Tana river) ☐ 6- Access to surface water ☐ 7- Rainwater ☐ 8- Other (specify).....

4.2 Sanitary facilities (more than one possible answer):

- ☐ 1- Flush toilet in the house ☒ 2- Latrine with septic tank ☐ 3- Latrine without septic tank ☐ 4- Public toilets outside the house
- ☐ 5- other (specify).....

*Combined bathroom and toilet outside the house*

4.3 Access to medical facilities (more than one possible answer):

- ☐ 1- Dispensary ☐ 2- Health center ☐ 3- County Referral Hospital ☐ 4- Private Hospital ☒ 5- Other (specify)..... *Subo*

4.4 Distance to the medical facility in kilometers.

- ☐ 1 (0-1 km) ☐ 2 (1-2km) ☐ 3 (2- 3km) ☒ 4 (3- 4km) ☐ 5 (4-5km) ☐ 6- Above 5 km. (Specify).....

4.5 Energy - Type of lighting (more than one possible answer):

- ☒ 1- Electricity (public utility) ☐ 2- Electricity (power generator) ☐ 3 - Kerosene lamp/lantern ☐ 6- Wood ☐ 7- Candle
- ☐ 8- Solar energy (panel) ☐ 9- None ☐ 10- Other (Specify).....

4.6 Energy- Cooking combustible (more than one possible answer):

- ☐ 1- Electricity ☐ 2- kerosene ☒ 3- Charcoal ☐ 4- LPG Gas ☐ 5- Biogas ☐ 6- firewood ☐ 7- Other(Specify).....

# 5. HOUSEHOLD HEAD FALLING IN VULNERABLE GROUP CATEGORIES

5.1 Is the Household Head falling in vulnerable group categories

- ☐ 1-widow ..... ☐ 2-orphan ..... ☐ 3 Household headed by children under 18yrs ..... ☐ 4-sick ..... ☐ 5-disabled ... ☐ 6-elderly over 65yrs  
7- (others) Specify .....

# 6. LIVELIHOOD – (MULTIPLE RESPONSES EXPECTED)

6.1 Sources of cash income for the household head

No.	Source of income	Sector	Average distance to source of income (km)	Activity performed on affected territory If yes, please indicate location	Monthly Income of the Household		
					No.	Member of the Household	Amount
1.	Main source:	9				Head of the household	12,000
						Spouse	
						Adult child/ Children	
						Other:	
2.	Secondary source:	6	1			Head of the household	
						Spouse	
						Adult child/ Children	
						Other: 12,000	
3.	Others source(s):					Head of the household	
						Spouse	
						Adult child/ Children	
						Other:	

Sector: ☐ 1- Agriculture ☐ 2- Animal husbandry ☐ 3- Fishing and/or fish-farming ☐ 4- Handicraft ☐ 5- Construction ☒ 6- Property rental  
☐ 7- Commerce/Business ☐ 8- Civil service ☒ 9- Pension ☐ 10- Economic support by Family or friends

☐ 11- Economic support by Government or NGO ☐ 12- Other (specify).....  
Distance: ☒ 1- (0-1km) ☐ 2- (1-2 km) ☐ 3- (2-3km) ☐ 4- (3-4km) ☐ 4- (4-5km) ☐ 5- Above 5 km (specify).....

#### 7. MAIN EXPENSES OF THE HOUSEHOLD – (Multiple response expected)

(Specify amounts based on the reference period of your choice-Week, Month OR Year- in each category)

No.	Main expenses of the household	Choose the reference period:			Amount	
					Week	Month
1.	House rental					
2.	Rental of agricultural land					
3.	Agricultural input					
4.	Food					15,000
5.	Domestic water					1700
6.	Health					
7.	Transport					2,000
8.	Education					62,600
9.	Other (specify): charcoal					2500
10.	Other (specify): kplc					1000
11.	Other (specify):					

### ANNEX 3:ASSET INSPECTION SHEET

Household No / unique Identifier .....231.....

**General details of Affected Asset or Livelihood**

Settlement	Ward	Sub County	County
Bulla Ring	Golbet	Garissa Township	Garissa
Plot Number	PAP category <sup>1</sup>	Ownership / Rented	GPS coordinates / Photo Number
231	Structure Owner	Household Head	X = 571460.8649 Y = 9952265.724

**Demographic Data of PAP**

Name of the owner (HH)	ID	Telephone	Gender	Age
Ismail Ibrahim Shurie	3518705	072049393	M	57
Spouse Details	ID	Telephone	Gender	Age
Batula Osman				
Family Size	11			
Household size	11			
Education Level	Did not complete Primary Education			
Livelihood	Property Rental			

**Vulnerability (Marginalized and Vulnerable Groups (VMG))**

No	Vulnerable Parameter	Answer
1	Is the HH headed by child under 18yrs	
2	Is the HH headed by a disabled Person	
3	Is the HH headed a chronic ill person	
4	Is the HH headed by elderly over 70yrs	
5	Did the HH business / loss of income collapse in the recent month	

Yes (1) or No (2)

Land Affected (Yes/no) .....Yes..... Size (acre/square meters) .....58 feet.....

Structure ..... (partial / total impact) tick appropriately

TYPE OF STRUCTURE affected	NATURE OF MATERIAL			Size in sqft	GPS coordinates	PHOTO NUMBER.
	Wall	Roof	Floor			
A1. Fixed Business shed						
A2. Goat shed						
A3. Poultry house						
A4. Latrine						
A5. Community mosque						
A6. Others indicate						

Perimeter Wall. (58 feet).

<sup>1</sup> Structure owner could be PAPs or Institutions owning land, structures, livelihood or community assets

**Codification of Asset structure below**

A2	A3	A4	A5	A6
Relationship to Household head	Type of wall	Type of roof	Floor	Size in meters
1.Head ✓ 2. Spouse 3.Son/Daughter 4.Brother/Sister 5. Parent. 6. other indicate	1.Stone not plastered. 2.Stone and plastered 3.Bricks and plastered 4.Bricks not plastered 5. Iron sheets. 6.Wooden 7. Mud 8.Mud + plastered 9. Other	1.Iron Sheets 2. Grass thatched. 3.Plastic paper 4.Other	1.Plain concrete 2.Tiled 3.Mud 4.Other	Length Width Radius  17.68m.

**LOSS OF LIVELIHOOD**

S/ NO	Type of Business	Average Daily Income	Affected structure		Owner of the business
		Kshs.	Total / Partial	Type	Name (ID and address if not member of the household)

**Codification Business type**

☐ 1- grocery / shop    ☐ 2- Beauty shop/ salon / barber    ☐ 3- retail shop kiosk    ☐ 4- cereals kiosk ....  
☐ 5- cloth stall    ☐ 6- food kiosk / hotel    ☐ 7- mpesa shed    ☐ 8 shoe vendors stand    ☐ 9- local chemist    ☐ 10- hardware shop    ☐ 11- domestic bakery .....  
☐ 12- Movie shop .....  
☐ 13- Other (s) (please specify) .....

**Type of ownership:**

☒ 1- Head of household    ☐ 2- Spouse    ☐ 3- Other member of the household  
☐ 4- Tenant    ☐ 5- Other (please specify)

**Tenants**

List the Names and Telephone Numbers of Residents Tenants in the Structure

**TENANT'S / EMPLOYEE INFORMATION USING STRUCTURE OR BUSINESS**

Name of Tenant	Gender	Rent Amount (Kshs)	Telephone	ID Number

**ANNEX 4:ASSET REGISTER**  
(Presented also as a separate Excel fil)

DISCLOSURE COPY

## **ANNEX 5:MINUTES AND LIST OF ATTENDANCE FOR CONSULTATIVE MEETING**

### **Mobilization and sensitization Minutes**

#### **MINUTES OF THE MOBILIZATION AND SENSITIZATION OF THE KEY STAKEHOLDERS ON THE BOUNDARY DELINEATION AND COMMENCEMENT MEETING HELD AT THE KISIP COUNTY COORDINATOR'S OFFICE ON 23<sup>RD</sup> AUGUST, 2017 - FOR BULLA RIIG INFORMAL SETTLEMENT.**

##### **Agenda**

1. Opening remarks/ introductions
2. Sensitization of the key stakeholders on the planning process
3. Boundary delineation and commencement
4. Plenary session
5. A.OB

##### **Min 01/B/23/8/2017: Opening remarks/ introductions**

The Social Development Officer, Fatuma Abdi Mohamed, called the meeting to order at 10:30AM and welcomed all the stakeholders. She requested a volunteer to open the meeting with a word of prayer. She then presided over the self-introductions of all the members present and urged them to contribute positively to the meeting objectives. She explained to the participants that the consultant, Renaissance Planning Ltd, was hired by the National Government under the Ministry of Transport, Infrastructure, Housing and Urban Development to undertake planning and surveying of the five informal settlements. She explained that the project is being implemented by Kenya Informal Settlements Improvement Project (KISIP) under the above mentioned Ministry. She further explained that the said settlements are; County Scheme, Iskadek, Namu Scheme, Makhanu and Bulla Riig. She further explained that the meeting was for Bulla Riig settlement only. She clarified that the stakeholders' concerns, views and comments will form a significant part of the planning and surveying process within this phase of the project. She welcomed the Consultant to introduce the planning process to the participants.

##### **Min 02/B/23/8/2017: Presentation by the Consultant**

The Principal Consultant, Planner Mbui, expressed his gratitude for the support offered to the project. He thanked them for their attendance within a short notice. He informed the stakeholders that the SEC members selected previously represented both phases of the project, thus it was decided that the committee will continue with their work in the second phase of the project.

The Consultant outlined the various key stakeholders identified and invited to the meeting, such as the Garissa County KISIP team, the local Administrators and the SEC members. He outlined the meeting objective as to: launch the planning and survey processes within Bulla Riig settlement, introduce the consultant to the key stakeholders and sensitize them on the planning process, project objectives, the project outputs, the planning area, and the key stakeholders' role in the planning and survey processes among others.

He expounded on the project objectives as to: contribute to public understanding through community mobilization and sensitization; preparation of the base map, undertake a socio-economic survey and physical mapping of the settlement. Others are preparation of the Advisory Plan as well as surveying of plots and preparation of the survey plan.

Regarding the base map preparation, he explained that the ground picking will start soonest possible and they will contain all the natural and man-made features on the ground. He assured the stakeholders that no major relocation of the residents will be done. The team will as much as possible try to retain structures as they are on the ground with little realignment to pave way for road reserves and essential public facilities.

He further explained that soon after the completion of ground picking and base map preparation, the socio-economic survey would be done so as to capture the relevant information of the plots owners and their tenants. This information will be used to prepare a list of beneficiaries and to establish the socio-economic data of all the households in the settlement. This data will be used in compiling the socio-economic survey report.

He also explained the project outputs which are categorized into planning and survey components. He expounded that the planning -outputs were detailed reports on: stakeholders' analysis, community participation reports, Relocation Action Plans (RAPs), workshops minutes, socio-economic survey, Advisory Plan, and confirmed minutes by the County Government on adoption of the final plan.

He explained the survey component outputs as; base maps, survey plans, Registry Index Maps (RIMs) complete with area list and a Land Information System (LIS).

He further went on to detail out the project approaches which included participatory, integrated and strategic approaches. He concluded by outlining the project methodology and clarified that the methodology will comprise of various phases which include: preliminary/reconnaissance; inception report; awareness, sensitization and mobilization; data collection; situational analysis and draft Advisory Plans preparation.

### **Boundary Delineation and Acreage**

The Consultant outlined the scope of the project area with respect to the size, population and density. Through the use of maps he presented the tentative boundary and the acreage to be covered in the settlement. He explained that the acreage to be covered in Bulla Riig Scheme is 177 Hectares.

He outlined the project timelines noting that the project is scheduled to end in April 2018, hence the need to commence the exercise soonest possible. He added that meetings will be organized in every scheme where the SEC members will deliberate further on the activities that will be carried out in the scheme. This is meant to enable scheme specific tailored solutions formulation thus ensuring the smooth flow of work.

He urged the SEC members to continually seek clarifications from the technical team in case any technical expertise was required to avoid disseminating the wrong information to the residents. He then assured the participants that the proposed roads will as much as possible be in line with the existing roads reserves.

**Min 03/B/23/8/2017: Plenary Session**

One by one the members pledged their support to the consultant and thanked the Government for giving the residents an opportunity to benefit from the project. They also pledged to sensitize the residents about the project and its benefits. They requested for the expedition of the exercise. The SEC members resolved to be working with the consultant alternately during social economic data collection to give every SEC member a chance to participate.

Some SEC members wondered what will happen to the area left out since Bulla Riig settlement is so big. They also pointed out that their people settle on clan basis and they will be able to give further comments when actual delineation is done on the ground.

**Min 04/B/23/8/2017: Way Forward**

The members unanimously resolved to give their support to the project and sensitize the residents to ensure smooth execution of the project.

**05/B/8/2017: AOB/Adjournment**

There being no other business the meeting ended at 12:50 P.M.

**Chair**

Fatuma M. Abdi, (Social Development Officer, Garissa County Government)

Sign:  .....

Date: 28<sup>th</sup> August, 2017 .....

**Secretary**

Duncan Mwenda, (Assistant Planner, Renaissance Planning ltd).

Sign:  .....

Date: 28 August, 2017 .....

# Attendance List

## CONSULTANCY SERVICES FOR PLANNING AND SURVEYING OF SELECETED INFORMAL SETTLEMENTS IN GARISSA COUNTY

MOBILIZATION AND SENSITIZATION OF THE KEY STAKEHOLDERS ON THE BOUNDARY  
DELINATION AND COMMENCEMENT MEETING HELD IN THE KISIP COUNTY'S COORDINATOR'S  
OFFICE ON 23<sup>RD</sup> AUGUST, 2017



### LIST OF ATTENDANCE

S.No	NAME	ID NO.	ORGANIZATION/ POSITION	PHONE NO	SIGNATURE
1.	Diris Ibrahim	0045954	Chairman RIG	0722483512	
2.	Abdi Fatah Ali	07223362	Member	072525534	
3.	Mohamed Ibrahim	004683	Member	071169538	
4.	Sh. Mohamed Yussuf	0028518	Member	672313937	
5.	Osman Omar Elmi		Org. Secretary	0726708765	
6.	Adon Hajir		Member	0722852201	
7.	Abdissalan Abdullahi	0426534		0712189526	
8.	Houssein Guyo	3914565		0716800667	
9.	Ismael Omar	13119698	Secretary (RIG-SC)	0715954675	
10.	Mwenda Duncan	29359164	Planner - Renaissance	0706913526	
11.	Dennis Momo	28152684	Surveyor	0715693126	
12.	Fatuma Mohamed	22365829	Social dev't	0722466531	
13.	P. Mutuma Mburu	0722333967	Principal Const. Renaissance	0722333967	
14.	Augustine Mburu	0715566599	Renaissance Planning Unit	0715566599	

## Appendix 1: Awareness, Mobilization and Base Map Validation Workshop Minutes

### Awareness, Sensitization, Visioning and Base Map Validation Workshop Report

MINISTRY OF TRANSPORT, INFRASTRUCTURE, HOUSING AND URBAN  
DEVELOPMENT



PLANNING AND SURVEYING OF INFORMAL SETTLEMENT IN GARISSA  
COUNTY, CLUSTER IV

CONTRACT NO.: CONTRACT NO.: MLHUD/KISIP/CS/002/2015-2016

Awareness, Sensitization, Visioning and Base Map Validation

RIIG INFORMAL SETTLEMENTS IN GARISSA COUNTY.

CONSULTANT:



**Registered Head Offices**

KTDA PLAZA 7<sup>th</sup> floor, Moi Avenue,

P.O BOX 2315-00200, Nairobi,

Tel: 0722-333-967 or 0727-275-123

Email: [replanningltd@gmail.com](mailto:replanningltd@gmail.com)

Website: [www.renaissanceplanning.co.ke](http://www.renaissanceplanning.co.ke)

## INTRODUCTION

This report presents the proceedings of the awareness, sensitization, visioning and basemap validation workshop for the planning and surveying of Riig informal settlement in Garissa County held on 11<sup>th</sup> October, 2017 at Lantern Hotel, Garissa.

The workshop objectives were to:

- ❖ Officially launch the planning and survey processes
- ❖ Introduce the Consultant to the stakeholders
- ❖ Present and validate the base maps

Sensitize the stakeholders on:

- ❖ Planning and Survey areas
- ❖ Project objectives
- ❖ Social Economic Data collection
- ❖ Project outputs
- ❖ Planning & survey methodologies

## VENUE

The workshop was held at lantern hotel in Garissa Town.

The choice of the venue was agreed upon between the County KISIP team, and the Consultant.

## STAKEHOLDERS' IDENTIFICATION

Stakeholders' participation is an important element in the planning process as it ensures project ownership and sustainability of the same. This provides an avenue for the stakeholders to present their views as to how they could like their settlement to be in times to come as it allows them to visualize it. Several legislations in the Country necessitate the need for public participation in all projects impacting on the public: public participation is indeed a constitutional requirement as enshrined in the Constitution of Kenya, 2010. Other legislations that make public participation a legal requirement are; Urban Areas and Cities Act, County Government Act, Physical Planning Act Cap 286 and the Environmental Management and Coordination Act, (amended, 2015. The project stakeholders are the individuals and organizations that are actively involved in the project, or whose interests may be affected as a result of the project execution.

In this regard, the stakeholders were identified through consultations with National KISIP team, County KISIP team, County Government of Garissa and the Consultant. The key target stakeholder groups and institutions identified are shown in table 1 below:

#### Stakeholder Analysis List

NO	CATEGORY	STAKEHOLDERS
1.	National Government	National KISIP Officials
		National Department of Physical Planning
		Department of Survey
		Land Registrar
		Land Valuer
		NEMA Office
		KURA Office
		WARMA Office
		Garissa County Land Management Board, Secretary/Chairman
		Area Deputy County Commissioner
		Area Assistant County Commissioner
		Area Chief
		Area MP
2.	County Government	Office of the Governor
		CEC, Roads, Public Works, Lands, Housing and Physical Planning
		CO, Roads, Public Works, Lands, Housing and Physical Planning
		CO, Health and Sanitation Services
		CO, Trade, Finance, Revenue, Economic Planning and County Affairs
		CO, Water, Environment, Energy and Natural resources

		CO, Education, Public Service, Labour Relations and Information
		CO, Agriculture, Livestock and Fisheries
		CO, Culture, Children Affairs, Social Welfare and Women Empowerment
		Garissa County KISIP Officials
		County Director of Land Administration
		County Director of Town Management and Urban Services
		County Director of Survey
		County Economic Planning Officer
		Town Management and Urban Services Office
		County Physical Planning Office
		Garissa County Assembly Planning Committee
		Area Ward Administrators
		Garissa Township Sub-county Administrator
		Area Members of County Assemblies
		Garissa Township Sub-County Public Health Officer
3.	Faith Based Organizations	Religious Groups' Representatives
4.	Service Providers	Kenya Power
		Garissa Water and Sanitation Company (GAWASCO)
		Boda boda Associations
		Matatu Operators Associations
5.	Financial Institutions	Microfinances
		SACCOs
6.	Special Groups	Youth Groups Representative
		Women Groups Representatives
		NGOs and Social Welfare Groups

## INVITATIONS

Invitations were made after consultations with Garissa County KISIP officials, the project Liaison Officers and the Consultant. The stakeholders are based in Garissa County and they include Heads of Departments, County staff, Provincials Administration, local leaders, Government officials, land lords, residents among others were invited through letters sent by the County KISIP Coordinator.

## ATTENDANCE

The workshop was attended by stakeholders representing different groups. A copy of the signed attendance list has been annexed to this report.

## OPENING REMARKS

The County KISIP Coordinator called the meeting to order at 9.00 am after a prayer from Sheikh. He called the participants for self-introduction. He then welcomed the participants and urged them to contribute actively and positively to the workshop. He informed of the agenda as base map validation, creation of awareness and sensitization of stakeholders on the importance of the project. Towards the realization of KISIP's objective of improving the living conditions of those in informal settlements.

## OFFICIAL REMARKS

*The Project Liaison Officer* thanked the stakeholders for their support and co-operation since the project commencement. He clarified that the stakeholders' views, concerns and comments will form a significant part of the workshop's proceedings but asked the stakeholders to preserve their comments and present them during the plenary session. He also thanked the County KISIP team for their active participation in execution of the project. He further reminded the participants that the success of the project depended on their support and active participation

*The County Director of Survey* welcomed the SEC members and thanked them for attending the workshop. He appreciated KISIP team and the Consultant team for the good work done on preparation of the base map and the constant consultation with his office since the land issue is a thorn in the Northern Kenya putting in mind the pastoralist communities. He thanked the residents for their co-operation during preparation of the base map. In addition, he emphasized on the need for continued co-operation between the stakeholders and the Consultant and the need for more consultation and coordination between the County Government, County Commissioners/Provincial Administration and the Consultant team.

The National Land Commission Representative urged the residents to embrace planning as it opens the settlements allowing proper circulation and enhances coordinated development and lowers cost of infrastructure development. This is so when a plan exists and other agencies follow up as it reduces relocation of services. He explained that the project will promote tenure security through issuance of title deed thus increase in land value. He further informed that it promotes economic growth of the area hence providing employment opportunities. He cautioned against selling the land after obtaining the ownership documents.

The County Director of Lands highlighted various benefits of the project through this consultancy as;

- Security of tenure,
- Provision of basic social amenities,
- Improved road connectivity,
- Guidance on proper co-ordinated development.

In addition, he thanked the Consultant for the work done regarding base map preparation and production and stressed on the need for more efficiency to the remaining work to see to it that the assignment is fully completed. He explained that the base map will guide plan preparation and ensures the minimum displacement on the benefitting communities. He urged the residents to co-operate with the consultant's team since the project will eventually improve their living standard. He thanked the KISIP team considering the county on the project highlighting the importance of project towards achieving the sustainable development goal and the vision 2030.

The County Commissioner expressed his optimism that the project will benefit the area residents through provision of basic amenities and assurance of security of tenure. He also informed that a well-planned area is a boost for security since any emergency can be responded to easily. He emphasized on the need for proper co-ordination and co-operation between the Consultant team and the security officers in case of security concern while undertaking the assignment and should exercise due diligence. He urged residents to be a guardian of each other in matters of security within and outside the county.

The County Secretary welcomed all the participants and informed the teams that the County Government had pledged support for the project till completion. He thanked the participants for

getting time to attend the workshop. He called on the stakeholders to contribute actively and positively so as to achieve the objectives of the project. He urged the residents to embrace planning since it's a path to achieving sustainable development goals and Kenya vision 2030.

## **CONSULTANT PRESENTATION**

### **Preliminaries**

The Principal Consultant expressed his gratitude to the stakeholders for attending the workshop. He assured them of quality work and timely delivery of the project outputs. He further explained that the planning approach would be integrated, incorporating all development sectors and participatory, involving all the stakeholders. He made presentation with the following themes

- i. Stakeholders who had been identified and invited to the workshop and their roles
- ii. Workshop objectives - to sensitize stakeholders on; planning and surveying areas,
- iii. Project objectives, socio economic data collection, project outputs, planning and survey methodologies.

He highlighted that the activities will include (a) preparation of base maps, (b) undertake socio-economic survey and physical mapping (c) preparation of LPDPs for the informal settlement, (d) surveying the plots and preparation of survey plans, (e) preparation of ESIA's and (f) preparation of Land Information System (LIS).

He gave background information of the Riig Informal Settlement. The Expected outputs of the project include

- Planning output such as;
  - o Detailed report on (stakeholder analysis and community participation),
  - o Socio economic survey
  - o Relevant planning policy and legal documents,
  - o Analyzed data from (baseline survey, digital maps, socio-economic survey and physical mapping),
  - o Local Physical Development Plan and
  - o Confirmed minutes of the County Government on adoption of the final plans.
- He explained survey output as;
  - o Base map,

- Survey plans,
- Surveyor's report,
- Signed and sealed registry index maps (RIM) complete with area list and
- Land Information System (LIS).

## **Methodology, Project Approach, Key Institutions and**

### **Legal Framework**

#### **Consultant's Physical Planner**

The Project Planner pointed out the various laws regarding land issues in Kenya that guides the planning process and key among them are;

1. The Constitution of Kenya,
2. Land Act, Survey Act,
3. Physical Planning Act,
4. Land Control Act, among others.

She went on to explain the policy framework governing the project which include Sustainable Development Goals, Kenya Vision 2030, National Land Policy and the National Housing Policy.

She explained the various project approaches which are participatory, integrated and strategic approach. She further outlined various institutions and their responsibilities in the planning and approvals with the validations of the plans. The Methodology that is employed is reconnaissance, inception report, awareness and mobilization, socio-economic survey, situational analysis, draft LPDPs proposal, Final LPDPs and cadastral survey work.

#### **Survey Methodology**

The lead Surveyor presented on the survey methodology which is

- i. Topographical mapping which involved acquisition of (satellite imagery, survey plans and RIMs),
- ii. Densification of controls,
- iii. Geo-referencing,
- iv. Vectorization,
- v. Ground truthing and ground survey

The above guided the preparation of the Riig Informal Settlement base map. The surveyor further explained the cadastral survey which will involves the collection of existing data, establishment

of survey controls, geodetic control transfer and observation, preparation of placing data, placing of all beacons to 20 millimetres precision and construction, marking the beacons respectively to identify the parcels they indicate and preparation of the computation files.

#### **Planning and Development Challenges**

- Insecurity of land tenure,
- Poor accessibility characterized by narrow access roads and missing links,
- Uncontrolled informal commercial activities,
- Inadequate social facilities and amenities,
- Lack of storm water drainage channels and
- Poor liquid and solid waste management.

#### **Planning opportunities**

- Relatively undeveloped land in some sections of the settlement,
- Less congestion compared to other informal settlements in the country,
- Relatively flat topography,
- Untapped renewable energy – solar energy,
- Political good will that is in support of the project.

The Lead Planner explained the resultant importance of planning and surveying as security of tenure, order and harmony, aesthetics, optimal land utilization, proper provision of infrastructural services and utilities and environmental sustainability.

She further explained how the area residents would move from present problematic situation to the desired future through planning and utilizing the available resources

#### **Visioning Process**

The Consultant Planner defined “a vision” as the desired future state. This implies what the benefiting community would wish their settlement to be like in future noting the dynamics. She explained visioning as the process of visualizing the future which gives meaning and purpose to our lives and acts as a road map of moving from the present problematic state to the desired future state.

She proceeded to outline the importance of visioning that it enables stakeholders to focus on the end state, enhances visualization of where they want to go and how to get there and also unites the stakeholders through consensus building.

On conclusion, she urged the participants to take into account the environment, education, security, economy and social being as they develop the vision.

### **PLENARY SESSION**

The County KISIP Coordinator opened the forum for the stakeholders to present their visions regarding the kind of Riig Informal Settlement they desired. The following themes were put forward for consideration;

- Security of tenure
- Water availability
- Standardized road
- Provision of sewerage
- Proper solid waste management
- Provision of social amenities such as; playground, social hall, dispensaries, police post, and street lights.

The stakeholders synchronized all their views and developed one desired vision as stated below;

***“Accessible and aesthetic settlement with tenure security”***

The Riig SEC Chairman concluded that he was grateful that the project was progressing well and urged the stakeholders and other SEC members to be co-operative and give their full support towards the project successful completion.

Bulla Riig Informal Settlement SEC members requested the consultant to ensure possible minimum disruption of the existing structures but maintaining the Planning standards.

### **CLOSING REMARKS FROM THE LEAD CONSULTANT**

He thanked the stakeholders for their important contributions and assured them that their comments had been recorded and would be considered in the planning process.

### WAY FORWARD

The stakeholders unanimously validated the Riig Informal Settlement base map and the Riig Vision. It was agreed that the SEC member's views will be considered during plan preparation.

### ADJOURNMENT

There being no other business the meeting ended at 12.00 PM.

### CONFIRMATION

**Chairperson, (Daudi Biriye, KISIP County Coordinator)**

Sign .....



.....Date .....

23<sup>rd</sup> Oct 2017

**Secretary, (P. Mutuma Mbui, Principal Consultant)**

Sign .....



.....Date .....

20/10/17

# Attendance List



Head Office:  
KTDA PLAZA, 7TH Floor, Moi Avenue  
P.O. Box, 2315-00200, NAIROBI  
Cell: 0722-333-967 or 0727-275-123  
Email: [replanningtd@gmail.com](mailto:replanningtd@gmail.com)  
Website: [www.renaissanceplanning.co.ke](http://www.renaissanceplanning.co.ke)

## STAKEHOLDERS' SENSITIZATION AND VISIONING WORKSHOP FOR BULLA RIIG INFORMAL SETTLEMENT HELD ON 12<sup>TH</sup> OCTOBER 2017.

### CONSULTANCY SERVICES FOR PLANNING AND SURVEYING OF SELECTED INFORMAL SETTLEMENTS IN GARISSA COUNTY.

VENUE: LANTERN HOTEL, GARISSA TOWN

#### LIST OF ATTENDANCE.

S No	NAME	ID No.	ORGANISATION/ INSTITUTION	DESIGNATION	PHONE NO.	SIGNATURE
1.	PETER SIRONKAMASAA	20318936	WIERIDR	A.C.C.1 GSA	072760624	[Signature]
2	Gedi Gedi	0017439	County Govt.	Deputy	073510753	[Signature]
3	Powd A. Gimo	13701476	C.C.G. Kiro	Director	072162740	[Signature]
4	A.I. Haka	8372187	G.C.C	Deputy	0722506610	[Signature]
5	Grace Kembo	2667874	S.O.K	L. Surveyor	0722000083	[Signature]
6	May Wangui	25693419	G.C.C	Phys. Planner	0724740236	[Signature]
7	Adow Shabo	0191130	Bulla Ring	Member	072235720	[Signature]
8	Idiris Ibrahim	0045984	Bulla Ring	Chairman	0722483512	[Signature]
9	Asdi fatah Ali	11692363	Bulla Ring	Secretary	0726255306	[Signature]
10	Osmanoma	1831106	Bulla Ring	Off Secretary	0726709965	[Signature]
11	Usubo Yare	6893993	Bulla Ring	Member	0716611608	[Signature]
12	Melamed Nwabe	2150694	Bulla Ring	Member	072206218	[Signature]
13	Dominic Muturi	24570039	S.O.K GARISSA	SURVEYOR	0724366711	[Signature]
14	Mariam Mohamed	29782573	NLC	CLERK	0727934514	[Signature]
15	Abdulkarim Bak	23477326	NLC	CLERK	0727348806	[Signature]
16	SAD A. Galle	02640499	Chief		0720706535	[Signature]
17	Yusuf Amin	28126012	LANDS REGISTRY	CLERK	0727250727	[Signature]
18	Ibrahim Khalif	2860100	Supkem	Chairman	072247350	[Signature]
19	Ahmed Ali		Chief			[Signature]

20	Wacuka C.M.	12500649	MINISTRY OF LANDS	LAND REGISTRAR	0728913470	
21	KARUME KASHURU	9477269	NLC	COUNTY COORDINATOR	0722679614	
22	Rahma Dikane	26094199	Capensis Coby	Urban Services	0722398492	
23	Chirchir Eric	26094860	Ministry of Lands & Physical Planning	Physical Planner	071825227	
24	Abdirashid Abdi	29495740	County Government Ministry of Lands & Physical Planning	Urban Services	0723283342	
25	Diyed A. Abdi	27227184		Physical Planner	0723175340	
26	SHIMONE ABDI	24495837	URBAN SERVICES	ADMIN	0720439746	
27	GEORGEY MWANGI	25106510	REGION	PARLAN	0719492024	
28	Ismael Thuku	12761723	County Govt of Garissa	Asst Director	0722-11119	
29	Salim Hassan A	126542	" "	Social dev. officer	0720199505	
30	Shamsa Abdulullahi	29618894	" "	Social dev?	0727755810	
31	Mohammed Abdi MAMU	2431116	Garissa County	TOWN ADMIN	0720074526	
32	Oman MOHAMMED	2768884	YOUTH-REP	SECRETARY	072165772	
33	Fahma Mohamed	22365829	Towns Mgmt	Asst Director	0722466531	
34	Sahlan M. Keenani	22663547	County Govt Sec	DL Director	0722307803	
35	Nasra Noui Abdulullahi	35374401	Youth Group	Member	0722643179	
36	Adan Bille	8481703	PWD	Chairman	0720374338	
37	Mohamed Noor Abdi	21506742	B.R.I.C	SEC Member	0722806298	
38	NASRA FARAH GURE	24890629	PWD	Member	0722578455	
39	Abdul Omar	31307441	Pres. KTM		0718771972	
40	Hussein Aden Karur	22359741	OOP	Ass. Chief - Modikar	0724370727	
41	ABDIWAZI BALE	20720718	ASSEMBLY	Director	0712842100	
42	ABDI ABDIWAZI	11370118	ASSEMBLY	D/ Director	0742408862	
43	Abdul Furo	07291235	ASSEMBLY	"	0726593180	
44	Abdullahi Hassan	2591583	ASSEMBLY	"	0726993165	
45	Abdullahi Wabdi	22538832	G.C.C.	Lands	072270451	

46	Syza Jelle	9565480	member	1 PT. ✓	6722144388	CR
47	Abolathun Kufy	2301701	member	1 PT. ✓	872240381	✓
48	P. M. Mbul	7731496	Renaissance	lead consultant	072238967	<del>✓</del>
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## Draft Plan Presentation Workshop Report

MINISTRY OF TRANSPORT, INFRASTRUCTURE, HOUSING AND URBAN  
DEVELOPMENT



PLANNING AND SURVEYING OF INFORMAL SETTLEMENTS IN GARISSA COUNTY,  
CLUSTER IV

CONTRACT NO.: MLHUD/KISIP/CS/002/2015-2016

SOCIO-ECONOMIC AND DRAFT LOCAL PHYSICAL DEVELOPMENT (ADVISORY)  
PLAN PRESENTATION WORKSHOP REPORT FOR RIIG INFORMAL SETTLEMENT  
IN GARISSA COUNTY.

CONSULTANT



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## INTRODUCTION

This is a report of the proceedings of the Draft Local Physical Development (Advisory) Plan presentation workshop for Riig Informal Settlement in Galissa County held on Wednesday 24<sup>th</sup> January, 2018 At Lantern Hotel. The facility it is located in at Garissa Township and has the conference facilities that cater for a large number of participants. It was reached after consultation with the SEC and the KISIP county team.

The workshop objectives are:

- Outline the project progress to the stakeholders
- Present and validate the socio-economic survey findings
- Present the draft Local Physical Development (Advisory) Plan
- Offer stakeholders opportunity to make more contributions
- To set the cut-off date

## STAKEHOLDERS' IDENTIFICATION

The Constitution of Kenya demands Public Participation in any activity that is affecting their lives and environment. This ensures project ownership and sustainability of the same. The legislations in the Country necessitate that calls for public participation include:

- i. The Constitution of Kenya, 2010.
- ii. Urban Areas and Cities Act,
- iii. County Government Act,
- iv. Physical Planning Act Cap 286 and
- v. Environmental Management and Coordination Act, (amended, 2015).

The project stakeholders are the individuals and organizations that are actively involved in the project, or whose interests may be affected as a result of the project execution and include National KISIP team, County KISIP team and the Consultant. The key target stakeholder groups and institutions identified are shown in table I below:

**Table 1: Stakeholder Analysis List**

NO	CATEGORY	STAKEHOLDERS
1.	National Government	National KISIP Officials
		National Department of Physical Planning
		Department of Survey
		Land Registrar
		Land Valuer
		NEMA Office
		KURA Office
		WARMA Office
		Garissa County Land Management Board, Secretary/Chairman
		Area Deputy County Commissioner
		Area Assistant County Commissioner
		Area Chief
		Area MP
2.	County Government	Office of the Governor
		CEC, Roads, Public Works, Lands, Housing and Physical Planning
		CO, Roads, Public Works, Lands, Housing and Physical Planning
		CO, Health and Sanitation Services
		CO, Trade, Finance, Revenue, Economic Planning and County Affairs
		CO, Water, Environment, Energy and Natural resources
		CO, Education, Public Service, Labour Relations and Information
		CO, Agriculture, Livestock and Fisheries
		CO, Culture, Children Affairs, Social Welfare and Women Empowerment
		Garissa County KISIP Officials
		County Director of Land Administration

		County Director of Town Management and Urban Services
		County Director of Survey
		County Economic Planning Officer
		Town Management and Urban Services Office
		County Physical Planning Office
		Garissa County Assembly Planning Committee
		Area Ward Administrators
		Garissa Township Sub-county Administrator
		Area Member of the County Assembly
		Garissa Township Sub-County Public Health Officer
3.	Faith Based Organizations	Religious Groups' Representatives
4.	Service Providers	Kenya Power
		Garissa Water and Sanitation Company (GAWASCO)
		Boda boda Associations
		Matatu Operators Associations
5.	Financial Institutions	Microfinances
		SACCOs
6.	Special Groups	Youth Groups Representative
		Women Groups Representatives
		NGOs and Social Welfare Groups
7.	Other groups	SEC Members
		Plot Owners
		Members of the Public

#### INVITATIONS

Invitations were made through close consultations with Garissa County KISIP officials, the project Liaison Officers and the Consultant and were invited through letters from the KISIP County Coordinator.

## ATTENDANCE

The workshop was attended by various stakeholders representing different groups and a copy of the signed attendance list has been annexed to this report.

## OPENING REMARKS

The County KISIP Coordinator called the meeting to order at 2.00 pm after a prayer from one of the present Imams. He then welcomed everyone in attendance to the workshop and urged them to contribute actively and positively after self-introduction of the participants from various organizations. He reminded them that they are a representative of everyone within the project area hence the need for them to contribute positively and communicate the deliberated issues to the residents.

He then gave an overview of the KISIP program with the following highlights;

- Scope
- Project period
- Components
- Activities within the county
- Objective of the KISIP project

He explained the objective of the meeting was to present the Draft Local Physical Development (Advisory) Plan for the stakeholder's views, comments and recommendation. He called for remarks from the following officials present;

### *1. The County Physical Planner*

He remarked that he was happy for the project and that he had monitored the all the basemaps, consultations, draft plans and that he approves the process. He urged that they should look and interact with the plans and how they are drawn and should match their plots with the details for harmony. He noted the very key importance of the public in the plan preparation process and that whatever is proposed should take into account the results of the socio-economic survey which forms the basis for plan proposals and land Budget. He explained that planning is a process which involves a lot of stakeholders' consultation and public participation hence the need for the workshop. He encouraged the settlement representatives present to check on the plan for any issue to be addressed before preparation of the final plan. He then requested the Consultant to speed up the remaining work so that the residents can get the tittle deed.

2. *The County Director of Lands and Survey* welcomed and thanked the technical team, the consultant, SEC members and the plot owners present for getting time to attend the workshop. He reminded them the phase 1 area had been done well and that the initiative is great. He also noted the constant reminder from the beneficiaries is on issue of titles and the completion of the project. He informed participants present that the Consultant has an office at the County Lands Office to address any enquiries that may arise during the project and that they should inform others who had not attended.

He added that his office was working in close collaboration with the other offices of the County Government and the Consultant to ensure that all arising issues during the project execution period are addressed appropriately and emphasized that the workshop is for the second phase. However, any issues about the first phase will be addressed during the meeting and at the office.

3. *Galbet Member of County Assembly*

He thanked God for the day and appreciated both levels of government for the efforts. He noted the importance of the programme and that many people have been moving from one office to another in search of title deed. He applauded the Consultant for the excellent work done and assured them that the residents appreciate the work they are doing and are promising to continue co-operating with them till the end of the project. He thanked the Consultant for engaging the residents and the relevant technical stakeholders from commencement of the project and assured of their support to its completion.

4. *Sub-County Administrator's Representative*

He noted the major information transfer to the community that has made them more aware and involved in all steps during the entire process. He also acknowledged that the first phase is 90% successful and requested the Consultant to complete the remaining process to enable the beneficiaries to get their title deeds. He also assured the Consultant their office will be ready to offer any help they needed to make the project a success even the political.

5. *Chief Officer Lands, Housing and Physical Planning*

He welcomed and thanked everyone in attendance for getting time to attend the workshop. He thanked the MCA for the protection and championing of the development in the county and congratulated the Consultant for ensuring effective consultation and participation among various stakeholders on Riig Informal Settlement Draft Local Physical Development (Advisory) Plan

preparation. He urged the stakeholders to air their views freely and promised to ensure the implementation of the project for the betterment of the improving the living standards of the area residents.

*6. Deputy County Commissioner's Representative*

He welcomed and thanked everyone in attendance. He appreciated the efforts of planning in the Garissa County as the area is growing so fast and that this will help in boosting security.

*7. Deputy Director Lands and Physical Planning - Head of KISIP Component (II)*

Madam Ann Mugo – National Head of Component Two which is enhancement of the land tenure security was welcomed to make her remarks. She Thanked the county government for the support it keeps the project and noting that this is a devolved function. Thanked the national coordinator also for the support to the team and the county during the entire project period. Gave a brief of KISIP which is a national project and works on 14 counties and one of them is Garissa. She finalized by appreciating the teams in Garissa for continued support.

Informed those present that KISIP has four components namely;

- Institutional strengthening
- Enhancement of tenure security
- Investment in infrastructure
- Planning for growth

She noted that the full list of those affected is required for its implementation of the RAP issues. This is to make sure that W.B. O.P 1.2 is observed well.

Currently the phase 1 plans are almost approved and the phase two will follow suit.

She reminded that today is a day to;

1. Identify our plots in the plans
2. Ensure that all plots have access roads and
3. Ensure all the public utilities are identified

She informed them that when the county adopts the plans, they will be forwarded by the National Director of Physical Planning for the approval by the Cabinet Secretary in charge of lands and physical Planning

Generally urged the support so as to enter the KISIP two and support Garissa in infrastructure.

*8. The Deputy County Secretary*

He gave a speech on the background on the KISIP project and the project areas which will result in about 8,000 beneficiaries on conclusion. He called for the support of the project and pledged that the County Government will continue to support the project to its completion and ensure its full implementation. He thanked the KISIP team for including Garissa County in their program and requested them to consider the unplanned area within the entire settlement. He also highlighted the need for land reform policy within the county at large and the need to embrace planning since it's a path to achieving Kenya's vision 2030.

## **CONSULTANT PRESENTATIONS**

### **Preliminaries, Background Information, Project Outputs, Legal Framework, Project Methodology and Socio-Economic Analysis**

The Principal Consultant opened by appreciating all the key stakeholders and the government officials who attended and have been supporting the project since the initial phase up to the current state. He gave a presentation with the following themes

- Introduction
- Terms of reference
- Project methodology
- Stakeholders
- Vision
- Topographical mapping and survey
- Proposed plans and
- Environmental protection proposals.

In the presentation, he outlined the consultancy's specific objectives which is to contribute to public understanding of the project through community mobilization and sensitization, prepare a base map for the settlement, undertake a socio-economic survey, prepare the Local Physical Development (Advisory) Plan for Riig Informal Settlement as well as surveying the resultant plots (beaconing) and prepare survey plan for the informal settlement.

He highlighted the project background, stakeholders involved in the project (National Government officials, County Government officials, SEC members, service providers, faith-based

organizations, youth and women groups chairs, financial institutions, special groups and the general public). He then outlined the terms of reference, scope of the project and the expected project output. He went further to state some of the expected outputs of the project with respect to planning; detailed reports on stakeholder analysis, community participation, stakeholders' workshops, socio-economic survey, relevant planning policy and legal documents review, Local Physical Development (Advisory) Plan. The survey outputs included; base map, survey plan, surveyors report and Land Information Systems (LIS).

He summarized the problem statement as lack of tenure security and unplanned informal settlement which is characterized by inadequate infrastructure and social services, narrow road reserves, lack of connectivity, congestion, poor solid and liquid waste disposal and uncoordinated development.

He outlined the provisions of various laws governing the project and their relevance which are;

- i. The Constitution of Kenya (2010),
- ii. Physical Planning Act Cap 286,
- iii. Survey Act Cap 299,
- iv. County Government Act 2012,
- v. Urban Areas and Cities Act No.13 of 2011,
- vi. Environment Management and Co-ordination Act and
- vii. Land Act, No. 6 of 2012.

The policy framework guiding the project included;

- Sustainable Development Goals, Kenya Vision 2030,
- National Land Policy (Sessional Paper No. 3 of 2009) and
- National Housing Policy.

He explained the various phases of the project methodology as follows;

1. Reconnaissance survey,
2. Inception and sensitization,
3. Data collection,
4. Situational analysis,
5. Draft Local Physical Development (Advisory) Plan preparation and final Local Physical Development (Advisory) Plan preparation,

6. Plan approval and
7. Cadastral survey work.

He explained the various activities under the socio-economic survey which are (a) identify, enumerate and verify the beneficiaries; (b) identify and enumerate the existing structures, (c) identify and enumerate both the structures owners, tenants and their households and (d) issue identification documents.

He further outlined the various socio-economic issues that were analyzed in the report which include physiography and natural environment, population and demographic characteristics, land acquisition, plots ownership documents, economic assessment, physical and social infrastructure. He concluded by outlining the synthesis for the educational facilities within the informal settlement.

### **Topographical Mapping/Survey**

The Consultant's surveyor outlined the objective of the baseline survey work;

- To identify the various topographical features
- To support planning, design and construction of Land Information System (LIS) and
- Cadastral survey.

He explained that the basis of the topographical survey was to provide an up to date digital base map containing both natural and man-made features to aid in the plan proposal formulation process. He highlighted the mapping/survey objectives; to undertake digital topographical surveys, prepare digital base maps, provide data conforming to Kenya National Spatial Data Infrastructure (KNSDI) and control surveys as per regulations of the Survey Act (CAP 299).

He highlighted that the source of the Survey data are as follows;

- i. Existing topographical map sheets,
- ii. Triangulation stations
- iii. National benchmarks,
- iv. Existing survey information for linking the new works,
- v. Survey plans (F/R's) and
- vi. Registry Index Maps (RIMs).

He further explained the processes undertaken in the base map preparation and the various layers formed which is settlements boundaries, claimed parcels boundaries, structures, roads, contours and vegetation.

#### **Draft Local Physical Development (Advisory) Plan**

The Consultant's physical planner presented the draft Local Physical Development (Advisory) Plan with various land use proposals made within Riig Informal Settlement. She highlighted the various development guidelines formulated to guide future developments within the settlement with the implementation matrix outlining the proposed projects, the activities, actors and time frames for their implementation.

She went on to explain the various improvement strategies which had been laid out to ensure improvement of the living standard of residents within the settlement. The sectors that she outlined are environment, transport and housing. She also highlighted the benefits of the Local Physical Development (Advisory) Plan as follows;

- Improved accessibility,
- Improved provision of infrastructural facilities,
- Provision of basic social amenities,
- Maintenance of clean and healthy environment and
- Reduced boundary disputes.

She explained that there was minimal disruption as a result of the various proposals that had been made within the settlement taking into consideration the various planning standards. Some of the proposals made included; proposed road reserves, expansion of existing road reserves and provision of social amenities and other facilities. She further expounded that proposals of the public facilities were mainly made on undeveloped land parcels.

The planner remarked on various planning challenges they had experienced and the interventions they made to resolve. These challenges include;

- i. Inadequate accessibility,
- ii. Haphazard development,
- iii. Inadequate facilities,
- iv. Unstandardized plots sizes,
- v. Encroachment of existing roads reserves,
- vi. Lack of free land for provision of minimum public facilities,

- vii. Incompatibility of some existing land uses such as cemeteries within the residential neighborhoods and
- viii. Encroachment into the environmentally fragile areas

The interventions incorporated in the plan proposals were as follows;

- i. Hierarchical provisions of road reserve,
- ii. Provision of access road to every plot,
- iii. Provision of the minimum required facilities,
- iv. Formulation of guidelines per plot sizes as opposed to zones and
- v. Provision of buffer zones

#### CUT-OFF DATE:

The community was sensitized that the Cut-off date is the date of start of the socio-economic survey/census and asset inventory of PAPs. 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. Therefore, the cutoff date for Riig Informal settlement (Phase 2) was set to 4<sup>th</sup> March 2018.

#### PLENARY SESSION

The County KISIP Coordinator took the team through the plenary session and started by appreciating the hard work undertaken by the Consultant in undertaking the assignment to come up with the draft plans. He called upon any person with a comment, proposal, or remark to improve on the plan and support the approval.

The Riig Settlement Executive Committee (SEC) chairman expressed his appreciation to the planning team and wished that the remaining section can be covered in the near future so that their neighbors can also benefit. He requested for final verification of the list of beneficiaries before issuance of the ownership documents.

One of the stakeholders requested the need for more public amenities to cater for the continued population increase

He also raised concern about the name of the settlement and requested the Consultant and the KISIP team to change the name from Bulla Riig settlement to Riig settlement since the project area is comprised of many *bullas* (village).

A SEC Member raised a question on what will happen to the plot owners whose plots have been proposed certain public facilities. He also raised a question regarding the people who will be affected by the proposed road reserve

One of the present stakeholders asked if each of the plots had access road. He also sought clarification on when the proposals will be implemented. In addition, he explained the need for the Consultant to speed up the process of placement of beacons so that the beneficiaries can acquire the title deeds.

Many stakeholders affirmed their support for the project and promised to explain to others who were absent about the fruits of the plans. They also promised to support the implementation of the project.

#### **RESPONSES TO THE STAKEHOLDERS' COMMENTS**

The Principal Consultant explained that the Consultant office located at the County Lands Office will co-ordinate with the settlement SEC members for verification of the already identified beneficiaries and also for identification of the parcel owners who were not available during the field survey.

He affirmed that all the parcels had access roads and that the proposed road reserves and expansion of the existing road reserves had minimum disruptions on the structures. He also explained that the consultancy team is working tirelessly to ensure that the project execution is completed on time. He assured the SEC members and the present plot owners that the final list of beneficiaries will be shared with them for further verification before being submitted to the client. The Principal Consultant explained that they will take into consideration all the issues raised by the stakeholders especially on matters regarding the proposal which are meant to improve the living standard of the people. He affirmed to the members that the proposed road carriage way will not affect the structures. He finalized by assuring the stakeholders that the process of beaconing will start once the survey team and sec members are ready.

The County KISIP coordinator explained that the drafts plan will be availed at the relevant County Government offices and the County KISIP offices for further review and comments by the stakeholders. He added that the stakeholders were free to visit any of these offices and air their views for them to be addressed accordingly.

He thanked the stakeholders for their overwhelming support and reminded them that the exercise will have many benefits not only to the plots owners but also to the entire residents within the settlement.

#### **WAY FORWARD.**

The participants unanimously validated the Riig draft Local Physical Development (Advisory) Plan and made the following suggestions as the way forward:

- a. Submission of the Local Physical Development (Advisory) Plan to the County Assembly for adoption.

- b. Certification of the Local Physical Development (Advisory) Plan by the National Director of Physical Planning.
- c. Approval of the Local Physical Development (Advisory) Plan by the Cabinet Secretary, Ministry of Lands and Physical Planning.
- d. Cadastral Survey
  - i. Surveying of resultant plots
  - ii. Preparation of survey plans
  - iii. Submission of the survey plans to the Director of Surveys for approval
- e. The settlement's name will be changed from Bulla Riig Informal Settlement to Riig Informal settlement.

#### **CLOSING REMARKS.**

The County KISIP coordinator thanked everyone in attendance and appreciated contributions, patience and active participation in the workshop. He reminded the settlement chairman to continue helping the Consultant team on the identification of the absent land owners within the settlement.

He finalized by assured them that the County Government is fully supporting the project and looking forward for speedy completion of the project in order to commence the implementation phase.

#### **ADJOURNMENT**

There being no other business, the workshop ended at 3:41 PM.

#### **CONFIRMATION**

Chairperson, (Daudi Biriye, Kisip County Coordinator)

Sign .....date .....

5th FEB, 2018

Secretary, (P. Mutuma Mbui Principal Consultant)

Sign .....date .....

2/2/18

## Attendance List

PLANNING AND SURVEYING OF SELECTED INFORMAL SETTLEMENTS IN GARISSA COUNTY.						
RIIG INFORMAL SETTLEMENT DRAFT LPDP PRESENTATION WORKSHOP						
VENUE: LANTERN RESORT – GARISSA TOWN						
DATE 24 <sup>TH</sup> JANUARY 2018						
STAKEHOLDERS' ATTENDANCE LIST						
S.No.	NAME	ID NO.	ORGANIZATION	DESIGNATION	PHONE NO.	SIGNATURE
1.	George Aswa	2497293	KISIP	SAD-Survey	0722712891	
2.	ADONETUSACE Hassan	11357176	Gar County	Co Lands	0772674875	
3.	Abdullah M. Ali	220019	COG	Dea-geoth	07-25744	
4.	Daniel OKUYA	2109709	OOP	ACC	0729926722	
5.	Hadi ADIWARAK (small)	24535523	MCA GALBET	MCA GALBET	072777746	
6.	KENASIRA S. Amos	29090133	OOP	ACC	072644240	
7.	Amu Mwgo	982170	KISIP	Deputy Director	072256166	
8.	A. I. Haker	8672187	GCC	Director	072266816	
9.	David A. Birire	13701878	GCG	Director/Commissioner	022162700	
10.	EDRIS IBRAHIM	0045954	RIIG School	Chairman	072248302	
11.	Noor Mohamed	21669132	RIIG	Member	072077678	
12.	Mohamed S. Fughi	0028918	"	"	072313737	
13.	Hakim Fughi	1860751	"	"	070246318	
14.	Mukha Hassan	2264788	"	"	075711117	
15.	Doka Fare	12913547	"	"	0711314623	
16.	Wabo Fare	6893993	"	"	0710616008	

17.	Zakaria Hassan	3582489	"	"	0729373477	
18.	Jarah Mohamed	3334574	GCG	"	0728900311	
19.	ADIFAT ALI	11692363	RIIG	See Member	072555306	
20.	Osman Samad	1081106	RIIG	Sec. Member	072223860	
21.	Sh Hassan Ali	9662156	SUPKAM	Treasurer	072234457	
22.	Aden Bille	8481703	DISABILITY	Chair	0720394336	
23.	Abdi Lak HBSI	1036188	SUPKAM	Member	0725339629	
24.	Muhtar Ilmoge	0045769	RIIG	plot owner	0720597330	
25.	Yamo Salim	07997787	RIIG School	Plot owner	0721828606	
26.	Jamal Keni	2272072	Kenyan National	Environmental	0722618831	
27.	Mariam Kibuka	0329676	"	Planner	0721111165	
28.	Muadh Dura	2039104	Renaissance	Planner	0706713525	
29.	Dominic Lungu	2247259	Renaissance	Planner	0728766432	
30.	Plumant Mushi	22451493	Renaissance	Planner	077569514	
31.	Kibala Omalo	30142437	Renaissance	Planner	0706500551	
32.	Abdullah Rotiell	10771603	C.G.G	County planner	0722870246	
33.	Muki Mohamed	24628110	C.G.G	Director environmental	071141870	
34.	Eric Chindir	26044860	KLIP	P. Planner	0710840057	
35.	Daniel Okuya	-	OOP	O.P.P	0729926722	
36.	Shahin Hassan Ali	0514230	SUPKAM	member	072237495	
37.	Abdullah Isack	25427806	NLC	Office clerk	0727863800	
38.	Almed Mardin	30278245	072230649-NLC	Office clerk	072226643	
39.	Wacanka Minnie	12500679	Lands	Registrar	0725913470	
40.						

## **MINUTES WITH THE COMMUNITY ON AMENDMENT OF THE LPDP**

### **PROCEEDINGS OF THE STAKEHOLDERS CONSULTATIVE MEETING FOR REPETITION OF PLANNING AND SURVEYING OF SELECTED INFORMAL SETTLEMENTS (COUNTY SCHEME, NAMU SCHEME, ISKADEK, MAKHANU AND BULLA RIIG) IN GARISSA COUNTY, CLUSTER 3 (PHASE I) AND CLUSTER 4 (PHASE II) HELD ON 17<sup>TH</sup> SEPTEMBER, 2018 AT THE BOARDROOM FOR CECM, DEPARTMENT OF LANDS AND URBAN DEVELOPMENT**

#### **Agenda**

##### **Introduction**

1. Opening remarks
2. Rationale for repetition of planning and surveying for the selected informal settlements for cluster 3 and 4, phase I and II respectively.
3. AOB

#### **Introduction and opening remarks**

The meeting was called to order at 8.45 am by Mr. Mohamed shalle, the County Executive Committee Member (CECM) in charge of lands and urban development. Opening prayers were conducted by a volunteer after which the participants made self-introduction.

The CECM, Mr. Mohamed welcomed the participants to the meeting and thanked them for prioritizing to attend the meeting. He informed the members that the major agenda for the meeting was to deliberate on repetition of the planning and surveying which was necessitated by massive anticipated displacement due to the proposed roads. He requested the participants to make constructive contributions noting that the two projects had delayed to get completed because the preparation of the Resettlement Action Plans could not be finalized due to the said anticipated displacement.

#### **Rationale for the repetition of the planning and surveying**

The consultant explained to the participants that planning and surveying of the two clusters (phases) was completed successfully. He thanked them for their support during the whole process. He informed them that the Settlement Executive Committee (SEC) members, the community (beneficiaries), the relevant Government Officers and many other stakeholders gave the consultancy team a lot of support which enabled the exercise to be carried out smoothly.

He informed the participants that although the planning and surveying was completed on time, the assignment could not be fully completed because the standard roads proposed in the plans could have resulted to massive displacement if the plans were to be implemented as they were. He explained that so many structures were affected mainly by the roads widening especially the 9m, 12m and 15m. He further explained that a lot of time was lost trying to look for the way forward thus causing the delay to complete the assignment. He informed the participants that the purpose of the stakeholders meeting was to seek their views on the way forward.

After the brief presentation by the consultant, the meeting was opened to the stakeholders to make their contributions. One after another, the participants expressed their concerns for the delayment of the projects' completion. They reiterated that all

the stakeholders had given their full support to the project and they wanted the completion to be expedited.

The chief officer, Urban Development, Mr. Abdullahi Omar requested the participants to give comments which would assist the consultant to complete the project. The KISIP representatives informed the members that the PAPs should be facilitated or compensated fully, before the lease certificates are issued because the World Bank takes community's social safeguards very seriously. They therefore advised that the stakeholders should discuss on how a way forward can be reached, one which would minimize the displacement as well as making the project viable and sustainable.

After a lengthy deliberation, it was unanimously resolved that the only way to reduce the massive displacement and make any positive progress is by only undertaking replanning and resurveying by reducing the width of some roads especially the ones which affected many structures. The participants further resolved that there is need to involve the Office of the National Director of Physical Planning to guide on the acceptable replanning standards. The consultant and KISIP were requested to get in touch with the National Director of Physical Planning for advice and if need be, the Director to convene a technical working session between his office, National and County KISIP offices and the consultant to technically deliberate on how best the replanning and resurveying could be undertaken while meeting the minimum planning standards. The stakeholders resolved to support the replanning and requested for the exercise to be expedited once the technical teams have agreed on the replanning process.

#### **AOB**

The CECM thanked the participants for finally charting the way forward. There being no other business, the meeting ended at 12.45pm with a word of prayer from a volunteer.

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#### **STAKEHOLDERS PARTICIPATING IN THE MEETING**



#### **Stakeholders Attendance List**



Head Office:  
KITDA PLAZA, 7TH Floor, Moi Avenue  
P.O. Box, 2315-00200, NAIROBI  
Cell: 0722-333-967 or 0727-275-123  
Email: [replanningtd@gmail.com](mailto:replanningtd@gmail.com)  
Website: [www.renaissanceplanning.co.ke](http://www.renaissanceplanning.co.ke)

**CONSULTATIVE MEETING FOR REPETITION OF PLANNING AND SURVEYING OF SELECTED INFORMAL SETTLEMENTS (COUNTY SCHEME, NAMU SCHEME, ISKADEK, MAKHANU AND BULLA RIIG) IN GARISSA COUNTY, CLUSTER 3 (PHASE I) AND CLUSTER 4 (PHASE II) HELD ON 17<sup>TH</sup> SEPTEMBER 2018.**

VENUE: CECM'S, MINISTRY OF LANDS, HOUSING, PUBLIC WORKS AND URBAN DEVELOPMENT BOARDROOM.

**LIST OF ATTENDANCE.**

S No	NAME	ORGANISATION/ INSTITUTION	DESIGNATION	PHONE NO.	SIGNATURE
1.	Mohamed Shalla	GARISSA County	Sec Member Lands & Urban Dev't	0721266118	<i>[Signature]</i>
2	Abdullah Omar	GARISSA County	Chief Officer Urban Development	0722567174	<i>[Signature]</i>
3	Abdullahi Isah	County	Lands Survey	0722506810	<i>[Signature]</i>
4	Saleem Nabura	Kisumu	Land Admin. Officer	0722853927	<i>[Signature]</i>
5	Klaus Onopra	Kisumu	Land Admin. Officer	0716291113	<i>[Signature]</i>
6	Gahlan Verman	KISUMU-GSA	Director - Urban Dev't	0722857803	<i>[Signature]</i>
7	Shamsa Abdi	Kisumu	CA Community	072423328	<i>[Signature]</i>
8	Fatima Mo'amed	Gariissa County	Asst. Dir. & Urban Plan	0722466557	<i>[Signature]</i>

9	Mary Wangari	GARISA COUNTY	Physical Planner	0724 740236	
10	P. Mutemwa Mburu	Consultant Renaissance Planning & Design	Lead Consultant	0722333872	
11	Mwenda D. Kitiingi	Renaissance Planning & Design	Ass. physical planner	0706913526	
12	John W. Wafolu	KISumu	Safeguard Head	0721412826	
13	Isiris Ibrahim	<del>50#5</del> Bulla rig	SEC chairman	0722483112	
14	Usubo yarre	Bulla Rig	Member	0716611608	
15	Saddia sheikh Noor	NAMU	member	072997669	
16	Mohamed Ahmed Noor	NAMU	sec chairman	0728549237	
17	TANATHE HADHE	COUNTY	Chairman (SEC)	0722782048	
18	Mohamed Nuw Abdi	Bulla Rig	Member	0722806218	
19	Hussia Ibrahim	County	Member	0724008922	
20	Aden Ali Farah	Makindu	SEC Chairman	0729789130	
21	Mohamed Muehim xben	Makindu	Member	0727421152	
22	AHMED K LUL	ISKADIA	CHAIRMAN	07167641606	
23	Abdi Omar Nussel	Makindu	Member	0721218548	
24	Minhas Mohamed	NAMU	Member	072030385	
25	Fatuma Elmiok	ISKADIA	Member	072705896	

26	Fakima Gane	Member	Member	0720113929	for
27	Mohar Yngye	PLG	Member	072259288	over
28	Ah Bilal Hassan	County Scheme	Member	0722989273	Hand.
29	Ahmed Ali Habi	County scheme	member	071600086	#
30	Salaf Soyoun	Alakhan	Member	072287128	HP
31	Amira Mohamed	PLG	Member	0722148984	Mu
32	Halima soyoun	Member	Community Member	072632666	HS
33	Leila Mohamed	Bulla Riig	community member	072274887	Paul
34	Muslima Hassan	Iskaden	Community member	072946673	LSA
35	Khalija O. Abeli	Name	Youth HP	070304291	Shu
36	Aden Bilal Hassan	Rig	PLG	072294236	Hand.
37	Suyat Narkhan	Iskaden	member	072862624	Hand.
38	Rutia Mohamed	Iskaden	Member		Hand.
39	Bara Diisi	Name	community member	0716924564	Hand.
40	Sahara Aden	Ymow Alakhan	Member	074905388	Shu
41					



**REPUBLIC OF KENYA  
MINISTRY OF TRANSPORT, INFRASTRUCTURE,  
HOUSING AND URBAN DEVELOPMENT  
State Department of Housing and Urban Development  
Kenya Informal Settlements Improvement Project**

**[TECHNICAL REVIEW REPORT]**

**CLUSTERS III (PHASE ONE) AND IV (PHASE TWO) ADVISORY  
PHYSICAL DEVELOPMENT PLANS FOR SELECTED INFORMAL  
SETTLEMENTS IN GARISSA COUNTY**

**National Director of Physical Planning  
Kenya Informal Settlements Improvement Project  
County Government of Garissa  
Renaissance Planning Ltd**

**MERICA HOTEL, NAKURU**

**15<sup>TH</sup> – 19<sup>TH</sup> JANUARY 2019**

## CONFIRMATION

### Chairperson

Name: **Dr. Juliana Mutua**

Designation: Deputy Director, Physical Planning Department

Sign: .....

Date: 11/2/19 .....

### Joint Secretaries

Name: **Mr. George Arwa**

Designation: KISIP Component 2 Head

Sign: .....

Date: 04/feb/2019 .....

Name : **Plan. Mutuma Mbui**

Designation: Principal Consultant, Renaissance Planning Ltd

Sign: .....

Date: 01/2/19 .....

## LIST OF PARTICIPANT'S

No.	Name	Institution / Organization
1.	Dr. Juliana Mutua	Department of Physical Planning
2.	Mr. George Arwa	KISIP
3.	Plan. Mutuma Mbui	Renaissance Planning Ltd
4.	Jeremiah Waswa	Department of Physical Planning
5.	Diyad Adan Abdi	Department of Physical Planning
6.	Victor Nzue	Department of Physical Planning
7.	Rachel Kimungui	Department of Physical Planning
8.	Rachael N. Mugo	Department of Physical Planning
9.	Anita Wakuze	Department of Physical Planning
10.	Ken Obuya	Department of Physical Planning
11.	Philip O. Olale	KISIP
12.	Antony Kimosop	KISIP
13.	Zenah Kurui	KISIP
14.	Cornel Akatch	KISIP
15.	Evans Omagwa	KISIP
16.	Fatuma Mohamed	County Government of Garissa
17.	Mary Wangui	County Government of Garissa
18.	Abdi Malik Mohamud	County Government of Garissa
19.	Abdulahi Hakar	County Government of Garissa
20.	Catherine Katuma	Renaissance Planning Ltd
21.	Farjala Omollo	Renaissance Planning Ltd
22.	Duncan Mwenda	Renaissance Planning Ltd
23.	Victor Wambua	Renaissance Planning Ltd
24.	Augustine Mutuku	Renaissance Planning Ltd
25.	Phineas Mwiti	Renaissance Planning Ltd

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## 1. OVERVIEW OF RETREAT

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- 1.1:** This report documents proceedings of a technical retreat which was held from 15<sup>th</sup> to 19<sup>th</sup> January 2018 at Merica Hotel, Nakuru.
- 1.2:** It involved officers from the National Physical Planning Department, Garissa County Government, KISIP and Renaissance Planning Ltd (Consultant).
- 1.3:** The purpose of the retreat was to review advisory Local Physical Development Plans for the following informal settlements in Garissa County:
- a) County Scheme Clusters 3 and 4;
  - b) Namu Scheme Clusters 3 and 4;
  - c) Iskadek Clusters 3 and 4;
  - d) Makhanu Clusters 3 and 4 and
  - e) Riig Clusters 3 and 4.
- 1.4:** The Plans review retreat was necessitated by the anticipated high displacements, loss of livelihoods and disruption of community social ties that resulted from the plans and therefore an unsustainable relocation action plans (RAPs).
- 1.5:** The technical retreat was organized in 10 working sessions – see annex 1 on retreat program. Broadly, the review adopted the use of Technical Working Groups (TWGs) in view to ensure that all the five settlement plans were adequately reviewed within the short time available.
- 1.6:** The ten working sessions were modified to take care of circumstances and ideas that emerged during the deliberations.

## **2. WORKING SESSION 1:**

### **INTRODUCTION**

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**2.1:** This session started at 2.30 P.M on 16<sup>th</sup> January 2019

#### **Remarks by the KISIP**

**2.2:** KISIP Head of Component 2 appreciated the stakeholders for cooperation and support to the project; specifically, he acknowledged Garissa County for support, Consultant for hard work put in preparing the advisory plans, office of the National Director of Physical Planning for technical advice, the World Bank for guidance and finance and KISIP PCT for Coordination.

**2.3:** He invited participants for the 3-day retreat and said he was optimistic that the objectives of the workshop will be met. He noted that the workshop had been organized jointly by KISIP and the Consultant to enable the Department of Physical Planning and other Key stakeholders to review the plans to enable finalization, approval and issuance of ownership documents to the beneficiaries.

**2.4:** He also noted that the LPDPs for Lot 3 were approved, but could not be implemented since the proposed road way-leaves would cause major displacements. He informed the participants that the World Bank's social safeguards require that the project affected persons (PAPs) be facilitated during plan implementation.

**2.5:** He further noted that the estimated cost for implementing the RAPs for lot 3 and 4 is approximately Ksh. 2 Billion which according to the signed agreement with the project financiers is supposed to be paid by the Government of Kenya. He stated that this condition was emphasized more by project financiers at a later stage (during RAPs preparation). This therefore posed a challenge of preparing and issuance of ownership documents to the beneficiaries since the amount is unsustainable.

**2.6:** He said the approved Lot 3 Plans are proposed to undergo replanning with adoptive planning standards with a view of mitigating the high displacements and the anticipated high cost of compensating PAPs, whereas the Lot 4 draft plans need to be reviewed, amended and re-submitted for approval.

#### **Remarks by the Consultant**

**2.7:** The consultant gave a brief overview of the project status and the challenges of dealing with those affected by the plans proposals.

**2.8:** It was noted that the Plans were prepared through public participation process and stakeholders were satisfied with the process.

- 2.9: He indicated that about 8,000 beneficiaries will benefit from the tenure regularization in the 5 informal settlements (Clusters 3 and 4). He explained that the situation at hand of dealing with the affected persons and mostly permanent structures has brought completion of the project at stake. Thus the consultant made an ample request to the office of the National Director of Physical Planning to consider some level of flexibility in the planning standards.
- 2.10: He noted that during consultative meetings with the community, some said they rather stay the way they are than being displaced. As a consultant, he advised that intervention is necessary by bringing some level of order to the settlements and incrementally, standards will be introduced and enforced by the County Government.

#### **Remarks by Garissa County Government**

- 2.11: The Garissa County Government representatives present reiterated the situation on the ground and the uniqueness of the settlements. The County Director of Survey gave the history on how the pastoral communities (Nomads) were befallen by natural calamities (droughts) successively. They consequently settled on the public land near Garissa town CBD in order to access relief food.
- 2.12: He explained that the County Government would support planning with adoptive planning standards to enable these communities obtain ownership documents and at the same time achieving some minimum planning standards by ensuring that the required standards would be met in future through incremental implementation of the plans proposals.
- 2.13: He reported that the Cabinet Secretary in charge of Lands and Physical Planning recently visited Garissa and noted a problem of many people not having legal land ownership documents.

#### **Remarks by the Office of the National Director of Physical Planning**

- 2.14: The representatives of the above mentioned office reiterated the importance of holding the joint working sessions because at the end of the day the participants would be able to get a way forward.
- 2.15: It was noted that eventually the retreat would be able to come up with some recommendations which would enable the consultant complete the plans preparation process.
- 2.16: It was noted that the approved plans are legal documents, which are subject to implementation and there are some minimum standards which should be met in the revision process.

- 2.17:** The office gave reasons why planning should be done with a mind of taking care of current and future generations and that planning should not create chaos and every profession should be proud of what they do.
- 2.18:** The team said that there was need for clear parameters against which the plans would be reviewed, noting that they are open to ideas and views of all the stakeholders.
- 2.19:** The Department noted that they were cognizant of conditionality of the Resettlement Action Plans, but they said there is need to improve the settlements through some irreducible minimum standards.

### 3. WORKING SESSION 3:

#### PLANS REVIEW CRITERIA

- 3.1:** This session started at 4.30 P.M on 16<sup>th</sup> January 2019
- 3.2:** Two presentations were made by KISIP and the National Department of Physical Planning on the criteria for evaluation of the advisory plans.

#### KISIP Presentation

- 3.3:** This presentation was an advisory on rationalizing road way leaves for the Garissa informal settlements physical development plans. The presentation emphasized that physical planning seeks to promote compatibility of land uses, efficiency in service delivery and effective connectivity of land use activities.
- 3.4:** However, it was noted that fiscal and social costs of complying with conventional standards are prohibitive for informal settlements thus there is need for innovative application to prevent continued cycle of poverty and exclusion.
- 3.5:** The advisory also noted key legal frameworks for such rationalization as contained under Constitution of Kenya 2010 articles 40, 42, 43, 66; National Slum Upgrading and Prevention Policy and Section 23 of the Physical Planning Act which empowers the National Director of Physical Planning to declare an area with unique development potential or problems as a special planning area (SPA).
- 3.6:** Case studies of roads and space standards in informal settlements upgrading were presented as follows:

a) Roads and Space Standards Used in Dar es Salaam

Type of road	Hanna Nassif	Ubungo Darajani	Community Infrastructure Upgrading Program
Local Distributor Roads	8.0 M	7.0 – 8.0 M	10.0 – 12.0 M
Access Roads	6.0 M	5.0 – 6.0 M	10.0 – 12.0 M
Pedestrian Footpaths	1.5 – 3.0 M	2.0 – 4.0 M	2.0 – 4.0 M

b) Building By-Laws and Planning Regulations Review 1992

Type	Width
Minor roads	9m
Primary roads	6m
Secondary/domestic paths	3m

c) Physical Planning Handbook 2002

Number of Plots	Street Width
1 -20	9m
21 -50	12m

d) Recommended Urban Road Reserve by Physical Planning Handbook 2002

Type	Width
Major access road exceeding 150m in length	15m
Access road not exceeding 150m in length (normal Residential street)	12m
Cul-de-Sac or short connecting road not exceeding 60m.	9m
Service lanes	6m
Cyclist lanes	3m
Footpaths	2m

3.7: Based on the above cases, KISIP proposed road wayleave standards for Garissa informal settlements as presented below:

Type of Access Road	Minimum Dar es Salaam Case	Minimum Taskforce	Minimum PPH	Proposed for Garissa
Primary Access	7m	9m	15m	9 – 12m
Secondary Access	5m	6m	9m	7 – 9m
Plot Service Access		3m	6m	3 – 6m
Pedestrian Paths	1.5m	3m	2m	1.5 – 3m

### Presentation by Department of Physical Planning

**3.8:** It was noted that the main purpose of developing criteria to be used in the evaluation of the LPDPs was to avail an objective framework applicable to all LPDPs. The criteria to include, but not limited to the following:

- Legal context: Are the plans prepared within the relevant legal framework? (PPA)
- Adherence to planning standards and guidelines (provisions of the Physical Planning Handbook, PPA regulations, departmental conventional drafting standards & methods)
- Report: To incorporate; Cover page, content, comprehensiveness and completeness
- Policy: Adherence and proper interpretation of National, County and local development policies and linkage to the same.
- New concepts/ideas: Development of local/settlement specific appropriate and realistic policies, guidelines & regulations.

**3.9:** The table below summarizes the various thematic areas with relevant questions and expectations to address key issues of concerns for the realization of KISIP component 2 objectives and the evaluation criteria in 3.8:

Themes	Evaluation Question	Expectations
Socio-economic survey and physical mapping	Were the objectives of the socio economic survey achieved in terms of the identification, enumeration and verification of beneficiaries, structures, structure owners/tenants and issuance of the identification documents?	Proof of enumeration <ul style="list-style-type: none"> <li>List of beneficiaries, structures, structure owners/tenants</li> <li>Proof of issuance of identification documents</li> </ul>
	Were the population attributes in the settlement adequately analyzed?	<ul style="list-style-type: none"> <li>Total population</li> <li>Population projections</li> <li>HDI(life expectancy, Literacy,)</li> <li>Household Nos and sizes</li> <li>Occupation/employment</li> <li>Household income levels</li> <li>Housing typology /nature</li> <li>Water</li> <li>Sanitation facilities</li> </ul>
Stakeholders engagement	What is the evidence of stakeholder's engagement?	Tools of engagement (lists with signatures, minutes)/evidence
	Was the level and scope of engagement acceptable?	No. of Workshops, minutes, list of attendance
	Were the concerns of the stakeholders captured and analyzed?	Analysis of stakeholders who were engaged.
	Were the stakeholders concerns addressed?	Analysis of stakeholder concerns
		The link between stakeholder concern and the plan proposals

Themes	Evaluation Question	Expectations
Base map and site analysis	Did the consultant engage the community in the delineation of the boundary of the planning area?	Proof in terms of minutes, sessions of the agreement on the boundary
	Was the topographical map prepared?	A Geo-referenced map A map with Contours, manmade and natural features
	Were thematic layers provided?	Separation of the layers
Planning issues	Are planning issues identified and captured sectorally /thematically?	Sector specific issues
	Do the issues capture the stakeholders concerns?	List of stakeholders concerns
Land use plan	Are the land uses proposals presented?	Land use proposals
	Are the proposed land uses appropriate (content and explanations)?	Land use proposals
	Are land use, land management policies and regulations proposed	Land use, Land management policies and regulations/ standards
	Are the proposed policies and regulations appropriate?	Sound policies and regulation
Development strategies /Projects	Have the strategic development proposals been presented?	Development Strategies & projects
	Do the development strategies address the key areas of concern including the stakeholders concerns?	Link between strategies and stakeholder concerns
	Have the strategies been supported by projects/ programmes?	Link between strategies and projects
	Are the projects practical /achievable in reference to cost?	Feasible projects
	Do the proposed strategies achieve the plan's objectives?	Strategies aligned to plan's objectives
Implementation mechanism	Is the implementation mechanism proposed?	Implementation Matrix
	Are the implementation governance and institutional issues identified?	Opportunities & constraints Governance issues
	Is the mechanism realistic (timeframe, basic needs) and addressing the issues?	Time conscious implementation frame
Layout design	Is the map properly presented?	Standardized presentation in terms of title, grid lines, scale ,accessibility, abuttals, location plan, zoning lines, labeling ,legend ,scale, paper sizes and the presentation and the printing materials
Report layout	Is the report properly laid and presented?	In terms of title, outline, the authorization, fonts, captions, text and content issues and precision, reference, annex

### Formation of TWGs

- 3.10:** Three groups were formed to review the plans for both Clusters 3 (Phase One) and 4 (Phase Two) for the five informal settlements.
- 3.11:** The National Deputy Director of Physical Planning, Dr. Juliana Mutua, KISIP Component Two Head, Mr. George Arwa, Abdulahi Hakar, Director of Survey, Garissa County and the Lead Consultant Planner, P. Mutuma Mbui were requested to guide all the three groups.
- 3.12:** Tables below indicates the details of the three groups' membership:

- a) Group One Members - Bulla Rüig Clusters 3 (Phase one) and 4 (Phase two)

Name	Institution / Organization	Role
Jeremiah Waswa	Department of Physical Planning	Chairperson
Diyad Adan Abdi	Department of Physical Planning	Rapporteur
Philip Olale	KISIP	Member
Antony Kimosop	KISIP	Member
Fatuma Mohamed	County Government of Garissa	Member
Catherine Katuma	Renaissance Planning Ltd	Member
Farjala Omollo	Renaissance Planning Ltd	Rapporteur

- b) Group Two Members - County Clusters 3 (Phase one) and 4 (Phase two) and Makhanu Clusters 3 (Phase one) and 4 (Phase two)

Name	Institution / Organization	Role
Victor Nzue	Ministry Of Lands And Physical Plannning	Chairperson
Rachel Kimungui	Ministry Of Lands And Physical Plannning	Rapporteur
Zenah Kurui	KISIP	Member
Mary Wangui	Garissa County	Member
Duncan Mwenda	Renaissance Planning Ltd	Member
Victor Wambua	Renaissance Planning Ltd	Rapporteur

- c) Group Three Members - Namu Clusters 3 (Phase one) and 4 (Phase two) and Iskadek Clusters 3 (Phase one) and 4 (Phase two)

Name	Institution / Organization	Role
Rachael N. Mugo	Office of the National Director of Physical Planning	Chairperson
Anita Wakuze	Office of the National Director of Physical Planning	Rapporteur
Ken Obuya	Office of the National Director of Physical Planning	Member
Colonel Akatch	KISIP	Member
Evans Omagwa	KISIP	Member
Augustine Mutuku	Renaissance Planning Ltd	Member
Phineas Mwiti	Renaissance Planning Ltd	Rapporteur
Abdi Malik Mohamud	Garissa County	Member

### **Session Conclusion**

- 3.13:** It was agreed that based on the presentations by KISIP and the Physical Planning Department, a common criteria detailing the minimum standards, especially on the roads hierarchy should be developed to guide the review exercise. It was agreed that the proposals should achieve minimum standards and give room for incremental upgrading of the settlements.
- 3.14:** The Presentation done by KISIP and the criteria for evaluation by the National Department of Physical Planning were circulated to the members, to be discussed further on day 2 and agree on the minimum standards to be observed.

#### 4. WORKING SESSION 4:

##### HARMONIZATION OF CRITERIA AND PLANS REVIEW

- 4.1: The session started at 8.30 A.M on 17th January 2019 with opening remarks by the National Deputy Director of Physical Planning, Dr. Juliana Mutua.
- 4.2: She guided the participants in coming up with the plans evaluation criteria. It was agreed that the criteria presented by the Physical Planning Department be adopted in its entirety but with the following negotiated minimum standards for roads:

Negotiated Minimum Standards –	
Primary Roads	12M
Secondary Roads	9M
Service Lanes	6M -8M
Foot paths	Bellow 6M

- 4.3: It was agreed that the groups' evaluations and discussions should take the whole of Day two – see photos.



Figure 1: Groups in Session



Figure 2: Group 1

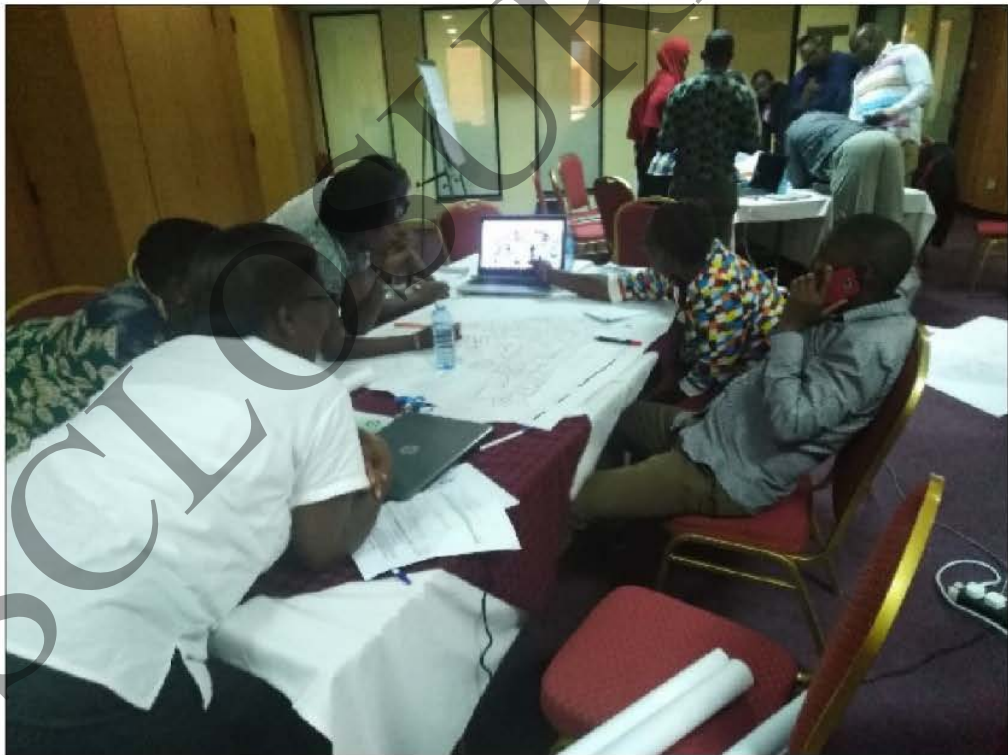


Figure 3: Group 3

## 5. WORKING SESSION 5:

### PRESENTATION OF GROUP REVIEWS

#### 5.1: Group One -Bulla Riig Clusters 3 (Phase one) and 4 (Phase two)

Themes	Evaluation Question	Expectations	Comments	Recommendations
Socio-economic survey and physical mapping	Were the objectives of the socio economic survey achieved in terms of the identification, enumeration and verification of beneficiaries, structures, structure owners/tenants and issuance of the identification documents?  Were the population attributes in the settlement adequately analyzed?	<ul style="list-style-type: none"> <li>Proof of enumeration</li> <li>List of beneficiaries, structures, structure owners / tenants</li> <li>Proof of issuance of identification documents</li> </ul>	<p>Provided separately</p> <p>In the report</p> <ul style="list-style-type: none"> <li>Well analyzed</li> </ul>	
Stakeholders engagement	What is the evidence of stakeholder's engagement?	<ul style="list-style-type: none"> <li>Total population</li> <li>Population projections</li> <li>HDI (life expectancy, Literacy)</li> <li>Houshold Nos and sizes</li> <li>Occupation /employment</li> <li>Houshold income levels</li> <li>Housing typology /nature</li> <li>Water</li> <li>Sanitation facilities</li> </ul>	Available (annexed in the report)	
	Was the level and scope of engagement acceptable?	<p>No. of Workshops, minutes, list of attendance</p> <p>-Analysis of stakeholders who were engaged.</p>	<p>6 stakeholder workshops undertaken</p> <p>Satisfactory</p>	

Themes	Evaluation Question	Expectations	Comments	Recommendations
	Were the concerns of the stakeholders captured and analyzed?	Analysis of stakeholder concerns	Mainstreamed in proposal chapter	
	Were the stakeholders concerns addressed?	The link between stakeholder concern and the plan proposals	Mainstreamed in proposal chapter	
Base map and site analysis	Did the consultant engage the community in the delineation of the boundary of the planning area?	Proof in terms of minutes, sessions of the agreement on the boundary	Provided in Appendix 5-6	
	Was the topographical map prepared?	A Geo-referenced map A map with Contours, manmade and natural features	Well done	
	Were thematic layers provided?	Separation of the layers	Well done	
	Are planning issues identified and captured sectorally /thematically?	Sector specific issues	<ul style="list-style-type: none"> <li>All key planning themes identified and analyzed</li> <li>Road hierarchy and distribution is inadequate due to constraints on the state of development.</li> <li>Inadequate provision of commercial facilities</li> <li>Lack of public health facility</li> </ul>	<ul style="list-style-type: none"> <li>Designate the identified areas for commercial centre, dispensary and an open air market</li> <li>Upgrade identified primary roads to 12m</li> <li>Upgrade identified secondary roads to 9m</li> <li>Designate all accesses between 6-and below 9m as service lanes</li> <li>All accesses below 6m should be leveled as foot paths.</li> </ul>
Land use plan	Do the issues capture the stakeholders concerns?	List of stakeholders concerns	Yes, they capture	
	Are the land uses proposals presented?	Land use proposals	Yes	

Themes	Evaluation Question	Expectations	Comments	Recommendations
Development strategies / Projects	Are the proposed land uses appropriate (content and explanations)?	Land use proposals	Yes	
	Are land use, land management policies and regulations proposed	Land use, Land management policies and regulations / standards	Yes	Update as per the additional proposals
	Are the proposed policies and regulations appropriate?	Sound policies and regulation	Not adequate	See suggestion in item C
	Have the strategic development proposals been presented?	Development Strategies & projects	Well done	
	Do the development strategies address the key areas of concern including the stakeholders concerns?	Link between strategies and stakeholder concerns	Yes	
	Have the strategies been supported by projects / programmes?	Link between strategies and projects	Adequate	
	Are the projects practical / achievable in reference to cost?	Feasible projects	N/A	
	Do the proposed strategies achieve the plan's objectives?	Strategies aligned to plan's objectives	Accessibility and livelihoods not adequately addressed	Primary roads of 12m proposed Secondary roads of 9m proposed Service lanes and footpaths proposed Commercial node, open air market and dispensary proposed

Themes	Evaluation Question	Expectations	Comments	Recommendations
Implementation mechanism	Is the implementation mechanism proposed?	Implementation Matrix	Yes	
	Are the implementation governance and institutional issues identified?	Opportunities & constraints Governance issues	Yes	
	Is the mechanism realistic (timeframe, basic needs) and addressing the issues?	Time conscious implementation frame	Yes	
Layout design	Is the map properly presented?	Standardized presentation in terms of title, grid lines, scale, accessibility, abutments, location plan, zoning lines, labeling, legend, scale, paper sizes and the presentation and the printing materials	All aspects are satisfactorily presented except for labeling of roads to show direction and continuity	Improve on labelling of road network
Report layout	Is the report properly laid and presented?	In terms of title, outline, the authorization, fonts, captions, text and content issues and precision, reference, annex	Adequately done	

#### Recommendations on Land Management (Special Conditions On Allotment Letters and Titles to Beneficiaries)

- To achieve the 15m conventional physical planning standard, all plots abutting 12m road reserves in the plan shall each surrender 1.5 m on either side during submission of development applications.
- To achieve the 12m conventional physical planning standard, all plots abutting 9m road reserves in the plan shall each surrender 1.5 m on either side during submission of development applications.
- To achieve the 9m conventional physical planning standard, all plots abutting 6m road reserves in the plan shall each surrender 1.5 m on either side during submission of development applications.
- To achieve the 9m conventional physical planning standard, all plots abutting 7-8m road reserves in the plan shall each surrender 1m and 0.5m respectively on either side during submission of development applications.

- The County Government shall develop subdivision guidelines. Based on subdivision regularization guidelines adopted by the County, all the lease holders shall be required to make fresh development applications. The condition in the approval to include road widening provisions as indicated above.
- All plots designated as commercial zones shall be required to surrender a 6m service lane, adopt increased density as per the development control guidelines in the approved plan and mixed use.
- The planning period should be reduced to 5years to allow for revision of the plans.

## 5.2: Riig Phase Two Plan Review Report

Themes	Evaluation Question	Expectations	Comments	Recommendations
Socio-economic survey and physical mapping	Were the objectives of the socio economic survey achieved in terms of the identification, enumeration and verification of beneficiaries, structures, structure owners /tenants and issuance of the identification documents?  Were the population attributes in the settlement adequately analyzed?	<ul style="list-style-type: none"> <li>• Proof of enumeration</li> <li>• List of beneficiaries, structures, structure owners /tenants</li> <li>• Proof of issuance of identification documents</li> </ul>	<p>Provided separately</p> <p>In the report</p> <ul style="list-style-type: none"> <li>• Well analyzed</li> </ul>	
Stakeholders engagement	What is the evidence of stakeholder's engagement?	<ul style="list-style-type: none"> <li>• Total population</li> <li>• Population projections</li> <li>• HDI (life expectancy, Literacy)</li> <li>• Household Nos and sizes</li> <li>• Occupation /employment</li> <li>• Household income levels</li> <li>• Housing typology /nature</li> <li>• Water</li> <li>• Sanitation facilities</li> </ul> <p>Tools of engagement (lists with signatures, minutes) / evidence</p>	Available (annexed in the report)	

Themes	Evaluation Question	Expectations	Comments	Recommendations
	Was the level and scope of engagement acceptable?	No. of Workshops, minutes, list of attendance -Analysis of stakeholders who were engaged.	6 stakeholder workshops undertaken Satisfactory	
	Were the concerns of the stakeholders captured and analyzed?	Analysis of stakeholder concerns	Mainstreamed in proposal chapter	
	Were the stakeholders concerns addressed?	The link between stakeholder concern and the plan proposals	Mainstreamed in proposal chapter	
	Did the consultant engage the community in the delineation of the boundary of the planning area?	Proof in terms of minutes, sessions of the agreement on the boundary	Provided in Appendix 3	
Base map and site analysis	Was the topographical map prepared?	A Geo-referenced map A map with Contours, manmade and natural features	Well done	
	Were thematic layers provided?	Separation of the layers	Well done	
Planning issues	Are planning issues identified and captured sectorally / thematically?	Sector specific issues	<ul style="list-style-type: none"> <li>All key planning themes identified and analyzed</li> <li>Road hierarchy and distribution is inadequate due to constraints on the state of development.</li> <li>Inadequate provision of commercial facilities</li> <li>Lack of public health facility</li> </ul>	<ul style="list-style-type: none"> <li>Designate the identified areas for commercial centre</li> <li>Upgrade identified primary roads to 12m</li> <li>Upgrade identified secondary roads to 9m</li> <li>Designate all accesses between 6M and less than 9m as service lanes</li> <li>All accesses below 6m are walkways</li> <li>The public health facility</li> </ul>

Themes	Evaluation Question	Expectations	Comments	Recommendations
Land use plan	Do the issues capture the stakeholders concerns?	List of stakeholders concerns	Yes, they capture	proposed in phase 1 plan will also offer services to those residents in phase 2 area
	Are the land uses proposals presented?	Land use proposals	Yes	
	Are the proposed land uses appropriate (content and explanations)?	Land use proposals	Yes	
	Are land use, land management policies and regulations proposed	Land use, Land management policies and regulations / standards	Yes	
	Are the proposed policies and regulations appropriate?	Sound policies and regulation	Not adequate	
Development strategies / Projects	Have the strategic development proposals been presented?	Development Strategies & projects	Well done	Update as per the additional proposals See suggestion in item C
	Do the development strategies address the key areas of concern including the stakeholders concerns?	Link between strategies and stakeholder concerns	Yes	
	Have the strategies been supported by projects / programmes?	Link between strategies and projects	Adequate	
	Are the projects practical /achievable in reference to cost?	Feasible projects	No cost projections provided in the plan. TORs did not provide for that	
	Do the proposed strategies achieve the	Strategies aligned to plan's objectives	Accessibility and livelihoods not adequately addressed	
				Primary roads of 12m proposed

Themes	Evaluation Question	Expectations	Comments	Recommendations
	plan's objectives?			Secondary roads of 9m proposed Service lanes and footpaths proposed Commercial node proposed
Implementation mechanism	Is the implementation mechanism proposed?	Implementation Matrix	Yes	
	Are the implementation governance and institutional issues identified?	Opportunities & constraints Governance issues	Yes	
	Is the mechanism realistic (timeframe, basic needs) and addressing the issues?	Time conscious implementation frame	Yes	
Layout design	Is the map properly presented?	Standardized presentation in terms of title, grid lines, scale ,accessibility, abutments, location plan, zoning lines, labeling ,legend ,scale, paper sizes and the presentation and the printing materials	All aspects are satisfactorily presented labeling of roads to show direction and continuity	Improve on labeling of road network
Report layout	Is the report properly laid and presented?	In terms of title, outline, the authorization, fonts, captions, text and content issues and precision, reference, annex	Adequate	

#### Recommendations on Land Management (Special Conditions On Allotment Letters and Titles to Beneficiaries)

- To achieve the 15m conventional physical planning standard, all plots abutting 12m road reserves in the plan shall each surrender 1.5 m on either side during submission of development applications.

- To achieve the 12m conventional physical planning standard, all plots abutting 9m road reserves in the plan shall each surrender 1.5 m on either side during submission of development applications.
- To achieve the 9m conventional physical planning standard, all plots abutting 6m road reserves in the plan shall each surrender 1.5 m on either side during submission of development applications.
- To achieve the 9m conventional physical planning standard, all plots abutting 7-8m road reserves in the plan shall each surrender 1m and 0.5m respectively on either side during submission of development applications.
- Based on subdivision regularization guidelines adopted by the County, all lease holders shall be required to make fresh development applications. The condition in the approval to include road widening provisions.
- All plots designated as commercial zones shall be required to surrender 6m service lane, adopt increased density as per the development control guidelines in the approved plan and mixed use.
- The planning period should be reduced to 5 years to allow for revision of the plan.

### 5.3: Group Two: County Scheme and Makhanu Clusters 3 (Phase One) and Cluster 4 (Phase Two)

Themes	Evaluation Question	Expectations	Comments	Recommendations
Socio-economic survey and physical mapping	Were the objectives of the socio economic survey achieved in terms of the identification, enumeration and verification of beneficiaries, structures, structure owners /tenants and issuance of the identification documents?	<ul style="list-style-type: none"> <li>• Proof of enumeration</li> <li>• List of beneficiaries, structures, structure owners /tenants</li> <li>• Proof of issuance of identification documents</li> </ul>	<ul style="list-style-type: none"> <li>- Done</li> <li>- Evidence provided</li> </ul>	List of beneficiaries presented separately
	Were the population attributes in the settlement adequately analyzed?	<ul style="list-style-type: none"> <li>• Total population</li> <li>• Population projections</li> <li>• HDI (life expectancy, Literacy,)</li> <li>• Household Nos and sizes</li> <li>• Occupation/employment</li> <li>• Household income levels</li> <li>• Housing typology /nature</li> <li>• Water</li> </ul>	<ul style="list-style-type: none"> <li>• Life expectancy, Literacy not provided</li> </ul>	<ul style="list-style-type: none"> <li>• To be provided</li> </ul>

Themes	Evaluation Question	Expectations	Comments	Recommendations
Stakeholders engagement		<ul style="list-style-type: none"> <li>Sanitation facilities</li> </ul>		
	What is the evidence of stakeholder's engagement?	Tools of engagement (lists with signatures, minutes)/evidence	Provided	
	Was the level and scope of engagement acceptable?	No. of Workshops, minutes, list of attendance -Analysis of stakeholders who were engaged. Analysis of stakeholder concerns	Well captured	
	Were the concerns of the stakeholders captured and analyzed? Were the stakeholders concerns addressed?	The link between stakeholder concerns and the plan proposals	Provided <ul style="list-style-type: none"> <li>The link not addressed fully.</li> <li>Standards in sewerage coverage not addressed</li> <li>Actors to be very specific</li> <li>Security concerns not addressed</li> <li>Quality of education is not a planning issue</li> </ul>	<ul style="list-style-type: none"> <li>To be improved</li> </ul>
Base map and site analysis	Did the consultant engage the community in the delineation of the boundary of the planning area?	Proof in terms of minutes, sessions of the agreement on the boundary	Well captured	
	Was the topographical map prepared?	A Geo-referenced map A map with Contours, manmade and natural features	Provided	
	Were thematic layers	Separation of the layers	Provided	

Themes	Evaluation Question provided?	Expectations	Comments	Recommendations
Planning issues	Are planning issues identified and captured sectorally / thematically?	Sector specific issues	Captured	
	Do the issues capture the stakeholders concerns?	List of stakeholders concerns	Captured	
Land use plan	Are the land uses proposals presented?	Land use proposals	Structure plan should come before plan proposals	
	Are the proposed land uses appropriate (content and explanations)?	Land use proposals	Some land use proposal to be revised as indicated in the plans e.g commercial and industrial specifically in Makhauu	
	Are land use, land management policies and regulations proposed	Land use, Land management policies and regulations / standards	Legal framework should follow the following order:- 1. The Constitution 2. Policy framework 3. Legal framework and 4. Institutional framework	
	Are the proposed policies and regulations appropriate?	Sound policies and regulation	provided	
Development strategies / Projects	Have the strategic development proposals been presented?	Development Strategies & projects	Well Captured	
	Do the development strategies address the key areas of concern including the stakeholders concerns?	Link between strategies and stakeholder concerns	Not well covered Use POC (Potentials, opportunities and constraints) to address the stakeholders concerns	
	Have the strategies been supported by projects / programmes?	Link between strategies and projects	Captured	
	Are the projects practical	Feasible projects	Yes	

Themes	Evaluation Question /achievable in reference to cost?	Expectations	Comments	Recommendations
	Do the proposed strategies achieve the plan's objectives?	Strategies aligned to plan's objectives	Project Objectives to come before project output	
Implementation mechanism	Is the implementation mechanism proposed?	Implementation Matrix	Add deliverables in the matrix Transportation should cover:- <ul style="list-style-type: none"> <li>• Road opening</li> <li>• Road widening</li> <li>• Road establishment</li> </ul>	
	Are the implementation governance and institutional issues identified?	Opportunities & constraints Governance issues	Use POC (Potentials, opportunities and constraints) table to analysis	
	Is the mechanism realistic (timeframe, basic needs) and addressing the issues?	Time conscious implementation frame	Add deliverables and time column in the matrix framework	
Layout design	Is the map properly presented?	Standardized presentation in terms of title, grid lines, scale ,accessibility, abutments, location plan, zoning lines, labeling ,legend ,scale, paper sizes and the presentation and the printing materials	Use A3 map paper sizes in presenting the maps in the report	
Report layout	Is the report properly laid and presented?	In terms of title, outline, the authorization, fonts, captions, text and content issues and precision, reference, annex	Well captured	

**County Scheme phase I**

- R15 to expand to 9M
- R16 to expand to 9M
- Cul de sac in plot no 142,140 and 153B
- R18 special condition- gradual incremental to 9M
- R22 expand to 6M
- R3 AND R6 expand to 9M
- R2 expand to 9M,R14 expand to 6M
- Close R2 at 11B and 12.
- R4 expand to 8M
- R7 expand to 9M
- N002 to accessed through access neck
- R8 (6M) to access plot no 60 only
- Plot no 57 and 72 to be accessed through access neck
- Expand R12,13 to 6M

**County Scheme Phase II**

- R1 should be expanded from 5m to 9m road
- R5 should be extended to join R6 (new structure at plot no.84.) public interest to override individual interest
- Cul de sac to access plot no.79 and 83
- Junction from R6 to R4 to R3 should be expanded to 9m (affected structures in plot no.181,142 and 84)
- 198 to be accessed through access neck from R1
- Plot 186 to be served from R4
- Plot 221 to be served by R1 only
- For development control R1 should be one way to facilitate smooth flow of traffic from the market

- R6 to connect with county phase 1 and should be 6m
- R19 should be expanded to 9M gradually
- Plot 21 should be accessed through access neck
- R19 to connect to R20 and expand to 9M
- Access to plots 13,14,15 from Namu phase 1 and should introduce a cul de sac
- R7 expand to 9M and shift entrance along the perimeter wall
- Plot 35 should be accessed through access neck
- Cul de sac to serve plot 40,41 and 37 (toilet to be affected)
- Plot no 47 shift the road to affect the shop at opposite side of the plot in Namu phase 1
- Expand R17 to 9M
- Extend R8 to join R14 and pass through the opposite side of the cemetery and should gradually expand to 9M
- 157 and 157B to be confirmed if they are one plot
- Cul de sac at 162 and 163
- Plot no.56 and 31 and 173 to have the dominant use as residential

#### **Makhanu phase One Recommendations**

- A commercial zone proposed close to the livestock market
- Propose light industrial park/zone near the market
- Roads R4,R71 ,R26,R42,R92 to have road widened to 9M currently and 12M in the future
- R38 to be expanded to 15M wide
- R131 to be expanded to 9M and 12M in the future
- R90 to expand to 12M currently and in future
- All 6M to achieve 9M width in the future except those serving one or two plots
- The road around the livestock market to be expanded to 9M and 12m in the future
- R1 to expand to 12M and 15M in the future.

#### Makhanu phase Two Recommendations

- All roads marked in red to expand to 9M wide
- All roads marked in blue to expand to 12M wide
- The light industrial zone to be moved near the livestock market so as to be accessed easily and have a market for their products.
- A commercial zone to be provided.
- All 6M service lanes to achieve 9M width in the future except those serving one or two plots

#### 5.4: Group Three -Namu Clusters 3 (Phase one) and 4 (Phase two) and Iskadek Clusters 3 (Phase one) and 4 (Phase two)

Themes	Evaluation Question	Expectations	Comments	Recommendations
Notice of Intention To Plan			Done -satisfactory	
Socio-economic survey and physical mapping	Were the objectives of the socio economic survey achieved in terms of the identification, enumeration and verification of beneficiaries, structures, structure owners /tenants and issuance of the identification documents?	Proof of enumeration <ul style="list-style-type: none"> <li>• List of beneficiaries, structures, structure owners /tenants</li> <li>• Proof of issuance of identification documents</li> </ul>	Done -satisfactory  Done -satisfactory	
	Were the population attributes in the settlement adequately analyzed?	<ul style="list-style-type: none"> <li>• Total population</li> <li>• Population projections</li> <li>• HDI(life expectancy, Literacy,)</li> <li>• Household Nos and sizes</li> <li>• Occupation/employment</li> <li>• Household income levels</li> <li>• Housing typology /nature</li> </ul>	Done –satisfactory	

Themes	Evaluation Question	Expectations	Comments	Recommendations
		<ul style="list-style-type: none"> <li>Water</li> <li>Sanitation facilities</li> </ul>		
Stakeholders engagement	What is the evidence of stakeholder's engagement?	Tools of engagement (lists with signatures, minutes)/ evidence	Done -satisfactory	
	Was the level and scope of engagement acceptable?	No. of Workshops, minutes, list of attendance -Analysis of stakeholders who were engaged.	Done -satisfactory	
	Were the concerns of the stakeholders captured and analyzed?	Analysis of stakeholder concerns	Done -satisfactory	
	Were the stakeholders concerns addressed?	The link between stakeholder concern and the plan proposals	Done -satisfactory	
Base map and site analysis	Did the consultant engage the community in the delineation of the boundary of the planning area?	Proof in terms of minutes, sessions of the agreement on the boundary	Done -satisfactory	
	Was the topographical map prepared?	A Geo-referenced map A map with Contours, manmade and natural features	Contours-done Man-made-done Man-made-done	Abutting features: (contour,structures,facilities)
	Were thematic layers provided?	Separation of the layers	Done -satisfactory	
	Are planning issues identified and captured sectorally /thematically?	Sector specific issues	Done -satisfactory	
Planning issues	Do the issues capture the stakeholders	List of stakeholders concerns	Done	stakeholders concerns to be highlighted in a separate page

Themes	Evaluation Question	Expectations	Comments	Recommendations
Land use plan	Are the land use proposals presented?	Land use proposals	Done -satisfactory	Title: Proposed Land Use Plan The proposed land use plan map to be presented.
	Are the proposed land uses appropriate – adequacy (content and explanations)?	Land use proposals	Done	Explain the criteria used in making of various land use proposals
	Are land use, land management policies and regulations proposed	Land use, Land management policies and regulations / standards	Yes	
	Are the proposed policies and regulations appropriate?	Sound policies and regulation	Yes	
Development strategies /Projects	Have the strategic development proposals been presented?	Development Strategies & projects	Yes	Change the transportation strategies to reflect the new proposals
	Do the development strategies address the key areas of concern including the stakeholders concerns?	Link between strategies and stakeholder concerns	Partly	To be addressed fully
	Have the strategies been supported by projects / programmes?	Link between strategies and projects	Not provided in the T.O.Rs	
	Are the projects practical / achievable in reference to cost?	Feasible projects	Not applicable	

Themes	Evaluation Question	Expectations	Comments	Recommendations
	Do the proposed strategies achieve the plan's objectives?	Strategies aligned to plan's objectives	Yes	
Implementation mechanism	Is the implementation mechanism proposed?	Implementation Matrix	Partially Done	All strategies should be included in the implementation framework
	Are the implementation governance and institutional issues identified?	Opportunities & constraints Governance issues	Adequately addressed	
	Is the mechanism realistic (timeframe, basic needs) and addressing the issues?	Time conscious implementation frame	Adequately addressed	
Layout design	Is the map properly presented?	Standardized presentation in terms of title, grid lines, scale, accessibility, abutments, location plan, zoning lines, labeling, legend, scale, paper sizes and the presentation and the printing materials	Legend not proportional Location plan should have a scale of 50,000 Land use of abutting land	Revise the legend to ensure proportionality Show land use of abutting land Change scale of locational map. To be done
	Is the report properly laid and presented?	In terms of title, outline, the authorization, fonts, captions, text and content issues and precision, reference, annex	Legend missing in the problem map Adequately addressed	
Report layout				

#### Recommendations on Land Management (Special Conditions on Allotment Letters and Titles to Beneficiaries)

- In short term period implement the roads on the revised LPDPs
- Any parcel of land accessed by 6m lane, to surrender 1.5m to achieve 9m road reserve in the long run. This will be reciprocated to all other proposed standard roads.

- The beneficiary list to indicate the amount of road width in metres, he or she is supposed to surrender in future as per the proposed standard roads. The information to be included in the preparation of the land information system.
- The consultant to recommend proper sensitization of the beneficiaries on the regularization policy to be prepared by Garissa County Government.

## WORKING SESSION 6:

### CONCLUSION AND WAY FORWARD

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#### Summary Recommendations

- 1: The following recommendations were harmonized and agreed upon by the participants:
  - The road hierarchy established herein shall be presented for approval (primary roads: 12m, secondary roads: 9m, service lanes: 6-8m, foot paths: below 6m);
  - The desired road hierarchy over and above the adoptive 12 and 9 meters shall be achieved incrementally through the development control mechanisms as established by the proposals;
  - The National Physical Planning Department to provide an outline on the plan report presentation to the Consultant;
  - The final plans to be presented in an appropriate scale. The plans in the report to be provided in A3 size paper;
  - Introduce a synthesis of all sectoral issues in a matrix form;
  - Include HDI included in the situational analysis;
  - The development strategies need to be specific;
  - Mirror plan objectives, strategies and the implementation;
  - The plan layout to be done in the specified way (balanced, correct symbology, planning colours) as given in the sample. The National Department of Physical Planning to share the planning colour codes they have in the office with the Consultant-- on 21<sup>st</sup> January, 2019;
  - Highlight the stakeholders concerns and link them with the implementation strategies
  - Deliberately delineate appropriate areas for commercial purpose. Give the owners incentives for commercial development;
  - The Consultant to indicate, within the plan report, the need for the County Government to formulate a development control regularization policy to aid in the plan implementation process;
  - The plans period to be scaled down to 7years time frame to fit in the CSP framework and give the Physical Planning Department room for review;
  - The plans should recommend to the County Government to prepare a regularization policy through public participation;

- The Plans should explicitly recommend certificate of lease as the preferred type of tenure as opposed to freehold tenure and give justifications for the same;
- Special future roads widening conditions to be clearly indicated in the allotments letters and the lease certificates.
- The roads network for the revised LPDPs to be presented in two ways (phases):
  - Phase (I) – for immediate implementation
  - Phase (II) – for incremental (future) implementation

#### **Critical Action Points**

- 6.2:** The Consultant was requested to revise the plans taking into account of the recommendations made during the three days' retreat and based on the following dates:
- The retreat report to be ready by close of business Wednesday, 23<sup>rd</sup> January, 2019.
  - The Consultant to submit the revised draft plans for review to the National Director of Physical Planning office in two weeks' time (on or before 1<sup>st</sup> February, 2019).
  - The Physical Planning Department to revert to the Consultant after one week (on or before 8<sup>th</sup> February, 2019).
  - The Consultant shall submit the final revised plans for adoption by the County Government of Garissa on or before 15<sup>th</sup> February 2019.
  - The Consultant shall submit the adopted plans for approval by the Cabinet Secretary through the National Director of Physical Planning on or before 22<sup>nd</sup> February 2019.

## APPENDIX 1: Retreat Program

### PLANNING AND SURVEYING OF SELECTED INFORMAL SETTLEMENTS IN GARISSA COUNTY VENUE: MERICA HOTEL NAKURU

15<sup>TH</sup> – 19<sup>TH</sup> JANUARY 2019

	TIME	ACTIVITY DESCRIPTION
DAY 1 – Tuesday 15 <sup>th</sup>	Full Day	Travel to Nakuru by Garissa County Team
DAY 2 – Wednesday 16 <sup>th</sup>	07.30 AM	Departure from Nairobi Ardhi House to Nakuru
	10.30 AM	Arrival and settling
	11.00 AM – 11.30 PM	Tea / Coffee Break
	11.30 AM – 01.00 PM	<b>Working Session 1: Introductions</b> <ul style="list-style-type: none"> <li>Welcome remarks – <i>Plan Mbui</i></li> <li>Official Opening and Agenda Setting – <i>National Director Physical Planning</i></li> <li>Overview of Project Status – <i>KISIP Head Component 2</i></li> <li>Formation of 3 Technical Working Groups - <i>Plan. Mbui &amp; Director Physical Planning</i></li> </ul> <i>Rapportour: Renaissance</i>
	01.00 PM – 02.00 PM	Lunch Break
	02.00 PM – 06.00 PM	<b>Working Session 2: Technical Working Groups (TWG)</b> <ul style="list-style-type: none"> <li>TWG 1 – Riig Phase 2 Lot 4</li> <li>TWG 2 – Makhanu and County Phase 2 Lot 4</li> <li>TWG 3 – Iskadek and Namu Phase 2 Lot 4</li> </ul> <i>Responsible: Respective Thematic Group Leaders</i> <i>Rapportour: Consultant</i>
DAY 3 – Thursday 17 <sup>th</sup>	07.00 AM – 08.00 AM	Breakfast Arrival at Venue and Registration
	08.00 AM – 09.00 AM	<b>Working Session 3: Day Agenda Setting</b> <ul style="list-style-type: none"> <li>Welcome remarks and Agenda setting</li> </ul> <i>Responsible: Plan. Mbui</i> <i>Rapportour: Consultant</i>
	09.00 AM – 10.30 AM	<b>Working Session 4: Plenary</b> <ul style="list-style-type: none"> <li>Presentation and Discussion of TWG recommendations on Phase 2 Lot 4</li> </ul> <i>Responsible: Respective Thematic Group Leaders</i> <i>Rapportour: Consultant</i>
	10.30 AM – 11.00 AM	Tea / Coffee Break
	11.00 AM – 01.00 PM	<b>Working Session 5: Plenary</b> <ul style="list-style-type: none"> <li>Presentation and Discussion of TWG recommendations on Phase 2 Lot 4</li> </ul> <i>Responsible: Respective Thematic Group Leaders</i> <i>Rapportour: Consultant</i>
	01.00PM – 02.00 PM	Lunch Break
	02.00 PM – 06.00 PM	<b>Working Session 6: Technical Working Groups (TWG)</b> <ul style="list-style-type: none"> <li>TWG 1 – Riig Phase 1 Lot 3</li> </ul>

		<ul style="list-style-type: none"> <li>▪ TWG 2 – Makhanu and County Phase 1 Lot 3</li> <li>▪ TWG 3 – Iskadek and Namu Phase 1 Lot 3</li> </ul> <i>Responsible: Respective Thematic Group Leaders</i> <i>Rapportour: Consultant</i>
DAY 4 Friday 18 <sup>th</sup>	07.00 AM – 08.00 AM	Breakfast Arrival at Venue and Registration
	08.00 AM – 09.00 AM	<b>Working Session 7: Day Agenda Setting</b> <ul style="list-style-type: none"> <li>▪ Welcome remarks and Agenda setting</li> </ul> <i>Responsible: Plan. Mbui</i> <i>Rapportour: Consultant</i>
	09.00 AM – 10.30 AM	<b>Working Session 8: Plenary</b> <ul style="list-style-type: none"> <li>▪ Presentation and Discussion of TWG recommendations on Cluster III Plans</li> </ul> <i>Responsible: Respective Thematic Group Leaders</i> <i>Rapportour: Consultant</i>
	10.30 AM – 11.00 AM	Tea / Coffee
	11.00 AM – 01.00 PM	<b>Working Session 9: Plenary</b> <ul style="list-style-type: none"> <li>▪ Presentation and Discussion of TWG recommendations on Cluster III Plans</li> </ul> <i>Responsible: Respective Thematic Group Leaders</i> <i>Rapportour: Consultant</i>
	01.00 PM – 02.00 PM	Lunch
	02.00 PM – 05.00 PM	<b>Working Session 10: Conclusion and Way Forward</b> <ul style="list-style-type: none"> <li>▪ Harmonization of specific recommendations to be Implemented by Consultant</li> <li>▪ Presentation of Specific recommendations on Lot 3 and Lot 4 Plans</li> <li>▪ Adoption of Recommendations</li> </ul> <i>Responsible: National Director Physical Planning</i> <i>Rapportour: Consultant</i>
DAY 5 Saturday 19 <sup>th</sup>	09.00 AM	Departure from Nakuru

## APPENDIX 2: Photo Gallery



*Figure 4: Presentation on the project status by Principal Consultant*



*Figure 5: Remarks by KISIP component 2 head, George Arwa*



*Figure 6: Presentation by Philip O. Olale, KISIP*



*Figure 7: Remarks by the Office of NDPP- Plan Waswa*



*Figure 8: Remarks by the Garissa County Government Director of Survey, Abdullahi Hagar*



*Figure 9: TWG Presentations*

**GARISSA PLANS REVIEW RETREAT BY DEPARTMENT OF PHYSICAL PLANNING, KISIP AND GARISSA COUNTY**

**ATTENDANCE LIST – 16/01/2019 (NAKURU)**

No	Name	Title	Organization	Phone address	Email	Signature
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20.	Anthony K. Kiroso	SHO	Kisip	071784536	masakiro@yahoo.com	

GARISSA PLANS REVIEW RETREAT BY DEPARTMENT OF PHYSICAL PLANNING, KISIP AND GARISSA COUNTY

ATTENDANCE LIST – 16/01/2019 (NAKURU)

No	Name	Title	Organization	Phone address	Email	Signature
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24.	AUGUSTINE MUTUKU	Planner	Renaissance Planning Ltd	0715566599	augustmutuku@gmail.com	
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


**GARISSA PLANS REVIEW RETREAT BY DEPARTMENT OF PHYSICAL PLANNING, KISIP AND GARISSA COUNTY**

**ATTENDANCE LIST – 17/01/2019 (NAKURU)**

No	Name	Title	Organization	Phone address	Email	Signature
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GARISSA PLANS REVIEW RETREAT BY DEPARTMENT OF PHYSICAL PLANNING, KISIP AND GARISSA COUNTY

ATTENDANCE LIST – 17/01/2019 (NAKURU)

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GARISSA PLANS REVIEW RETREAT BY DEPARTMENT OF PHYSICAL PLANNING, KISIP AND GARISSA COUNTY

ATTENDANCE LIST – 18/01/2019 (NAKURU)

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**GARISSA PLANS REVIEW RETREAT BY DEPARTMENT OF PHYSICAL PLANNING, KISIP AND GARISSA COUNTY**  
**ATTENDANCE LIST – 18/01/2019 (NAKURU)**

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13.	Anthony K. Kinarop	SHO	KISIP	0717821556	makukio@gmail.com	
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15.	Juleen's Mutua	Asst. Director	MOLEPP/PPA	0720306338	kenetha20@yahoo.com	
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## **ANNEX 6: PAPS CONSULTATIVE MEETING MINUTES AND ATTENDANCE LIST**

### **PROCEEDINGS OF THE PROJECT AFFECTED PERSONS' (PAPs) MEETING FOR THE PLANNING AND SURVEYING OF RIIG INFORMAL SETTLEMENT (PHASE 2) IN GARISSA HELD ON 8<sup>TH</sup> AUGUST, 2019 AT MASJIDUL MADINA MOSQUE- GARISSA TOWN**

#### **Agenda**

1. Opening Remarks
2. Presentations
3. Plenary Session
4. Closing Remarks
5. Adjournment

#### **MIN 01/08/2019: OPENING REMARKS**

The Garissa County Assistant Director for Social Development called the meeting to order at 2.00 P.M, and asked a volunteer from among the participants to open the meeting with a word of prayer. She started by explaining that the main aim of the meeting was to sensitize the Project Affected Persons (PAPs) on the compensation procedures and other issues. Briefly, she reiterated to the participants about the background of the project which involved planning and surveying of selected Informal Settlements in Garissa County. She narrated that upon completion, the project is bound to greatly benefit the residents in terms of land tenure regularization, improved infrastructure, among others. She then proceeded by inviting the Garissa County Physical Planning to make her remarks.

The Assistant Director applauded the work done by the Consultant working under KISIP so far, and expressed her gratitude to the participants for sparing their time to attend the meeting. She asked them to continue cooperating with the Consultant working under KISIP for the success of the project. She finalized by inviting the consultant to make their presentation.

#### **MIN 02/07/2019: CONSULTANT'S PRESENTATION**

##### **Preliminaries**

The Consultant's Resettlement Action Plan (RAP) specialist explained the definition of a PAP as any person(s) or institution(s) affected by a project because they may lose shelter and/or means of livelihood. He continued to explain that the participants' structures and/or livelihoods were affected by the proposed road expansion in the approved plan.

##### **Legal and Policy Framework**

The consultant elaborated the legal and policy framework governing the Abbreviated Resettlement Action Plan (ARAP) preparation and implementation. He listed them as: *The Constitution of Kenya, National Land Policy 2007, World Bank Operational Policy 4.12, KISIP Resettlement Policy Framework, Land Act and Environment and Land Court Act, 2012* amongst others. He went further to explain them in details:

- The Constitution of Kenya, 2010- he explained that it entrenches the protection of legally acquired land and property rights, and any acquisition of rights to land

and property; whether it's voluntary or involuntary, must comply with the applicable law.

- The World Bank Operational Policy 4.12- he notified the participants that this is a standard of approved guidelines for compensation purposes. He noted that the policy states that the resettlement programs should be sustainable and should include meaningful consultation with affected parties. He told them that Involuntary resettlement should be avoided wherever possible, or minimized, exploring all alternatives. Resettlement programs should be sustainable, include meaningful consultation with affected parties, and provide benefits to the affected parties. He added that displaced persons should be assisted in improving livelihoods or at least restoring them to previous levels.
- National Land Policy 2007- he explained that it gives an overall framework for new legislation and defining key measures required to address land administration, access to land and land use issues.
- The Land Act (2012) – the RAP Specialist explained that it provides for sustainable administration and management of land and land-based resources and guidelines on management of public land by the National Land Commission.
- The Environment and Land Court Act, 2012-he noted that this provides for the establishment of a superior court to hear and determine disputes relating to the environment and the use and occupation of, and title to land.

#### **Socio Economic Data:**

##### **Census and Inventory of Loss**

He explained that the field team used the open and closed questionnaires to collect the information. The questionnaires collected PAPs' census information that registered and located the household; and, identified all household members by age, sex, and relationship to head of the household, education, occupation and housing conditions. Regarding inventory of losses, he told them that the affected structures and business losses were gathered. He noted that these structures were measured, recorded and their photos also taken for verification and easier valuation.

##### **Gender Inclusivity**

The consultant reiterated the importance of gender inclusivity in the whole compensation exercise. He informed the participants that there was no discrimination whatsoever during the PAPs identification process. Every PAPs' details were accurately captured regardless of their gender.

##### **Vulnerability of the PAPs**

The Consultant explained how the vulnerability of the PAPs was determined. He clarified that they were identified with regards to age -those with ages above 70 years were considered vulnerable, marital status (widowed) and health status (physically impaired or disabled). The RAP Specialist informed the participants that vulnerable PAPs will be given special consideration during compensation as provided by the KISIP Resettlement Policy Framework (RPF).

#### **MIN 03/07/2019: PLENARY SESSION**

Garissa County director appreciated the Consulting team for the comprehensive presentation and called on the participants to make their contributions and seek for clarifications where necessary.

The County Physical Planner thanked the consultant for involving all the project affected persons during the socio-economic data collection. He noted that involvement of the participants made the process easier and faster without much complains. He explained that at the inception of the socio-economic data collection, a few residents were adamant to allow the consultant access their plots (with structures affected) but after thorough explanations were made concerning the need for socio-economic data, they were all brought on board.

The Settlement Executive Committee member thanked the Consultant for doing a thorough work. He thanked the National and county government for the project noting that it will benefit the residents through: land tenure regularization, infrastructure improvement and increase in land value. He consequently requested all the participants to co-operate with the consultant for speedy completion of the remaining phase of the project. He explained that the compensation is the only remaining phase before issuance of lease certificates.

#### **PAPs comments**

The PAPs expressed their joy with the project and thanked both the National and the County Governments for the project. They observed that the project will enable them get lease certificates. They stated that they are ready to co-operate for completion of the project.

A participant acknowledged the Consultant for the good work they were doing for the people of Garissa. He emphasized that lease certificates are very important since all the problems being witnessed in the County were as a result of the historical land ownership issues. He requested for more clarification on when and who will do the compensation. He also wanted to be clarified on the issues regarding relocation and the parameters looked at for the structure compensation amount.

One of the PAPs sought clarification on why the project completion has been delayed for almost a year. He also wanted to know the process to be followed in case of any grievance.

Another PAP was grateful that the project was progressing well, and urged the participants who had issues about the compensation procedures to raise them so that they can be clarified. She sought explanation on the basis used to categorize some PAPs as vulnerable and also if they are going to get an extra assistance.

Another participant thanked the consultant for holding the meeting to create awareness about compensation and also for the presentation. She stated that the presentation answered most of her questions. In, addition she thanked that the consultant for involving the stakeholders on all the project phases. She finalized by stating that the project once completed will change their lives.

One of the participants noted that they didn't expect to be compensated for their lost structures, however, he stated that they are glad the National Government and Garissa County Government care about their livelihood. He encouraged the county Government to always adopt participatory process in case of any project implementation for successful completion

#### **Consultant's Responses**

The consultant explained that there is a three-tier Grievances Redress Mechanism (GRM) at no cost to the PAPs. He further noted that the first tier is the Settlement Grievance Redress Committee (SGRC) which already exists within the settlement level with assistance of the clan elders and the SEC members who discuss and agree on amicable resolution. According to the Consultant, this committee will be the first level of grievance redress.

He continued to explain that the second level will be the Resettlement Implementation Committee (RIC), in case the grievances cannot be solved at the first level, which will comprise of KISIP Project Coordinating Team (PCT), Garissa County KISIP representative and the local administration, and the third tier will be the option of allowing the aggrieved party to seek redress at the court of law/ *kadhis*.

The Consultant noted that the implementation will start within a period of not more than 3 months upon approval of the ARAP by the World Bank. He added that at the implementation phase, KISIP will ensure all PAPs are facilitated according to the provisions of this ARAP before infrastructure projects are commissioned in the settlement. He noted that the implementation tasks will be carried out by KISIP PCT with the support of Garissa County Government KISIP.

The consultant expounded that the vulnerable PAPs were identified and will get extra assistance cost as provided by the KISIP RPF which is extra compensation given for the first two (2) months. In addition, he added that such PAPs will be given assistance in re-construction of affected structures through labor and transport costs provided by Settlement Executive Committee (SEC) or identified community members.

The consultant enlightened them that implementation will be done by the KISIP Project Coordination Team (PCT) and the Garissa County Government KISIP Unit. The consultant informed the participants that there will be no physical relocation of the PAPs. He said instead, most structures will be maintained as they are, and only a few will be shifted to pave way for the proposed road expansions.

The consultant explained that the initial approved plan had affected so many structures hence the compensation amount was very high. This resulted to a meeting held in Nakuru between 15<sup>th</sup> to 19<sup>th</sup> January between National Government, Garissa County Government, KISIP PCT and the consultant. It resulted to an agreement regarding reduction of the road sizes through the use of hybrid of conventional and adoptive approach methods.

He finalized by reminding them of the cut-off date which was 4<sup>th</sup> March 2018 that was agreed upon during the Draft Plan Presentation workshop that was held at Lantern, Garissa Town on 24<sup>th</sup> January, 2018.

#### **Min 04 /07/2019 Closing Remarks**

The Garissa County Assistant Director for Social Development thanked all the participants for their attendance, patience and active participation throughout the meeting. She also thanked the consultant for the exemplary presentation, and noted that they had gained valuable knowledge. She said that the County Government is fully supporting the project and looking forward to its speedy completion.

**Min 05 /07/2019 Adjournment**

The meeting ended at 4.00 PM with a word of prayer from one of the participants

**List of Attendance**

PLANNING AND SURVEYING OF SELECTED INFORMAL SETTLEMENTS IN GARISSA COUNTY.

RIIG PHASE 2 INFORMAL SETTLEMENT PAPs MEETING

VENUE: MASJIDUL MADINA MOSQUE - RIIG SETTLEMENT, GARISSA TOWN

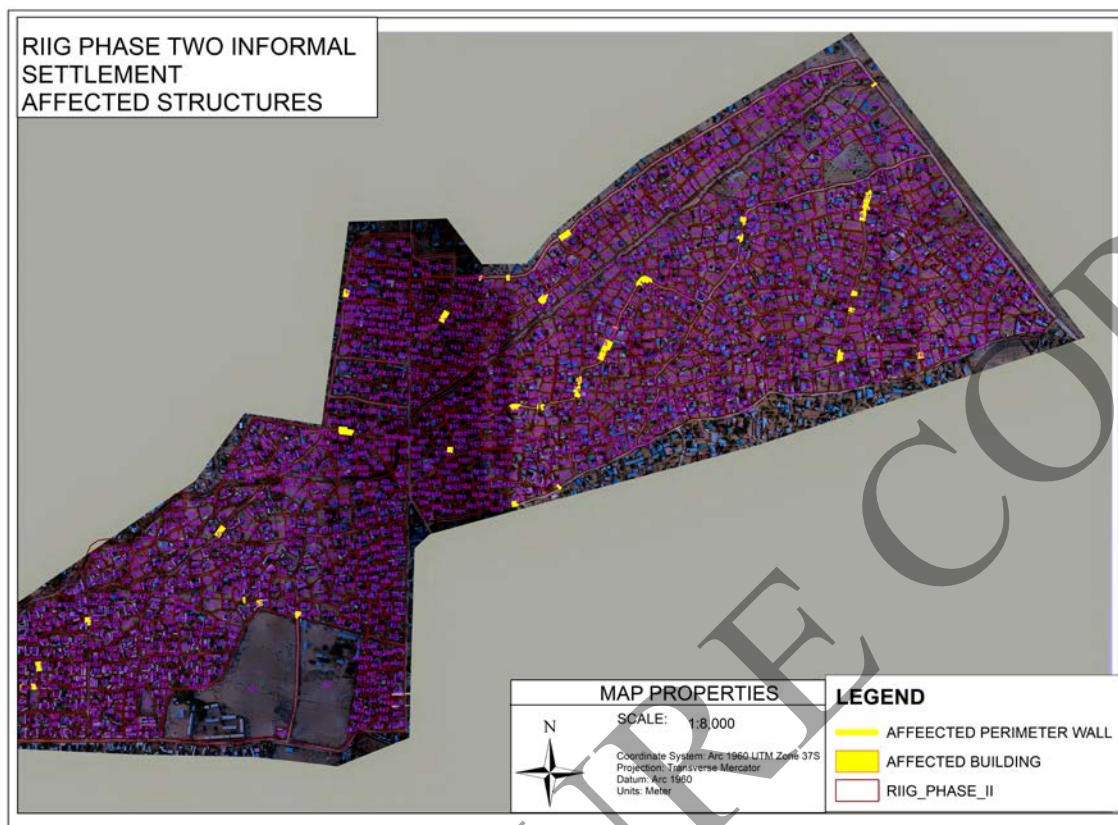
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ATTENDANCE LIST

S.NO	NAME	I.D NO	PLOT NO	PHONE NO	SIGNATURE	REMARKS
1.	Mimo Mohamed Rad	24902513	1520	0723452754	<i>[Signature]</i>	Representative
2.	Abdi Issack Harun	2530897	1772	0710571057	<i>[Signature]</i>	Owner
3.	Hussein Abdullahi Sheikh	27030966	1774	070760237	<i>[Signature]</i>	Owner
4.	Mangam dekon Hussein	20336365		0723374433	<i>[Signature]</i>	Owner
5.	Hassan binze rage	25615689	1194	070512462	<i>[Signature]</i>	Owner
6.	Khalid Hassan Aden	12913152	1046	0730920042	<i>[Signature]</i>	Representative
7.	Hassan Maam Mohamed	2104685	275	0720137965	<i>[Signature]</i>	Owner
8.	Omar Khalif Numbi	0047332	787	071718946	<i>[Signature]</i>	Owner
9.	Ali Cheikh Mohamed	11587308	784	0723951205	<i>[Signature]</i>	Representative
10.	Safier Mohamed	561831146	1195	0768724551	<i>[Signature]</i>	Owner
11.	Hareetho Abdi Lohow	2997910	1306	0723178992	<i>[Signature]</i>	Owner Representative
12.	<del>Abdullahi Mohamed</del>	<del>129172005</del>	4	<del>0723178992</del>	<i>[Signature]</i>	Representative
13.	Salara Isack	23813429		0706504597	<i>[Signature]</i>	Representative
14.	Ismail Ibrahim	2518765	234	0720407393	<i>[Signature]</i>	Owner
15.	Mubamuk Ismail Benno	20935583	1597	0721240316	<i>[Signature]</i>	Owner

S.NO	NAME	LD NO	PLOT NO	PHONE NO	SIGNATURE	REMARKS
16.	Fardosa Hussein Shukri	22980329	1519	0722808309	<i>[Signature]</i>	owner
17.	Fatuma-Zahra Adan	13116470	505	0722241293	<i>[Signature]</i>	representative
18.	Hadiya Hussein Mohamed	11886002	1459A	07288837428	<i>[Signature]</i>	owner
19.	Sahara Isack Mohamed	29813439	804	0706504527	<i>[Signature]</i>	owner
20.	Adam Yacob Dol	8502722	42	0723118890	<i>[Signature]</i>	owner
21.	Khadija Ibrahim Hassan	0192054	41	0721423769	<i>[Signature]</i>	owner
22.	Fatuma Mohammed	22365829	-	0722466531	<i>[Signature]</i>	owner
23.	Abdirahim Mohamed	30621465	-	0720503244	<i>[Signature]</i>	owner
24.	Phinedis Munkti	29451493	-	0728634571	<i>[Signature]</i>	County Physical Planner - Veterinaria Planning limited. MAP Specialist.
25.	Fatima Ondo	30142428	-	0706500881	<i>[Signature]</i>	Remission Planning Hd
26.	Randoo Abudo	29934510	-	072264604	<i>[Signature]</i>	Remission Planning Hd
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## ANNEX 7: MAP OF AFFECTED ASSETS



## ANNEX 8: MAP OF ABSENTEE OCCUPIERS

