1. Introduction

Pursuant to the County Government Act, 2012, Counties are obliged to prepare GIS based County Spatial Plans (CSP) to guide their long-term development agenda. United Nations Development Fund (UNDP) Kenya, through the Kenya Devolution Support Programme, in collaboration with the Council of Governors (CoG) is spearheading the institutionalisation of the County Spatial Plan Framework, including mainstreaming of Climate Change (adaptation and mitigation) and Disaster Risk Reduction (DRR) priorities and opportunities across the County Spatial Planning Framework and the resultant County Spatial Plans.

This briefing note is based on a fact-finding mission on the status of County Spatial Planning. It is centred on visits to 12 sample counties, namely: Vihiga, Siaya, Baringo, Isiolo, Homabay, Busia, Nyandarua, Lamu, Makueni, Kajiado, Kitui, and Tana River. The findings are a result of interviews and focus group discussions with relevant departments, including Physical Planning, Survey, National Environmental Management Authority, Agriculture, National Land Commission, Lands and Housing, DRR, Environment, County Assembly etc., as well as a review of the ongoing CSPs and related documents e.g. ToRs for hiring CSP consultants.

2. Status of County Spatial Plan within the Counties

In terms of the status in developing the County Spatial Plan, table 1 below summarizes progress in the 12 counties. Overall, none of the 12 has an approved CSP.

<table>
<thead>
<tr>
<th>Status</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Completed</td>
<td>• 1 has completed a regional plan, and not a CSP; the plan is however not GIS based</td>
</tr>
</tbody>
</table>
| In planning stage | • 1 started the process, ran out of funds and re-advertised  
                      • 1 is one year into the planning process  
                      • 1 has acquired satellite imagery; digitized maps; undertaken staff training on GIS; procurement of the consulting firm to undertake the CSP is on going  
                      • 1 is in the procurement process |
| Ongoing         | • 1 has phased the CSP process into 2 phases. Phase 1, which is complete and GIS based, covers 3 sub-counties. However, missing layer on hazards. Second phase is not contracted yet; County intends to harmonize the two phases after completion  
                      • 1 started the CSP process under the Kenya Municipal Programme; government truncated the funding; WWF is funding the completion |
| Not started     | • 5 have not started (with one still lobbying for funds from the assembly, in 2 counties, funds were reallocated to another sector) |

---

1 Is a four year project funded by UKAID’s DFID
3. Planning Tools, Guidelines and Frameworks in use within the Counties

Most Counties mentioned that there was confusion as to the legal framework and procedures to guide plan formulation and approval. They highlighted that they were aware of the two sets of guidelines, one by National Land Commission and another by the Directorate of Physical Planning.

Majority of counties reported that they had the National Land Commission (2016) County Spatial Planning Monitoring and Oversight Guidelines. They explained they were using these as planning tools. A number mentioned they needed clarity on how to effectively oversight the CSP process.

Most of the Counties highlighted that they did not have copies of the Directorate of Physical Planning Guidelines for Spatial Planning and do not use these to guide the CSP process. They, however, noted that they were aware of their existence.

Apart from the two main guidelines above, some counties noted they rely on the 2002 Physical Planning Handbook, while others said they used the Physical Planning Act as a guideline.

In addition, several counties noted that they have resorted to hybrid systems whereby they deploy and customize instruments from various statues to structure the planning process, as well as use of their knowledge from university.

4. Challenges in Undertaking the County Spatial Plan

In terms of specificities, the CSP process varies from county to county. However, some generalities are common in most of the counties as highlighted in this section.

4.1. What is the CSP?

Most county planning departments reported that they face dire and general lack of awareness at all levels (including at the Executive and the County Assembly levels) on what is a CSP, what it entails and more so its crucial role and centrality in development. This includes its envisaged role as a key instrument to realise constitutional provisions including environmental protection, and economic and social rights envisaged under Article 42 and 43, as well as its role in giving effect to the objects and principles of county planning, including budgetary allocations.

In addition, they noted that there is a general perception that the CSP is a county map that can as well be done by the County planners. The planning directorates highlighted that this lack of awareness has had implications on the prioritisation of the CSP and the allocation of funds; with priority being given to more ‘important’ sectors.

4.2. Funding

In all counties where the process has started, we noted inadequate allocation of funds for the CSP process. This means that only one of the visited counties reported a continuous process in the development of the CSP. Most have phased the process, spreading it between two or more financial years. One county mentioned that they had phased it geographically, i.e. the county has completed a spatial plan for 3 sub counties, and is planning for 3 additional ones. In another county, they separated the data acquisition contract from the planning contract.
4.3. **Inter departmental collaboration**

In majority of the counties, there is no harmonized structure for management of the entire CSP while inter-departmental involvement and coordination was also lacking. During the interview meetings in many of the Counties, other departments were not aware of the ongoing CSP process and its usefulness. Some of these noted ongoing parallel funding of mapping within the sectors. For example, in one county, while the DRR group has undertaken hazard mapping, this data is not captured in the CSP. In almost all counties there was poor link between sector plans and the CSP process. This was the same situation with the County Integrated Development Plan (CIDP).

4.4. **Planning experts**

Majority Physical planning departments are understaffed. Most counties reported that they have 1 planner, majority being unregistered and inexperienced professionals. Therefore, the CSP process in all the counties is consultant driven, with limited evidence of that the consultants are effectively managed and supervised. In addition, where the CSP is externally funded, county planners highlighted that they are not engaged adequately in formulating the ToRs and in the procurement of the consultants.

4.5. **Data**

All counties noted that data is a major challenge in terms of acquisition and management. Some planning departments highlighted their frustration in acquisition of data including that from government sources e.g. Survey of Kenya. In addition, one county that has received GIS maps/plans does not have a GIS lab. Others noted that even if they had the GIS data, they have no technical expertise to analyze or make sense of the data thus noting the data will not be in use to inform the planning and development process.

4.6. **Costs**

‘How do we cost the development of the CSP’ was a recurrent question in all the discussions. Counties noted that existing guidelines do not give clarity on how to determine the cost of the CSP. Majority use consultant quotations and the county budget allocation. Evidence of benchmarking (with other counties) was noted. A few have tried to develop the approximate costs based on planning process from first principles.

4.7. **Public Participation**

Most of the Counties have integrated broad-based public engagement during the planning process. However, there is great variation in the extent to which stakeholders are effectively involved, in preparation of different types of plans. Public participation in planning needs to be better structured for better effectiveness.

4.8. **Procurement for planning services**

Some counties are relying on their in-house expertise to prepare small scale plans. Others rely on hybrid arrangements involving their in-house staff, NGOs and private consultants. County planners reported that procurement processes to be lengthy and beholden to too many interests.

4.9. **Integrating Climate Change and Disaster Risk Reduction into the County Spatial Plan**

In the interviews, most counties highlighted that DRR coordination is well established, with the County DRR committee (located either within the office of the governor or deputy governor) having representation from the line ministries or sectors.
In addition, a number of DRR related activities were ongoing e.g. Hazard mapping\(^2\) and development of county DRR policies. The discussions also showed that the link between DRR and other sectors such as public health, agriculture and livestock, infrastructure and waste management is also established to a large extent in a number of counties. In many, however, the approach to disasters is highlighted as more reactive, emphasizing response rather than prevention and resilience. This was however not the case for climate change. The interviews showed that there is very little understanding of climate change issues including adaptation and mitigation, with the exception of the agriculture sector in one or two counties where climate data and early warning systems feed into cropping systems and planning for the sector. One County has developed a climate change bill.

Largely, the interviews showed that there was limited integration of CCA and DRR into the CSP process, even where there are opportunities to do so. For instance, the DRR and agriculture sectors were undertaking hazard and vulnerability mapping and assessments. However, the CSP layers do not cover hazards. Similarly, reviewed TORs did not require the consultants to include this.

5. Recommendations

The field visits show that:

- There is need for sensitization and capacity building of the County Executive, the Assembly and general public on the CSP.
- There is need for comprehensive guidelines that harmonise existing guidelines, manuals, handbooks, etc., covers all types of physical plans and mainstreams all cross cutting issues. These need to cover key challenges currently faced by counties e.g. data and data acquisition, costing, managing the CSP process including how to ensure inter departmental coordination as well as how to phase a CSP process.

\(^2\) In collaboration with NDMA