A Tool for Public Participation in the development of the Nairobi City County Integrated Development Plan (CIDP) 2018-2022

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INTRODUCTION TO COUNTY PLANNING

The Constitution of Kenya 2010 establishes 2-tier devolved government, with the national government and 47 county governments. County governments are required to prepare the County Integrated Development Plan (CIDP) every five years. County Government Act, 2012, states that county governments shall plan for the county, and no public funds shall be appropriated outside a planning framework developed by the County Executive Committee and approved by the County Assembly.

The Public Finance Management Act, 2012 in section 126 requires each county government to prepare an integrated development plan that includes strategic priorities for the medium term that reflect the County government’s priorities and plans, a description of how the county government is responding to changes in the financial and economic environment; and, programmes to be delivered.

Integrated development planning is defined as a process through which efforts of national and devolved levels of government and other relevant stakeholders are coordinated at local level, through which economic, social, environmental, legal and spatial aspects of development are brought together to produce a plan that meets the needs and sets the targets for the benefit of local communities.

ABOUT THE COUNTY INTEGRATED DEVELOPMENT PLAN (CIDP)

The County Integrated Development plan is a five-year plan which counties are required to prepare to determine the development needs of the county. The purpose of the plan is to enable allocation of scarce resources of the county to priority areas. The CIDP must also be in line with national development priorities (Vision 2030), and is expected to reflect the political promises of the government of the day.

The first CIDP’s were in effect from 2013 to 2017. Therefore, all county governments are required to develop one covering the next 5 years of 2018-2022. The Nairobi City County government commenced the process of developing its second CIDP in August 2017 through public forums and it has now updated the draft CIDP on the county website for public review. It is likely to call for additional public participation in early December.
Section 102 of the County Government Act 2012, provides for the principles of planning and development facilitation in county as to:

1. Protect the right to self-fulfillment within the county communities and with responsibilities to future generation
2. Protect and develop natural resources in a manner that aligns national and county government policies
3. Engender effective resource mobilization for sustainable development
4. Integrate national values in all processes and concepts
5. Protect and integrate rights and interest of minorities and marginalized groups and communities
6. Align county financial and institutional resources to agreed policy objectives and programmes
7. Promote the pursuit of equity in resource allocation within county
8. Serve as a basis for engagement between county government and the citizenry, other stakeholders and interest groups
Some of the objectives for county planning as outlined in section 103 of the CGA 2012 include:

To ensure harmony between:

- To facilitate the development of a well-balanced system of settlement and ensure productive use of scarce land, water, and other resources for economic, social, ecological and other functions across the county.

- To develop urban and rural areas as integrated areas of economic and social activity.

- To harmonize development of county's and related services and to provide preconditions for integrating underdeveloped and marginalized areas to bring them to the level generally enjoyed by the rest of the county.

FUNCTIONS OF NATIONAL AND COUNTY GOVERNMENT

One of the main objectives of devolution is to bring decision making for services closer to the people. The Fourth Schedule of the Constitution allocates exclusive, shared and residual functions to the levels of government. During the CIDP process, citizens get the opportunity to give their views on county service delivery priorities in the county.
A look at the County Integrated Development Plan 2018 - 2022

**County Government**
- Fire Station Services & Disaster Management
- Trade Developments and Regulation
- County Public Works and Services
- Control of Drugs
- Ensuring Participation in Local Government
- County Health Facilities
- County Planning & Development
- Natural Resources & Environmental Conservation
- Agricultural Services
- County Roads & Transport
- Animal Control & Welfare
- ECD - Early Childhood Development & Pre-primary Education
- Cultural activities Public entertainment & Public amenities
- Control of air pollution, noise pollution, other public nuisances & outdoor advertising

**National Government**
- Protection of the environment & Natural Resources
- Management of the economy
- National Defense
- Education: Primary, Secondary & Tertiary
- Foreign Affairs immigration & Citizenship
- Security
- Postal Services Telecom & Radio Television Broadcasting
- Railways, Pipeline & Truck Roads

**Functions of County & National Governments**
Once you are familiar with the responsibility of the county government, you can begin to think about the priorities you as mwananchi have in the county and your ward. Every function is comprised of different aspects and it’s your responsibility to prioritize the ones you want.

**County functions and what they involve**

- **Agriculture**
  - Livestock Saleyards
  - Crop & Animal husbandry
  - Plant & animal disease control
  - Fisheries
  - County Abattoirs

- **County health services**
  - County health facilities & pharmacies
  - Ambulance Services
  - Licensing & control of undertakings that sell food to the public
  - Veterinary services
  - Cemeteries & funeral parlours

- **Transport**
  - County Roads
  - Street lighting
  - Traffic & Parking
  - Public road transport
  - Ferries & harbours

- **Trade development & regulations**
  - Markets
  - Trade Licenses
  - Fair trading practices
  - Local Tourism
  - Cooperative societies

- **Co-op**

- **County Education**
  - PRE Primary education
  - Village Polytechnics
  - Home craft centres
  - Childcare facilities

- **County public works & services**
  - Storm water management systems in built-up areas
  - Water Services
  - Sanitation services

Are these services actually being effectively delivered by your county?
County functions are disaggregated into sub-functions as indicated in the above diagram. It is your responsibility to participate in the CIDP process by contributing towards the identification of priorities in your neighborhood, ward, sub-county and county as a whole.

**COUNTY PLANNING UNDER THE COUNTY GOVERNMENT ACT 2012**

The county planning process comprises of several complementary plans addressing economic, social, environmental, legal and spatial aspects as indicated in the diagram below.
COUNTY INTEGRATED DEVELOPMENT PLAN

A 5-year plan with clear goals and objectives; an implementation plan with clear outcomes; provisions for monitoring and evaluation; and clear reporting mechanisms and shall at least identify any investment initiatives in the county; any development initiatives in the county, including infrastructure, physical, social, economic and institutional development; all known projects, plans and programs to be implemented within the county by any organ of state; and the key performance indicators set by the county among other things.

SUB-COUNTY / CONSTITUENCY PLANS

Sub-County/Constituency plans are derived from both the CIDP and ADP and sets out the County’s priority programmes and projects to be implemented in a particular sub-county/constituency. They also inform both the CIDP and ADP by providing the priority views what the constituents of a particular sub-county want to see implemented.

SECTOR PLANS

A ten-year plan which is programme based and is the basis for budgeting and performance management. Sectoral plans are reviewed every five years by the county executive and approved by the county assembly, but updated annually.

COUNTY SPATIAL PLANS

A ten-year GIS based database system spatial plan providing: a spatial depiction of the social and economic development programme of the county as articulated in the integrated county development plan; clear statements of how the spatial plan is linked to the regional, national and other county plans; and clear clarifications on the anticipated sustainable development outcomes of the spatial plan.

COUNTY ANNUAL PLANS

The Annual Development Plans are derived from the 5-year plan and It sets out the County’s priority programmes to be implemented a particular Financial Year, say FY 2017/18.

ANNUAL BUDGET

An annual budget is any budget that is prepared for a 12-month period. An annual budget outlines both the income and expenditures that are expected to be received and paid over the coming year.

IMPLEMENTATION, MONITORING AND EVALUATION

PUBLIC / STAKEHOLDERS DISSEMINATION FORUMS

PROGRESS REPORTS
PUBLIC PARTICIPATION IN THE COUNTY PLANNING PROCESS

Citizen participation is mandatory in the planning process. CGA, 106(4) states “county planning shall provide for citizen participation” and shall be done in a process that “involves meaningful engagement of citizens” (CGA, 105(1-d). Public participation shall be facilitated through: -

1. The County Budget and Economic Forum (CB&EF) (PFM 137) provides that a county government shall establish the CB&EF. It shall comprise the Governor and members of the county executive committee, an equal number of nominees of Non State Actors (NSA) (professionals, business, labour, women, persons with disabilities, elderly and faith based groups at county level). The forum shall provide a means of consultation on the planning budgeting, economic and financial management processes in the county.

2. County Citizen Engagement Framework (CGA Part VIII) obligates the county government to establish structures for citizen participation. These are guided by principles set out in CGA 87.

3. County Communication Platform and Strategy (CGA Part IX) obligates the county government to integrate communication in all its development activities, observe Article 35 through access to information. The county government is required to establish an effective communication and sensitization framework using various media forms, targeted at widest selection of stakeholders in the county.

4. County Civic Education Strategy: (CGA Part X) requires the county government to develop an effective civic education framework through which it shall empower and enlighten citizens and promote the principles of devolution in the constitution on a continual basis.

5. County Laws and regulations (CGA 115(2)) states that each county assembly shall develop laws and regulations giving effect to the requirement for effective citizen participation in development planning and performance management within the county and such laws and guidelines shall adhere to minimum national requirements.

PRACTICAL STEPS COUNTY GOVERNMENTS NEED TO TAKE IN THE PLANNING PROCESS

1. Provide a meeting timetable of planning forums with sufficient notice to enable active public engagement;

2. Provide a meeting agenda informing the expected inputs from members of the public;
3. Work with NSA’s, CSO’s and county based media in the county to raise awareness of the county planning agenda, dates and times;

4. Use an effective communication strategy such as mainstream and community media, social media, and NSA networks;

5. Keep the process accountable by maintaining a record of public submissions, providing timely updates on the process, ensuring access to planning documents to stakeholders at all stages of the process.

**PRACTICAL STEPS CITIZENS NEED TO TAKE**

1. Make your submission on CIDP priorities to info@nairobi.go.ke or write to the County Secretary P O Box 30075 Nairobi.

2. Attend the upcoming CIDP sub-county public participation forums.

3. Meet with your Member of County Assembly to make representations on your behalf.

4. Petition the county assembly to enact CGA 115 (each county assembly shall develop laws and regulations giving effect to the requirement for effective citizen participation in development planning and performance management).

**REMEMBER**

1. Article 119 of the Constitution of Kenya provides that every person has the right to petition Parliament to consider any matter within its authority including to enact, amend or repeal any legislation.

2. Under the Nairobi City County Public Participation Act 2015 (s12) citizens have a right to petition the County Government to convene a citizen’s forum upon the request of 100 citizens’ resident in a ward, to discuss and give views with respect to any matters.

3. Part IV of the Nairobi City County Public Participation Act 2015, provides that a member of the public may petition the county executive on any matter. A petition to the county executive will be addressed to the County Secretary.

4. PART XXII of the Nairobi City County Assembly Standing orders provide that a member of the public may request the County Assembly to consider any matter within its authority, including enacting, amending or repealing any legislation.
GENERAL FORM OF A PUBLIC PETITION

[STANDING ORDER ... (…)]

I/WE, THE UNDERSIGNED,

(Here, identify in general terms, who the petitioner or petitioners are, for example, citizens of Kenya, residents of province or region, workers of industry, etc.)

DRAW the attention of the County Assembly to the following:
(Here, briefly state the reasons underlying the request for the intervention of the County Assembly by outlining the grievances or problems by summarizing the facts which the petitioner or petitioners wish the County Assembly to consider.)

THAT
[Here confirm that efforts have been made to have the matter addressed by the relevant body, and it failed to give satisfactory response.]

THAT
[Here confirm that the issues in respect of which the petition is made are not pending before any court of law, or constitutional or legal body.]

HEREFORE your humble petitioner(s) Pray that County Assembly
(Here, set out the prayer by stating in summary what action the petitioners wish County Assembly to take or refrain from.)

Name of petitioner   Full Address National ID. or Passport No.  Signature/Thumb impression

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(Here, repeat the summary in first page)

Name of petitioner   Signature/Thumb impression

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(Subsequent Pages)

* This form may contain such variations as the circumstances of each case may require.
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