

BUNGOMA MUNICIPALITY

INTEGRATED DEVELOPMENT PLAN

2020 - 2024



**County Government
of Bungoma**

"Passion to Perform"

COUNTY GOVERNMENT OF BUNGOMA



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BUNGOMA MUNICIPALITY INTEGRATED DEVELOPMENT PLAN 2020-2024

Vision

A thriving, safe, and cosmopolitan municipality.

Mission

To progressively build a resilient municipality through prudent management of resources, and rendering efficient, effective and affordable services.

There is much to be proud of in Bungoma Municipality and we have a great story to tell:

We are cosmopolitan and have a diverse talent pool, valuable assets, resources, innovative businesses and aesthetic values. The Municipal Board, University campuses, Colleges, Schools, Investors, Businesses, Innovators, Entrepreneurs, Urban Environment, and Communities are ready to be continuously engaged in progressively realizing a resilient municipality.

This means exercising good governance, enhancing opportunities, raising our productivity, leveraging on technology, increasing skills levels, supporting research, innovation and investing in infrastructural systems.

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FOREWORD

Bungoma Town is the capital of Bungoma County and deserves a plan that provides policy and strategy mix on what, how, who, when to invest for economic success, provision of housing services, investment in metropolis centres, provision of high quality education, health and community services; re-engineering our design and heritage, investing in resilient transport, water systems, open spaces, environmental quality and infrastructure delivery models.

Viable urban areas promise endless opportunities for investors and businesses especially for the unfulfilled potential of low-income neighbourhoods. Meanwhile, changing socioeconomic, demographic, and land-use trends have shifted some demand for real estate from the suburbs to existing urban areas, as well as reshaping suburban development patterns to make them more urban-like.

Urban investment is no longer strictly limited to Central Business Municipality. It includes a wide range of investment and development opportunities awaiting those with an eye on developing, redeveloping, or repositioning properties in urban and high-density suburban

The urban story is a simple one - Density drives demand. The high population densities of urban neighbourhoods (and increasingly, those in the suburbs) create significant aggregate demand for goods, services, works and housing. This is true even in areas with

the lowest income levels. The smart growth movement and the growing desire for the “urban living experience” have played as important a role in re-defining our urbanization trends.

The two trends are working to increase population densities not only in existing urban and suburban areas within Bungoma Municipality, but also in new communities being built along the suburban fringes. Smart growth emphasizes the efficient use and reuse of land and existing infrastructure. Examples include developing mixed-income housing near major employment centres-Kibabii University, Ranjee, Mufutu, Mandizini, Makutano; redeveloping main and back street parking lot or an obsolete office building or land fill sites into mixed-use projects featuring; retail shops, office space, and high-density housing; building a mix of commercial and residential space around a public-transit station in a well-established suburb; and developing a master-planned community that features a variety of high-density commercial and residential land uses in an emerging suburb.

These and many other smart development initiatives will be pursued more aggressively both in the medium and long-term. We promise to deliver quality urban services and welcome all stakeholders to support our Municipality

GABRIEL KIBIITI
MUNICIPALITY MANAGER

Message from H.E The Governor, Bungoma County



Bungoma Municipality has a promising economy that can support livelihoods, create jobs and wealth for the urban population. We have a diverse talent pool, world class assets, innovative businesses and beautiful countryside. The Municipal Board, Kibabii University and other university campuses, schools, innovators and entrepreneurs have all played their part in creating growth. There is much to be proud of in Bungoma and we have a great story to tell.

This plan centres on inclusive growth that brings everyone to benefit from the economy to their full potential. It means raising our productivity, increasing skills levels, more innovation and better infrastructure. It will mean more money for public services, reduced unemployment and increased wages. Reducing inequality in our Municipality will also boost our economic performance. It means a Town where people and businesses grow.

Our growth approaches start with getting the fundamentals right, recognising that all sectors have a role to play and deliver on a host of mandates bestowed to them. We will build on what is already a broad based economy, harnessing our resilience from economic diversity in uncertain times. Some sectors may not experience high levels of growth but they still provide jobs and incomes, and many will provide job opportunities as technologies change, people retire, and support essential public services such as social care.

The people of Bungoma Town will be at the heart of everything we do, from equipping our young people with the right skills and careers advice, to enabling in-work progression, retraining and lifelong learning in our ever changing labour market. As the nation navigates its way through the **Big Four** Plan, we will continue to offer support to our firms and our communities. The Municipality is and always will be, open for business and talent.

As part of this strategy we will seek out firm commitments from businesses and stakeholders to offer support for our Municipal development agenda. These include major institutions, the private and the public sector, setting out what they will do more of or do differently, and these commitments are visible throughout this plan. I am grateful to everyone involved and hope to build on this network of support. As an anchor institution in the municipality, the Municipal Board has a major role to play and we have committed to providing the full support they need to discharge their mandate.

Finally, I want to reiterate my commitment to devolution and will do everything within my powers to strengthen the capacity of Bungoma Municipality to offer quality public services.

WYCLIFFE WAFULA WANGAMATI
H.E THE GOVERNOR, BUNGOMA COUNTY.

Message from the CECM, Lands, Urban and Physical Planning



This Plan sets out our ambition for Bungoma Municipality. It is a route map of how best to deliver growth that is inclusive, draws on the talents of, and benefits all our citizens and communities. The plan outlines how everyone can contribute to the Town's growth. It provides a framework for how the Municipal Board will work with businesses, universities, colleges, schools, the community, and with partners in the Western region, development partners, county and national government to grow our urban economy.

We have identified transformative ideas to shape our Town by boosting our long term productivity, competitiveness and social inclusion. Integral to this are the principles of sustainable development embracing the social, economic and environmental impacts of their implementation.

There is a lot of good work already taking place in the municipality, but there remains an opportunity for this to have renewed focus, a clearer strategic context and stronger commitment from businesses and others in and beyond our borders.

Bungoma Town is a vibrant, successful, national municipal metropolis greatly recognized for its high cash flow circulation and full of innovations and enterprises. In the past, we have not always got this message across, although this is beginning to change. This plan will help tell our story better in order to attract and retain talent, business, investment and visitors. By working together, we can build a strong economy within a compassionate municipality.

However, we must not be complacent as we fulfil this potential for future growth. We must sustain the progress we are making by taking action on areas where we could perform better. This includes tackling poverty, addressing skills gaps, housing growth and regeneration, exports, investment in research and development, developing, attracting and retaining a skilled workforce, and investing in resilient transport and infrastructure.

The work of transforming Bungoma Municipality has started, so join us all and be part of process of bequeathing a sustainable urban system to our future generations.

BRAMWEL MURGOR
CECM, LANDS, URBAN AND PHYSICAL PLANNING

Message from the CO, Lands, Urban and Physical Planning

Urban innovation is happening and development is changing course. Our urban areas need to invest in new technologies, businesses and innovative design approaches to provide citizens with quality life within a thriving economy, and with a reduced environmental foot-print.

We advise our Municipal Boards and other stakeholders to leverage on professional support available across industries and sectors, to collaborate and create solutions to urban challenges. The stakeholders need to consider the Municipal as a whole in making investment and renewal decisions in order to maximize cross-sector synergies and avoid negative unintended consequences.

The challenges and opportunities faced by urban areas in the 21st century are stimulating new business activity. Demand is significant: cities across the world continue to grow and the global market for integrated urban solutions is estimated to be £200 billion by 2030.

Five business Capabilities are leading solutions development: spatial design, physical infrastructure, digital technology, commercial business services, and social service provision. The best solutions are combining expertise from across these five areas to deliver innovation on the ground. The broad range of capabilities required or developing these solutions presents a new market opportunity for many industries.

Our urban future demands innovation. Urban areas are at the front – line in responding to global challenges of resource scarcity, climate change, unemployment and ageing populations. While these are big challenges, they also present major new business and innovation opportunities.

GEORGE KOMBO
CHIEF OFFICER

ACKNOWLEDGEMENT

This work was led and coordinated by County Executive Committee Member, Chief Officer for urban services, as well as the Bungoma Municipality Manager. The plan reflects the significant contributions of the team of experts: Mathews Tsuma Martin Mabonga and Micah Masikah, who led the entire process.

We are grateful for the support provided by the World Bank through the Kenya Urban Support Programme that helped to finance this work.

We recognize the inputs and guidance provided by the various County Departments and Agencies led by their respective CECMs and Chief Officers, particularly on availing information on request that formed part of this plan.

The technical officers in the County Department of Lands, Urban and Physical Planning are highly appreciated for their input that helped to shape and conclude this plan.

Thank you all for a job well done

The preparation of this Bungoma Municipality Integrated Development Plan (BMIDP) benefitted from the hard work, dedication, and support of public and private sector representatives. Overall policy direction was provided by H.E The Governor, Bungoma County.

DOUGLAS WEKESA SASITA
CHAIRMAN,
BUNGOMA MUNICIPAL BOARD

SERVICE COMMITMENT STATEMENT

We, the undersigned, being the top management and decision makers of Bungoma Municipality, do make a commitment on behalf of the people, businesses, investors and visitors of the aforesaid area, that;

We shall

Support inclusive economic growth, whilst maintaining an attractive, connected and well managed Municipality for residents, businesses, investors and visitors.

Signed

.....
BRAMWEL KIBIRITI
MUNICIPAL MANAGER, BUNGOMA

.....
Dated

.....
ARCH. DOUGLAS WEKESA SASITA
**CHAIRMAN,
BUNGOMA MUNICIPALITY BOARD**

.....
Dated

Witnessed by

.....
CO, GEORGE KOMBO

.....
Dated

.....
CECM, BRAMUEL MURGOR

.....
Dated

ABBREVIATIONS

BMIDP	Bungoma Municipality Integrated Development Plan	MDC	Municipality Development Committee
BRT	Bus Rapid Transport	MDG	Millennium Development Goal
CBO	Community Based Organization	MIC	Middle Income Country
CECM	County Executive Committee Member	MoUD	Ministry of Urban Development
CF		MPDC	Municipality Planning and Development Center
CO	Chief Officer	NAP	National Adaptation Plan
CPA	Certified Public Accountant	NMT	Network Management Tool
CRM	Customer Relationship Management	OSR	Own Source Revenue
DoPUD	Department of Planning and Urban Development	PPP	Public Private Partnership
EIU	Economic Intelligence Unit	QLFS	Quarterly Labour Force Survey
EMS	Emergency Medical Safety	RIAP	Revenue Improvement Action Plan
ESS	Electronic Switching System	SA	South Africa
EWS	Economically Weaker Strata	SDG	Sustainable Development Goal
GDP	Gross Domestic Product	SMME	Small, Medium and Micro Enterprise
GESI	Gender Equality and Social Inclusion	SWM	Solid Waste Management
GHG	Greenhouse Gas	TB	Tuberculosis
H.E	His Excellency	TLO	
HH	Household	UDPPD	Urban Development and Physical Planning Department
HIV	Human Immunodeficiency Virus	UEIP	Urban Environment Improvement Programs
HPCM	High Powered Coordination and Monitoring Committee	UEMG	Urban Environmental Management Guideline
C		UN	United Nations
ICT	Information and Communication Technology	UNDES	United Nations Department of Economic and Social Affairs
IGFT	Inter-Governmental Fiscal Transfer	A	
KIHBS	Kenya Integrated Household Budget Survey	UNEP	United Nations Environment Programme
KNBS	Kenya National Bureau of Statistics	VDC	Variance Decomposition
LIS	Land Information System		
LMIC	Lower Middle Income Country		
MDAs	Ministries, Departments and Agencies		

EXECUTIVE SUMMARY

Both this plan and the economic scenarios and outlook for Bungoma Municipality for the medium term is positive. However, to fulfil our economic potential and to make a high growth scenario a reality we need to take action to enhance our competitiveness and to get everyone contributing to the economy to their full potential. We will also need to support our businesses and communities to be resilient in the context of economic change and risks.

The plan focuses on six areas where investment can count to the lives of the people. These are;

- a) A competitive municipal economy with world-class services and transport;
- b) A great place to live and work with communities that are strong, healthy, and well-connected;
- c) Formalize land markets, clarify property rights, and institute effective urban planning;
- d) Make early coordinated infrastructure investments – allowing for interdependence among places, structures, and basic services;
- e) Attract investments to kill the low development trap; and
- f) A sustainable and resilient municipality that protects the natural environment and has a balanced approach to the use of land and resources.

The plan is divided into six chapters that tackle the aforementioned six priority areas, thus:

Chapter one: Context and drivers for change – Introduces the municipality and discusses road network, population, social services, economic diversification, infrastructure investments, and technology as drivers of change.

Chapter two: Legal basis for the plan – Provides the legal and policy underpinning of the plan.

Chapter three: Bungoma Municipality today – Highlights the current political, economic, social, technological, environmental, and legal framework governing the municipality.

Chapter four: Inclusive growth and development – Dwells on administrative and policy actions that are required to discern the size and distribution of urban investments efforts for the benefit of all.

Chapter five: The development agenda – Comprehensively deals with medium term urban development priorities that aim to create a municipality brimming with enterprise, opportunities, and culture; a place for people to live, work, do business, enjoy diverse recreational services, study, and prosper.

Chapter six: Urban resource mobilization and management framework – This section categorically states several ways the Bungoma Municipality plans to raise its financial and non-financial resources, through a resource mobilization framework. The framework outlines good financial planning and budgeting practices.

Chapter seven: Implementation and delivery - As stated in the plan, this will mean investing in people, their health and wellbeing, improving education and skills, putting communities at the heart of the growth strategy, and employers at the centre of the skills system. It will mean tackling differential urban poverty, securing better social and economic outcomes and impacts from available resources.

The plan focuses on developing and regenerating places, supporting neighbourhoods, communities and centres to respond to economic change, growing the Central Business Municipality as an economic powerhouse not only for urbanized area but also for the mixed use development outside the municipality boundaries. The plan espouses an increase in new homes, improvements to existing housing and investment in modern infrastructure that will support the urban development agenda.

To enlarge the tax base and improve own-source revenue, the plan focuses on improving productivity of investors and businesses. The plan acknowledges that technological change will create opportunities for urban areas that are at the forefront of the next wave of digital transformation, but poses risks for any Towns/Urban areas that lag behind on digital investment and digital skills. It emphasizes promotion of a modern, dynamic, diverse and outward-looking image of Bungoma Municipality - including maximising the economic benefits of culture and cultural industries – which have potential to drive greater inward investments, and having positive effects on jobs and livelihoods.

CHAPTER ONE

CONTEXT AND DRIVERS FOR CHANGE

1.1 Overview

The chapter details the background information of Bungoma Municipality and provides a preview of urbanization at national, county and local levels. It sets out our ambition and the route map of how best to deliver growth that is inclusive, drawing on the talents of, and benefits of all our citizens and communities. Focus is on the drivers of change, trends and policy outlook as foundations of the urban development agenda presented in this plan.

1.2 Bungoma Municipality at a glance

BUNGOMA MUNICIPALITY

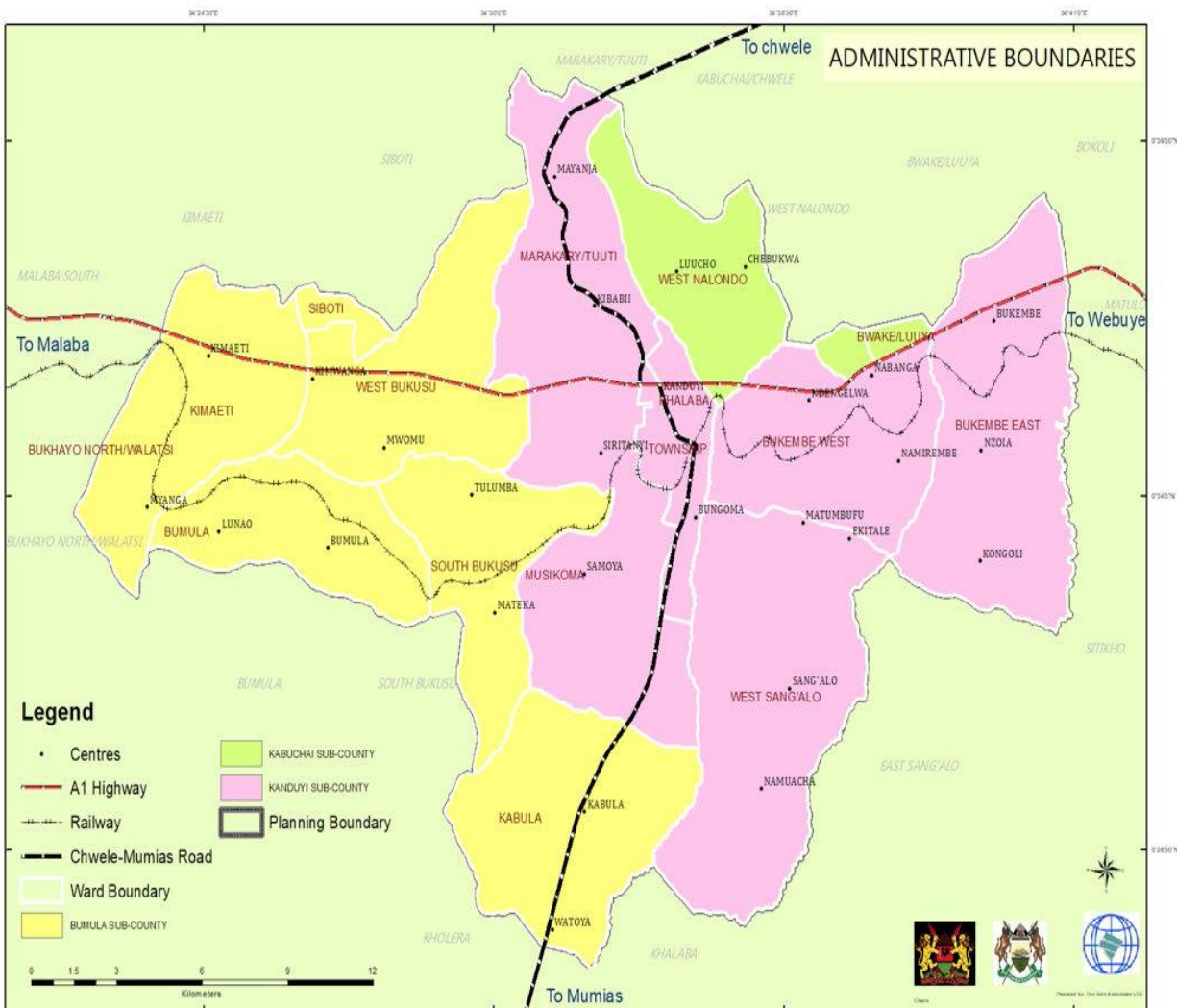
Geography:	Within the Lake Victoria Basin, with coordinates; 00° 34'00''N 34° 34'00''E /0.56667N 34.56667° E and an altitude range of 4,544ft (1,385m) above sea level.
Area:	57.9 Km ²
Population 2018:	110,528 Male (54,725), Female (55,803)
Economy:	Dominated by Micro, small and Medium Scale enterprises, Financial Institutions
Health:	Services mostly provided by Government facilities the County Referral Hospital, health centres and dispensaries. Also Private health facilities like the Bungoma West, Kory, Lifecare, St. Damiano, Dawameds, Elgon View and Aga Khan Hospitals.
Education:	Served by a network of both public and private institutions with basic education providers offering Competency Based Curriculum.
Security and safety:	Adequate network of Bungoma County Police Station, police post and patrol bases
Financial Services:	Offered by Banks, Micro-finance institutions and mobile money transfer services
Climate:	Experiences two rainy seasons, the long rains - March to July and short Rains-August to October. The annual rainfall - 400mm (lowest) to 1,800mm (highest). The annual temperature - 0°C and 32°C due to different levels of attitude
Key national trunk roads:	A104 (Webuye- Malaba), C33(Mumias-Bungoma), C779 (Bungoma-Chwele)
County:	Bungoma
Constituencies:	1 (Kanduyi)
Wards:	3 (Township, Khalaba and Musikoma)
Village units:	12 (Lower Township, Central Township, Upper Township, Khalaba, Bondeni, Namuyemba, Namamuka, Musikoma, Sio, Namasanda, Samoya and Siritanyi)
Suburbs:	CBD, Informal Settlement (Mashambani-Bondeni, Muslim-Mjini and Mufutu-Mandizini Informal Settlement Plans), Kanduyi, Kibabii, Sangalo, Mayanja, Upper Siritanyi, Mabanga,

Administrative area

Bungoma Municipality is the Headquarters of Bungoma County. The current municipality consists of two locations namely Township and Musikoma. Township location consists of the core urban area whereas Musikoma consists of the rural part of the municipality. The municipality is also

divided into electoral wards covering an estimated area of about 57.9 km². The wards include; Township, Khalaba and Musikoma. Map 1 shows the Administrative boundaries of Bungoma Municipality.

Map 1: The Administrative boundaries of Bungoma Municipality.



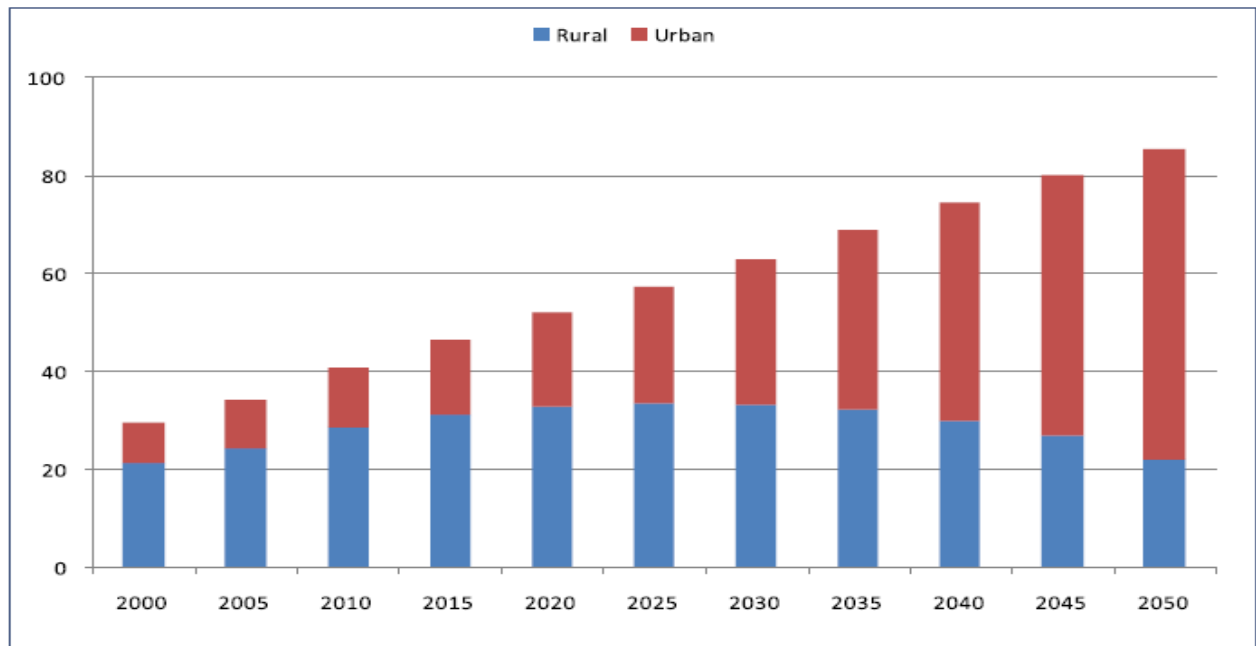
There is a proposal to expand the boundaries to incorporate West Nalondo, Bukembe East and West, West Sang'alo, Kabula, Tuuti Marakaru and sections of South Bukusu wards.

1.3 Urbanization Trends

Urbanization in Kenya is almost entirely a twentieth century phenomenon. Pre-colonial urbanization mainly developed in the coastal zone as a result of triangular trade between East Africa, India, and Arabia. A more consolidated hierarchy of urban centres developed during the colonial period. The Kenya-Uganda railway also provided an opportunity for establishment of more inland urban centres along the railway line. Furthermore, the large scale commercial cash crop farming in the White Highlands led to the development of another hierarchy of agricultural market and trading centres. The growth of urban centres both in numbers and population accelerated after independence, when Africans were allowed to migrate to towns without any legal and administrative restrictions.

According to the 2009 Census, the number of Kenyans living in urban areas increased to 12 million. The proportion of the urban population to the total population rose to 31.3 percent. While Nairobi continues to have the largest share of the urban population, the importance of small and medium-size urban centres is beginning to emerge in the urban hierarchy. Projections by the World Bank shows that most Kenyans will live in Urban areas by 2033 as indicated by figure 1.

Figure 1: By 2033, most Kenyans will live in Cities and Urban Areas



Source: World Bank calculations based on KNBS, 2009, Census and United Nations, 2009, World Population Prospects

1.4 Drivers of urbanization

The rapid growth of the urban population in Kenya is the direct result of a shift in the balance between the urban and rural economies. This shift is closely linked to economic growth and to the changing patterns of demand for, and supply of, employment. However, today's urban challenges in Kenya, and the rest of Africa for that matter, are increasingly from the outcomes of post-independence political, economic, and social policy choices, albeit built on top of the model established under colonial rule. The primary variables driving rapid urbanization and urban growth in Kenya can be categorized as shown in figure 2.

Figure 2: Drivers of urbanization



1.4.1 Natural Population Increase

In Kenya, national birth rates currently exceed mortality rates by 27.3 per 1,000 populations. In the urban areas, rising fertility rates and natural growth of the urban population are estimated to account for approximately 55% of Kenya's urban growth.

The studies have essentially provided results that are more or less consistent with the results of the most recent Kenya Integrated Household Budget Survey (KIHBS) conducted in 2015/16 as reported by KNBS. Overall, the total national fertility rate recorded by the KIHBS 2015/16 is 3.9 children while for urban women it is 3.1 children compared to 4.5 children for their rural counterparts.

By education, at the national level, women with no education had a total fertility rate of 6.3 children, women with primary education had a fertility rate of 4.6, while for women with secondary education and above the total fertility rate were 2.8 children. Urban women with no

education had a total fertility rate of 4 children, those with primary education also had a fertility rate of 4 children, while those urban women with secondary education and above had a fertility rate of 2.3 children.

In general, urban women have lower fertility levels compared to rural women. This is not surprising since urban women usually have better access to education, higher social mobility, and better access to maternal health, marry later, and generally face higher costs of raising children (KNBS, 2008b). Despite declining fertility rates, the crude birth rate per 1,000 populations in Kenya is more than three times the crude death rate per 1,000 populations. Due mainly to the decline in mortality rates, population growth has accelerated in both the urban and rural areas, albeit at a much faster pace in the urban areas.

The primary factors in the decline in mortality in Kenya, and around the world, have been well documented and are better understood than the factors in the decline in fertility. These factors are three-fold and have to do with their interaction as they affect an individual's physical well-being. They are:

- i. public health services, such as immunization, which affect mortality regardless of individual behavior
- ii. health and environmental services (for example, clean water), which reduce the costs of health to individuals but require some individual response
- iii. an array of individual characteristics, including both income, which affects health through food consumption, and housing; and education, which affects the speed and efficiency with which individuals respond to health and environmental services

Of these three sets of factors affecting mortality, the benefits of the first have been more or less fully harvested. Further mortality declines depend therefore on changes in individual behavior that are facilitated by increasing income and education as well as better access to health services. The primary demographic factors that make for future natural urban population increase in Kenya are:

- i. The expected increase in population growth.
- ii. Demographic dividend: Over 45 percent of Kenya's population is 15 years or below. With the expanding intake of reproductive health education, the fertility rates are projected to drop, as well as the dependency ratio. Thus, boosting productivity of individuals and communities.
- iii. Time itself: A lengthy period is needed for a population structure to mature and attain a balance. In time, the age structure will evolve so that a large proportion of the population will be composed of adults.

1.4.2 Rural-Urban Migration

Rural to urban migration is the next important driver of urbanization and urban population growth. Because the vast majority of migrants tend to be young adults in the peak reproductive age groups with higher fertility than the urban population as a whole, the long-term contribution of rural-urban migration to urban population growth is actually much greater.

Rural-urban migration in Kenya, as it is in the rest of Africa, is primarily influenced by the need for economic betterment. People migrate to urban areas primarily in response to the better employment and economic opportunities available there (pull factors). But, they also migrate to

escape negative conditions – like drought, flooding, famine, internal conflict such as civil strife, or inequalities in the spatial distribution of social, cultural, and/or political opportunities.

1.4.3 In-situ Urbanization

In Kenya, although natural growth, rural-urban migration and, to some extent in-situ urbanization (the absorption of smaller settlements on the growth path of larger cities) are now the major drivers of urbanization and urban growth, there is at least one other factor that is exerting some influence – refugees and asylum seekers.

1.5 Drivers of Change

Bungoma Town is the main economic hub for Western Kenya Region. The economic assets, quality of life, fabulous countryside, culture and heritage, and major events across the region – as well as the strong peace hub brand – are an important part of the attractiveness of Bungoma as a place to invest, work and grow businesses. In turn, the municipality's economic success creates benefits across the entire region. Table I shows the main drivers of change and the potential of the municipality.

Table I: Main drivers of change and the potential of the municipality

S/No	Drivers of change	Potential benefits
1.	The A 104 National trunk road	Improved collaboration and connectivity with other urban areas along the corridor, creating business networks and labour markets of genuine critical mass
2.	Strong population	A growing middle class that provides ready market for businesses and investors
3.	Businesses	Thriving private sector with diversified commercial enterprise
4.	Tertiary Education	For skills and knowledge development
5.	Bungoma Local Physical Development Plan	Allow for the orderly establishment and regulation of investments, settlements, transport networks, parks and leisure
6.	MTP III and Big Four Agenda	Recommends that counties and entities build on local strengths and deliver on economic opportunities raising productivity, increasing innovation and research and development, improving living standards, and tackling deprivation in our communities.
7.	New sectors	There is dynamism in the municipal economy with new firms, digital products and processes, medical technologies, telecoms and data storage infrastructure, and creative products and services being created.
8.	New transport corridors	Transport can bring new and more productive jobs within reach for people (enabling them to move job without moving house).
9.	More infrastructure investment	Open immense opportunities for businesses and jobs
10	More modern sites	Attract high end and productive investments
11	New business premises	Provide opportunities for additional corporate investments
12	Better Broadband	Enhance competitiveness and productivity

In order to achieve the agglomeration benefits of the western powerhouse, using the main towns and urban areas as drivers for growth, there needs to be a focus on transport, communications, skills and education, business ambition, connectivity to the rest of the world and devolution. Some of the occupations that can be enhanced within the municipality to maintain the powerhouse standard are shown in figure 3.

Figure 3: Occupations

Occupations	Skilled
	Unskilled
	Process, plant and machine
	Administrative and secretarial
	Caring, leisure and other social
	Elementary occupations
	Technical occupations
	Professional
	Managers, directors and senior officials

1.6 Planning and Policy Context

Urbanization and urban development is influenced and oriented by key policies of the National Government in sectors such as transport, agriculture, tourism, industry among others in addition to the policy pursued in the urban sector. A brief review and domestication of the national policies provide the context for the urban development strategy.

1.7 Municipality Charter, Vision and Mission Statement

1.7.1 Municipality Charter

Sets out the powers, objects, and functions of Bungoma Municipality, as per Annex 5.

1.7.2 Vision Statement

“A thriving, safe, and cosmopolitan municipality.”

1.7.3 Mission Statement

” To progressively build a resilient municipality through prudent management of resources, and rendering efficient, effective and affordable services.”

1.8 Core Values

Core values comply with the vision and mission of the municipality and are listed in table 2.

Table 2: The Municipality Core Values

1. Professionalism	Being customer-oriented and delivering results as scheduled, on budget, and with the approved specification, with a focus on respect; approachability; responsiveness; transparency and accountability will be embraced .
2. Innovation	Taking advantage of opportunities provided by the digital economy, and commercializing research findings, including but not limited to utilizing new materials, new methods, and new energy.
3. Development	Focusing and implementing approved plans together with their programs, projects, initiatives, and policy actions for a resilient municipality.
4. Excellence	Putting in place measures, and enforcing municipality laws in pursuits of the vision and mission.
5. Quality	Progressively investing in urban infrastructure and systems to provide conducive environments for businesses and communities.
6. Participation	Engaging and receiving feedbacks from urban stakeholders to guide development programming and service delivery decisions.

1.9 Strategic Priorities

The Municipality will focus on the following priority areas:

Strategic Priority I

Positively and proactively encourage sustainable economic growth

Since the inception of devolution Bungoma has experienced high levels of unemployment and low levels of household disposable income. The Plan supports job creation within the main economic sectors identified as of strategic importance, including energy, digital and medical sectors by ensuring there is sufficient land and infrastructure in the right places in order to allow set up of

new businesses in the municipality and existing businesses to expand and modernize to provide necessary jobs and services.

Strategic Priority 2

Allocate land to meet the future need for the right type and quantity of homes in Bungoma.

Bungoma has insufficient housing that often does not meet the needs and aspirations of its growing population. Much work has been undertaken in the last five years by the County Government to re-balance the housing stock. It is important for the success of the municipality that this work continues through regeneration initiatives and new build schemes, and that a supply of housing land is always available.

Strategic Priority 3

Promote the role of the municipality centre as a world class visitor destination by making it a focus for major shopping, food and drink, and leisure development that can serve the municipality, the wider region and areas beyond.

Bungoma has a major role to play within the wider region that it serves and as a destination for visitors travelling from much further afield. The municipality centre plays a significant part in this as a location for major shopping, food and drink, leisure and cultural facilities, as well as office based businesses and educational establishments. There is also a growing resident population. Significant investment is committed to the municipality centre.

Strategic Priority 4

Support and enhance the role of Municipality, Local and Neighbourhood centres to ensure they are vibrant and can meet people's needs for shops, services and community facilities within easily accessible locations across the Municipality.

Bungoma has an extensive network of Municipality, local and neighbourhood centres that offer a wide range of shops, services and community facilities. Larger centres meet a wide range of shopping needs. They also provide access to a range of services, as well as cafes, restaurants and some important community facilities. Smaller centres provide neighbourhood hubs so that residents do not have to travel far for the majority of their day-to-day needs. The Integrated Plan will direct development to, and provides the framework for managing future uses within, centres.

Strategic Priority 5

Provide fit-for-purpose health, education and community facilities in accessible locations

To tackle poor health and education outcomes compared to national averages, the National and County Government have seen over the last 6 years a massive overhaul of health and community facilities across the municipality. New walk-in health centres have been provided to make health care more accessible and reduce the burden on stretched services. All secondary schools have either been rebuilt or re-modelled, and many primary schools and ECDEs have also been improved. It is anticipated that old sports facilities that have become costly to run need upgrading in the near future. It is important that this work is supported by planning in order to continue the transformation that the municipality is experiencing – improving the health and education of residents.

Strategic Priority 6

Protect and enhance the municipality's historic assets

Bungoma has a wide range of heritage assets which make a substantial contribution to the amenity of the municipality for residents and visitors alike. It is important that the Plan provides a framework which recognises this and protects the unique heritage assets while allowing change to happen.

Strategic Priority 7

Support more sustainable locations and patterns of living, particularly to reduce pollution and carbon emissions

Bungoma residents have a lower carbon footprint than the national average. Its flat and compact nature makes more sustainable forms of transport easier. It is important as the municipality becomes more prosperous that residents continue to pollute less than the national average. Reducing energy demand and using energy from renewable and low carbon sources are important.

Strategic Priority 8

Provide a transport system that meets the needs of residents and businesses, and is safe, efficient and less polluting

Most businesses want to locate in places that have good transport links. In particular, the efficient movement of goods and people is a basic requirement for any successful town. It is therefore important that Bungoma improves its links to the wider rail and road networks. At the same time, congestion and related air pollution caused by local traffic needs to be reduced, and this can be done partly by encouraging people to use more sustainable modes of transport.

Strategic Priority 9

Protect and enhance the Municipality's natural assets

Bungoma has an extensive network of green infrastructure that links to its green spaces with the wider countryside. These provide habitats for wildlife as well as places for rest and recreation, and safe routes for walkers and cyclists. It is therefore important that sites and the integrity of the network are protected and enhanced where possible.

Strategic Priority 10

Keep residents and businesses safe, particularly from events predicted by climate science, such as flooding

The climate is predicted to change over the next century. In particular, events such as flooding, heat waves, and water scarcity are likely to be more frequent and more severe. Bungoma is highly vulnerable if flood defences fail or are overtopped - both of which are more likely if the municipality's flood defences are not improved to keep pace with the effects of climate change.

Strategic Priority 11

Make Bungoma more attractive to residents, businesses and tourists

Bungoma is committed to forging a new future by embracing new industries. In order to carry this off successfully, it requires a bold plan that preserves the municipality's best assets and is uncompromising in the quality that is expected from new development.

Strategic Priority 12

Provide infrastructure that enables the predictable development and growth of Bungoma to happen

There are significant infrastructure requirements that will support the development and growth of the municipality. Residents and businesses also rely on a range of infrastructure to support them daily. This includes water and sewage, electricity, gas and telecommunications (including mobile coverage and superfast broadband). It is vital for the success of the municipality that these types of infrastructure are able to expand and improve as required and that they are resilient to future climate change. Also, it is necessary to set aside maintenance budgets to ensure continuous functionality of urban infrastructure systems.

1.10 Plan Rationale and Objectives

1.10.1 Rationale

The economic, spatial and mobility trends in Kenya point towards the inevitability of increased urbanization and urban growth in favored locations and regions. While urbanization and urban growth appear inevitable, urban areas are beset with a host of critical issues related to urban development, management and institutions. Both national/county and urban/municipal perspectives need to be brought to bear in dealing with urbanization and urban growth issues. The urban challenges that face the County provide the following rationale for the development of the Bungoma Municipality Integrated Development Plan (BMIDP);

- The system and hierarchy of urban areas is unbalanced both in population and resource terms. The spatial framework for urban development from a national and regional perspective is not sufficiently articulated in the infrastructure and resource development context.
- Urban development is manifest through unplanned informal urban growth and urban sprawl.
- There are wide deficits in basic urban infrastructure (roads, water supply, sewage & drainage, solid waste, energy, urban open space, basic physical amenities, housing among others) and quality benchmarking.
- Urban environmental concerns are growing to critical levels due to air, land, noise pollution; urban transport issues, high fossil fuel consumption, land use incompatibility, public space encroachment and growth of squatter settlements, disregard for cultural heritage and aesthetics, and environmental risk mitigation and disaster resilience.
- Non-farm employment opportunities remain constrained in the rural sector while they are expanding in and around the vicinity of urban areas. There is a growing concern regarding urban employment generation and local economic development strategies.
- Anticipated and rising poverty in urban areas as migration gathers momentum aggravating the problem of housing and infrastructure to cater to this population.
- Weak institutional and legal framework and institutional and human resource capacity for urban planning and management.
- Precarious urban finance and revenue base and capability to mobilize resources in existing urban areas, and wide gap between urban investment needs, sources of financing and

capability for implementation. Lack of coordinated national, regional, municipal urban investment vision and plan.

- Poor urban data base and monitoring of urban developments.

BMIDP is expected to:

- Enhance the national urban policy vision and facilitate periodic review and appropriate changes.
- Provide strategic directions for the Bungoma Municipality Board.
- Define the scope of urbanization and urban development and to that extent indicate the areas that logically come under the ambit of the Municipality Board.
- Inform and facilitate sectoral activities of other agencies of the Municipality that bear on urban development including inter alia transport, agriculture, industry, trade, education and health, environment, water and sanitation services, culture, tourism and local development.
- With the Constitution 2010, Kenya moved towards a devolved system of governance which have significant implications for urban growth and development. BMIDP is a guide to orient urban development processes and associated investment decisions in the new Bungoma Municipality.

1.10.2 Objectives

- a) To develop and elaborate the medium/long term strategic vision of a desirable and realistic urban system based on existing trends and resource potentialities, and proposed strategic initiatives.
- b) To establish benchmarks and standards for urban infrastructure, urban environment, urban planning and management, and urban governance.
- c) To identify key issues and prioritized initiatives and investment(projects) required with regard to:
 - Urban infrastructure
 - Urban environment
 - Realizing comparative advantages based on resource potentials
- d) To identify key issues with respect to investments for urban development and strategies to augment urban financing and implementation.
- e) To suggest institutional framework and legal instruments to facilitate implementation and monitoring of Bungoma Municipality Integrated Development Plan (BMIDP).
- f) To suggest new approaches to urbanization and urban development in light of existing and emerging challenges of sustainability, increased resiliency and mitigation and adaptation to the effects of climate change.

1.11 Methodology

The BMIDP is an outcome of an interactive, participatory process that sought to combine both the knowledge acquired through the thematic consultants, and opinion and suggestions from Municipal Board, other sectoral departments and agencies, civil societies including academic institutions as well as aspirations of policy makers, political leadership and above all, citizens. A series of thematic workshops were organized to review current conditions, policy and programme initiatives, and critical issues that need to be addressed with respect to the theme. Chapter Two draws mainly from the outcome of these workshops. Similarly, urban development strategies were formulated through an intensive participatory workshop focusing on key issues, strategies to address the issues, and key activities that form part of the strategies. The effort has been to encourage and facilitate the ownership of the urban development strategy by concerned stakeholders. A series of workshops were held as the document went through the approval process. Overall policy guidance was provided by the Steering Committee formed within the Municipal under the convenorship of the Secretary of Municipal Board. The Steering Committee also facilitated inter-department and interagency coordination in the strategy preparation process. The Working Group serving as the advisory body to the Urban Development and Physical Planning Department (UDPPD) was headed by the Joint Secretary of the Department. The UDPPD is the main division within the County Department that is entrusted with the task of BMIDP preparation. The UDPPD is further supported by the technical secretariat—created within the Department. The Working Group comprised of the officials from the thematic sections of the DoPPD and other agencies. The thematic consultants were guided and coordinated by the Team Leader—who in turn was liaised and coordinated by the Joint Secretary of UDPP Department.

In summary, the BMIDP Process Plan involved:

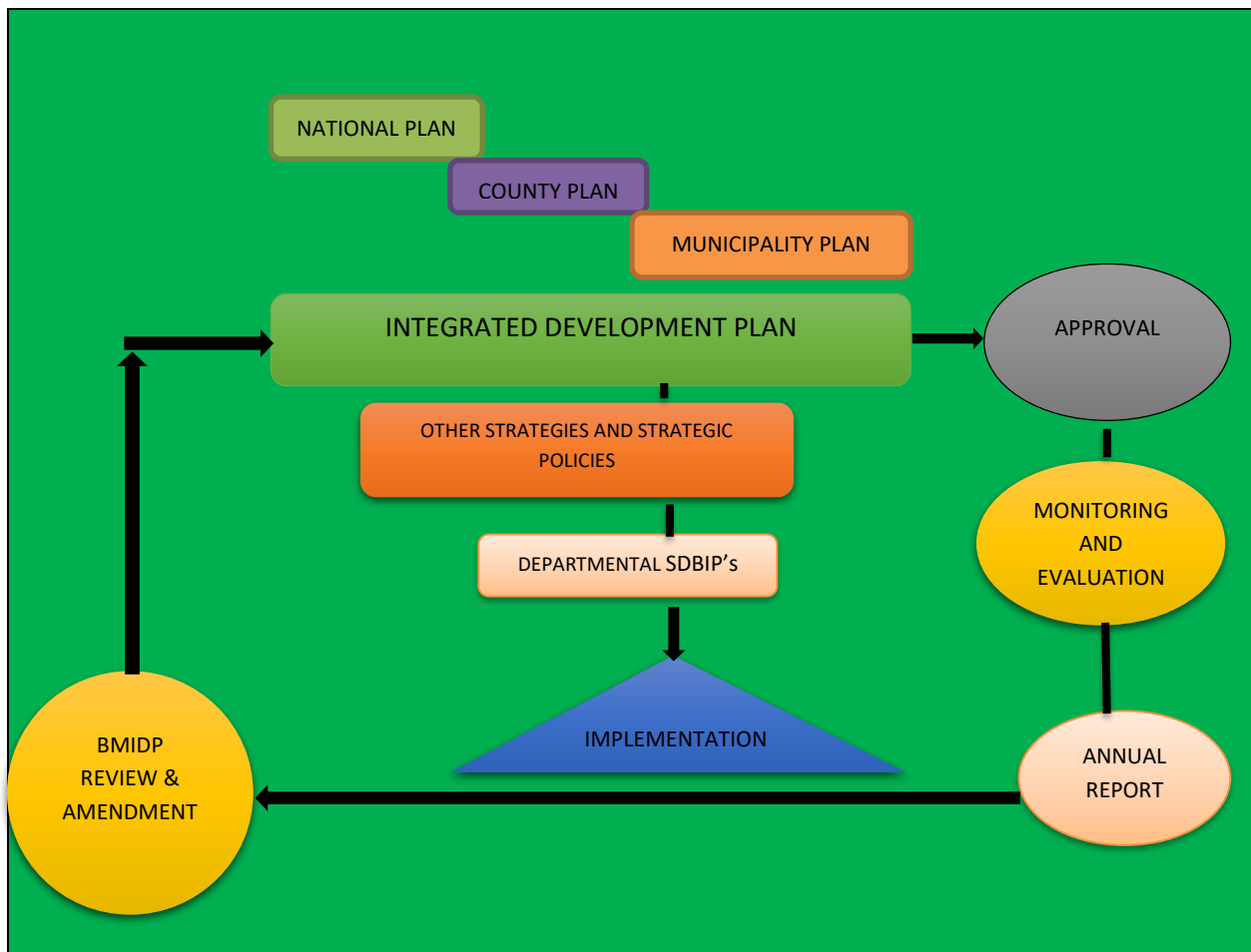
- A preparation phase - where departments assessed their situation and identified projects that are needed.
- The community and regions also went through the same process and the communities, through wards, identified needs through a zonal planning process. A situation analysis report was considered by the Municipality Board and strategic directives were decided on.
- A planning phase – taking the strategic directives into account, departments and agencies developed more detailed plans that contain project proposals with costs. Community needs were taken into account but some of the needs that require further investigation are not necessarily registered as projects.
- An evaluation phase – the project proposals from the various departments were evaluated through a budget assessment process that determined if the projects are in line with council priorities and strategies. A draft BMIDP was prepared and approved before an outreach and participation processes began.
- A participation process – the draft BMIDP was discussed in zones across the Municipality and community members had the opportunity to engage with the projects proposed.
- A comment period is provided and communities and interested parties provide comments on the draft BMIDP and Budget.
- A finalization phase – taking the comments into account a final BMIDP was prepared and submitted to Board for approval.

1.12 The Plan Review

The Plan is a five-year strategic plan that provide guidance in execution of the constitutional mandate of the Municipality Board. The BMIDP, will be reviewed on an annual basis and is aligned to National and County strategies. It is operationalized through strategic policies as well as departmental and entity work plans which aim to implement the strategic direction of the administration. The annual BMIDP Review cycle can be illustrated in figure 4. As the foundation for this strategic direction, the Municipality's administration adopted five Growth and Development Outcomes in in order to address the challenges facing the municipality:

- A growing, diverse and competitive economy that creates jobs
- An inclusive society with enhanced quality of life that provides meaningful redress through pro-poor development
- Enhanced, quality services and sustainable environmental practices
- Caring, safe and secure communities
- An honest, transparent and responsive local government that prides itself on service excellence

Figure 4: The BMIDP Review Cycle



CHAPTER TWO

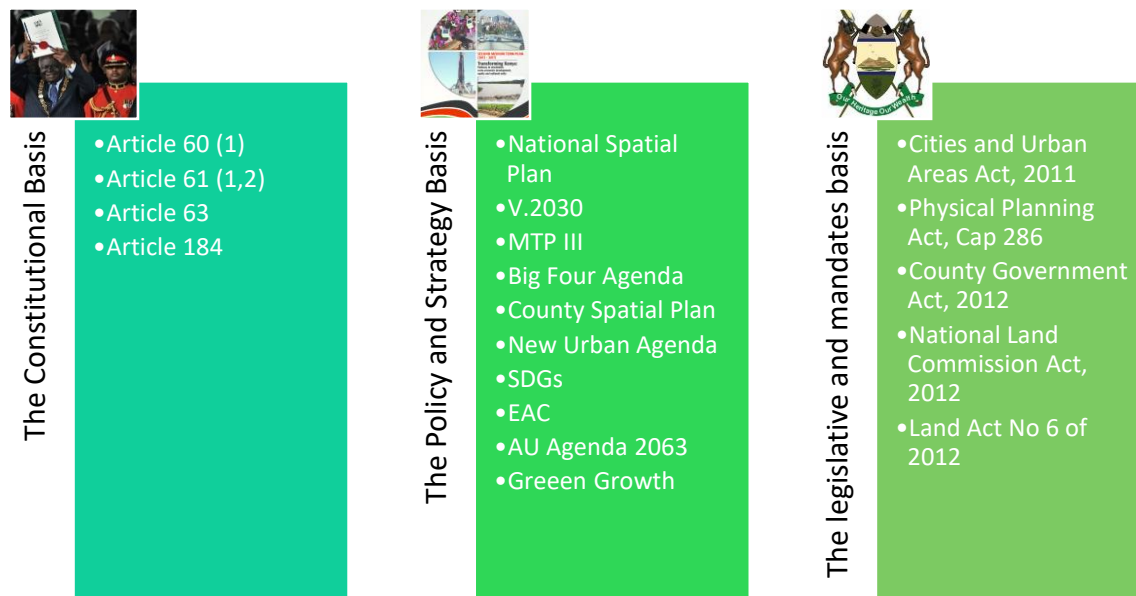
POLICY, LEGAL AND CONSTITUTIONAL FRAMEWORK

2.1 Overview

The chapter details the policy and legal basis for the formulation of Urban plans and highlights its linkage to other policy, strategy, legislative and Constitutional domains; These include: The Constitution of Kenya; Cities and Urban Areas Act, 2011; The National spatial plan; The 'Big Four' Agenda; The County spatial plan; The County Integrated Development Plan (CIDP II); The New Urban Agenda (NUA) ; The Sustainable Development Goals(SDGs); The East African Community (EAC) Urban Development Strategy; African Union (AU) Agenda 2063.

This plan takes cognizance of the constitutional provisions on public participation, citizen engagement, and social accountability, as key tools to advance good governance. Figure 5 depicts the Municipal Planning Framework

Figure 5: Municipal Planning Framework



2.2 Constitutional Basis

The Constitution of Kenya restructured the governance and administrative structures of cities and urban areas commencing in 2013. Article 184 of the Constitution provide the criteria for the governance and management of Urban Areas and Cities, including criteria for classifying areas as urban areas and cities, principals of governance and management of urban areas, participation of

residents in the governance processes and mechanisms for identifying different categories of urban areas and cities including their governance.

The Bungoma municipality charter enacted by the County Assembly of Bungoma, elaborates on the constitutional prescription and specifies governance, management, development planning, citizen participation, resource mobilization and project management processes in the delivery of urban services. The Municipality responsibilities in respect with constitution and the county legislations include; a range of built environment functions (i.e. planning, development, roads and public transport, social services, housing, water, sanitation, storm water management, electricity reticulation and environmental conservation).

2.3 Cities and urban areas Act, 2011

Section 20(1)(c) of the Cities and Urban Areas Act 2011 makes it clear that, a board of a city or municipality – including a town; (section 20(2)) shall formulate and implement an integrated development plan. This is not at the discretion (or gift) of the county. It is a mandatory “urban management” responsibility. Section 39 (1) then states: “A board or town committee shall, within the first year of its election, adopt a single, inclusive strategic plan for the development of the city or urban area for which it is responsible”.

2.4 National spatial plan

The plan reviews numerous national socio-economic and environmental challenges faced by the country and positive outcomes to be achieved from implementation of the plan. It aims at establishing a long term sustainable framework for social and environmental and economic development in the country. The role of the national spatial plan is to enhance sectoral integration in areas such as housing, transport, energy, industry and agriculture. It is also intended to improve local urban-rural development systems.

2.5 Linkages with the ‘Big Four’ Agenda

The national government has identified four high impact agenda that will be pursued within five years (2018-2022). The big 4 agenda entails; food security and improved nutrition, universal health coverage, raising the share of manufacturing sector to 15% of GDP and delivering at least 500,000 housing units by 2022. Within this plan the Municipality has outlined a number of subprograms such as urban housing, urban agriculture and urban health that will be undertaken in the next four years.

2.6 County spatial plan

The Spatial Development Strategy (SDS) has sub-strategies for urbanization, rural development and housing. The urbanization strategy proposes for planning for existing urban areas through preparation of physical development plans for all major towns, compacting urban areas and the delineating urban fringes, beautification of public land

2.7 CIDP II

The counties are required by statute to prepare integrated development plans (CIDPs). They follow the electoral cycle and are therefore institutionally based; focusing on the policy and budgetary aspects of output-based planning and reporting. The first round of CIDPs was submitted by the deadline of 30th September 2013. This was acknowledged to be a very rushed first target after the March 2013 elections to the new counties. One consequence is that sight is being lost of the “urban agenda”. Fortunately, the urban legislation provides the framework for redressing the balance towards urban planning and management. The most crucial function for urban management is the preparation and review of “urban” IDPs

2.8 Linkages with the New Urban Agenda

The New Urban Agenda intends to create inclusive and sustainable cities and human settlements that are safe, healthy, accessible, affordable and resilient to foster prosperity and quality life for all. It aims to achieve cities and human settlement where all people are able to enjoy equal rights opportunities and fundamental freedoms. These cities and human settlements should;

- Fulfill their social functions
- Be participatory, promote civic engagement, enhance social and inter-generational interaction and foster social cohesion
- Achieve gender equality and effective participation and equal rights in all fields
- Fulfill their territorial functions across administrative boundaries
- Protect, conserve, restore and promote the ecosystems water, natural habitats and bio-diversity

2.9 Linkages with SDGs

SDGs relevant to cities and human settlements target people, households and communities rather than address processes. This means that implementation of SDG 11 on sustainable cities and human settlements are very restrictive i.e. 11 (a) focuses on Urban rural linkages, (b) resilience plans and (c) local building materials. This does not cover the array of means of implementation required to achieve sustainable urban development.

2.10 Linkages with East African Community Urban Development Strategy

East African Community development strategy aims to build a firm foundation for transforming the East Africa community into a stable, competitive and sustainable lower-middle income region by 2021. It also takes into account the existing and emerging regional development issues and priorities, while seeking to optimize regional growth opportunities. In order to achieve urbanization, the strategy puts in place and strengthens necessary policies aimed at enhancing planned and controlled urbanization and optimizing the strategic links.

2.11 Linkages with AU Agenda 2063

Aspiration 1 of agenda 2063 purposes to achieve a prosperous Africa based on inclusive growth and sustainable development. It stipulates that African people should have high standards of living and quality of life, sound health and well-being. Cities and other settlements which are hubs of cultural and economic activities with modern infrastructure should be developed to ensure

people have access to affordable and decent housing including housing finance and all the basic necessities of life.

2.12 Linkages with the Vision 2030 and MTP III

Vision 2030 is anchored on three key pillars: Economic; Social; and Political. Each pillar has a clearly set out objectives. The Economic Pillar seeks to attain a growth rate of 10% per annum on average with respect to the Gross Domestic Product (GDP). The objective of the Social Pillar is to invest in the people of Kenya in order to improve the quality of life for all Kenyans by targeting a cross-section of human and social welfare projects and programmes. The Political Pillar envisions a democratic system that is issue based, people centered, results oriented and is accountable to the public.

The third Medium Term Plan 2018-2022 will aim to achieve accelerated, high, inclusive, broad based and sustainable social economic transformation. The plan will take into account climate change impacts, and meeting the 17 Sustainable Development Goals (SDGs) and the goals of African Union Agenda 2063.

The Bungoma Municipality Integrated Development Plan (BMIDP) contains policies, programmes and projects including legal and institutional reforms that will supplement national government efforts to achieve the “Big Four” agenda. It will target not only at increasing the level of investment but also enhancing the productivity of investment, as well as raising productivity in all sectors of the economy.

CHAPTER THREE

CURRENT ANALYSIS

3.1 Overview

Integrated urban development plans must reflect amongst others an assessment of the existing level of development in the municipality. Therefore, an analysis of the Bungoma Municipality with regards to the availability of infrastructure, the assets of the municipality as well as the provision of services was compiled.

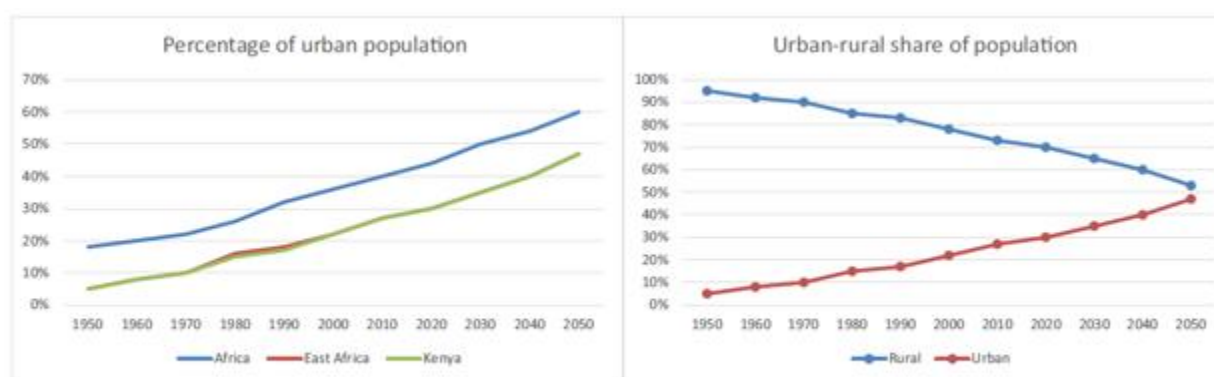
The chapter analyzes the current situation of Bungoma Municipality, its components, plans, programs, endowments, opportunities, and risks. Also, it highlights the achievements attained so far, as well as its goals and vision for the future.

3.2 Bungoma Municipality in the National urban context

Kenya is changing and urbanization is at the forefront of massive changes to people, the environment and the economy. Bungoma Municipality is no exception and subject to the large scale change happening nationally. From the increase in urban poverty, to forced migration, to climate change, municipalities are at the nexus of change and have to learn to cope, adapt and respond positively to an increasingly volatile and rapidly changing world.

Kenya urban population is at 27% and Kenya is urbanizing at the rate of 4.3% per year (Figure 6). This pace has the potential to drive economic growth. Urbanization will strongly drive economic growth if urban firms have a better business environment, are able to create more jobs, and can benefit from a sufficiently large pool of better educated people who can migrate from rural areas to take these jobs. But growth will be weaker if uneducated migrants are forced to leave rural areas for the municipality by a combination of rapidly growing population density and scarcity of agricultural land. Currently, developing countries experience faster population growth rates than the rest of the world, contributing to massive urban poverty, housing shortages, infrastructure backlogs, environmental degradation and political instability.

Figure 6: Projections of urban populations and urban-Rural population split



Source: United Nations Department of Social and Economic Affairs, Population Division (2014).

On the other hand, Municipalities like Bungoma are also key connective nodes through which National capital flows. However, it is difficult to mitigate risk or predict the scale of the impact that National economic fluctuations could have at a Municipality level. Therefore, Municipalities in the 21st century have to consider building resilience in response to the risk and opportunities that devolution and urbanization presents. This means investing heavily in social and economic infrastructure, services, logistics and mass transit.

However, in this ever-connected world the scope of development has also begun to transcend the traditional delivery mandate of cities. Hence, the need to ensure strategic and collective action among key urban actors. Perhaps the opportunity for cities in the future will be further heightened by the United Nations Sustainable Development Goals' (SDG) Goal 11 which for the first time focuses on cities and created a global urban agenda (UN, 2015), SDG Goal 11 aims to "make cities inclusive, safe, resilient and sustainable" (UN, 2015)

Similarly, the emergence of the New Urban Agenda includes the establishment of strategic partnerships by key urban actors, and is intended to serve as a roadmap to drive the implementation of the SDGs. Cities have to figure out quickly how to plan for change and how to keep pace with the massive changes taking place in their locales and regions.

3.3 State of development in Bungoma Municipality

3.3.1 Population growth, migration and urbanization

Bungoma Municipality is fast growing as it serves as the capital of Bungoma County with a population projection of 102,514. The Municipality has about 27,822 households with the average household size estimated at 5 persons per household with women population being slightly higher than those of men according to the 2009 Kenya population and housing census.

The township location which is the core urban has the highest population density of about 3,133 persons per square kilometer due to the available business opportunities whereas Musikoma Location having more households practicing agricultural activities has a low density of 863 persons per square kilometer.

However, it is important to note that the municipality has a significant visiting population particularly during the day that work within the town while living in other areas. Such a population influence service delivery of the town. Currently, there are at least 250 people migrating into the Municipality every month. The influx of migration is contributed by the Municipality being the Capital of the County Government. It is estimated that the population could reach 115,000 by 2022. This requires sufficient plans for the Municipality to deal with the challenges of an increasing Municipality population.

Migration and urbanization are major growth factors in Kenyan cities. Migration continually shapes cities. Kenya in general and Bungoma Municipality in particular, continue to attract migrants seeking political asylum and economic opportunity. The pace and scale of internal migration between counties and municipalities is complex, with movements between secondary municipalities, primary cities, urban core and peripheries. Migration brings cultural, political and social plurality, creating opportunities and challenges as migrants articulate diverse, multiple and complex ways of being in the Municipality.

Cross border migration is small in comparison to domestic migration. Population mobility will continue to shape Bungoma municipality development trajectory given its economic position in the country and across the continent. The Municipality will continue to attract migrants as long as it ensures successful poverty alleviation and employment opportunities. This also requires strict formal management of immigration. Table 3 indicates the urban and rural population in western Kenya counties.

The Municipality challenges include job creation, safety and infrastructure backlogs as amplified by a continual influx of migrants. People drawn to the Municipality by the prospect of jobs and access to better services have put a strain on infrastructure and on the ability of the Municipality to deliver on its developmental goals. Being a cosmopolitan and multicultural, the municipality decision makers must ensure that they build social cohesion amongst diverse communities and create spaces for multiple expressions and co-existence.

Table 3 Urban and Rural Population by County

County	Total population 2009	Total Population 2019	Rural population 2009	Urban population 2009	Rural Population 2019	Urban Population 2019
Bungoma	1,372,020	1,670,570	1,160,283	211,737	1,480,429	190,106
Busia	740,043	893,681	657,865	82,178	779,900	113,753
Kakamega	1,655,013	1,867,579	1,423,717	231,296	1,682,208	185,331
Vihiga	553,633	590,013	380,086	173,547	531,619	58,382

Source: KNBS, 2019

Table 4: Distribution of Bungoma County Urban Population Age 5> by Activity Status, Broad Age Groups

Age	Total	Working	Seeking work/No work Available	Outside Labor Force
5 - 4	47,854	1,017	-	46,835
15 - 17	14,017	838	239	12,938
18 - 24	26,943	10,689	2,633	13,617
25 - 34	32,277	23,367	4,132	4,777
35 - 64	38,052	31,714	2,785	3,585
65+	4,463	3,314	148	998

Source: KNBS, 2019

Table 5: Population of Bungoma Municipality per ward

WARD	CENSUS POPULATION (2019)	MALE	FEMALE	HOUSEHOLDS	AREA (KM2)	POPULATION DENSITY
Musikoma	52,867	26,221	26,646	13,222	42.5	1,245
Khalaba	30,852	14,553	16,297	9,232	9.7	3,173
Township	18,795	9,145	9,650	5,368	5.3	3,572
Total	102,514	49,919	52,593	27,822	57.5	7,990

Source: KNBS, 2019

3.3.2 Socio-Economic growth and development

Socio-Economic Status

Socio-economic status (SES) is an economic and sociological combined total measure of a person's work experience and of an individual's or family's economic and social position in relation to others, based on household income, earners' education, and occupation are examined, as well as combined income, whereas for an individual's SES only their own attributes are assessed. However, SES is more commonly used to depict an economic difference in society as a whole.

Socioeconomic status is typically broken into three levels (high, middle, and low) to describe the three places a family or an individual may fall into. When placing a family or individual into one of these categories, any or all of the three variables (income, education, and occupation) can be assessed. Additionally, low income and education have been shown to be strong predictors of a range of physical and mental health problems, including respiratory viruses, arthritis, coronary disease, and schizophrenia. These problems may be due to environmental conditions in their workplace, or, in the case of disabilities or mental illnesses, may be the entire cause of that person's social predicament to begin with.

Education in higher socioeconomic families is typically stressed as much more important, both within the household as well as the local community. In poorer areas, where food, shelter and safety are priority, education can take a backseat. Youth audiences are particularly at risk for many health and social problems in the United States, such as unwanted pregnancies, drug abuse, and obesity.

The main socio-economic factors are economic, education and occupation. Table 6 explains the situation of Bungoma County urban areas by 2009 census.

Table 6: Socio-Economic Characteristics by Urban Centres

Urban centre	% of category population				
	Education attainment (18+ years old)		Economic activity		Main Employer
	None	Secondary and above	Working	Unemployed	Informal sector
Bungoma	5.2	61.5	46.6	5.8	63.1
Kimilili	6.8	38.3	39.5	1.5	39.9
Webuye	5.1	50.4	47.1	3.6	55.9

Source: KNBS, 2009

Economic Growth and Development

The main challenge facing policymakers in Kenya from 2018 to 2022 will be to expedite faster growth by tackling long-standing structural constraints such as skills shortages, inadequate infrastructure, the lack of competition within certain sectors of the economy and high unemployment rate. Furthermore, Kenya's economic outlook remains fairly bleak as steady declines in growth are forecast due to an array of domestic and global constraints. These include perceptions of weak governance and accountability mechanisms, water shortages, a serious drought, rising interest rates, labour unrest, policy uncertainty and corruption.

According to Economic Survey (2019) real Gross Domestic Product (GDP) is estimated to have expanded by 6.3% in 2018 compared to 4.9% in 2017. The growth was attributed to increased agricultural production, accelerated manufacturing activities, sustained growth in transportation and vibrant service sector activities. Agricultural activities benefited from sufficient rains that were well spread throughout the country. Similarly, the increased precipitation was a significant boost to electricity generation and consequently favorable to growth during the review period.

According to the Gross County Product Report (2019), Bungoma County contributed 2.3 % (2013-2017) of GDP where agriculture remained a key driver of growth.

Table 7: Gini Coefficient by Ward

Ward	Pop. Share	Mean	Consumption Share	Gini Coefficient
Township	0.000	5,220	0.0007	0.438
Khalaba	0.001	4,270	0.0008	0.366
Musikoma	0.001	2,780	0.0008	0.410

Source: KNBS, 2013

i. Trade and Commerce

In the urban areas such as Township and Khalaba, the local economy is largely driven by trade and commerce. Trade is an important economic activity within the planning area. Bungoma town is the main commercial hub in the planning area.

ii. Wholesale and Retail trade

The town is dominated by large scale and small-scale retail activities. The town hosts Khetias, Naivas and Tesia supermarket chain stores among others. The wholesale traders supply the retail shops that break the goods for sale as individual items. They are mainly located within the CBD. Wholesale, retail, and general shops are a source of livelihood and employment in the town. Both agricultural and finished goods in the town are traded between buyers and sellers.

iii. Banking and Financial Services

There are numerous banks and microfinance institutions in Bungoma town and surrounding town centres in the planning area. Financial institutions play an important role in enabling capital mobilization hence, promoting economic growth and availing financial services to society. The commercial banks in the planning area include; Equity, DTB, Barclays, Family, Co-operative and National among others.

iv. Markets Centres

Markets play an important role in enhancing the local economy. Markets within the planning area serve a wider catchment population. The town is served by several major markets namely; Chepkube, Municipal and Kanduyi. Chepkube open market specializes in the trade of a variety of products including; livestock and crop products, cereals, clothes and general merchandise. However, the market is small in size resulting in a spill over to the C33 road. Kanduyi market has

emerged with the need to serve the growing population in the area. It is active mostly in the evening hours.

v. Formal Industrial Sector

The major formal industries in the town include the National Cereals and Produce Board (NCPB), Eden Millers (Supa loaf), Eden Maize Millers, Eden Feeds, Butter Toast, New KCC, and Kitinda Dairy which was recently revived and a growing construction industry that includes public and private sector players are set to grow the town's formal industrial sector.

vi. Petrol Stations

In the planning area, there are many gas stations and filling stations, with the major ones being Total Kenya, Shell, Shreeji, Kobil, National Oil, Hass and Gulf energy. Most of the petrol stations and petrol filling stations are located within the town centre and at the periphery of the town especially along the major transportation corridors.

vii. Informal Industrial Sector

There is a vibrant informal sector (jua kali sector) within the town and its environs which includes town service transport, auto-garages, welding and carpentry workshops, second hand cloth vending and tailoring. Other informal industries in the town include the brick making industry around Musikoma and Siritanyi.

viii. Hospitality industry

Bungoma has a few notable hotels that provide good rooms and facilities such as fitness halls, swimming pools, night clubs, bars, restaurants, and spacious gardens. Some of these hotels include the Tourist, Elegant, Greenvalle, Dr. SPA, Sawan, Bungoma Countryside, and the County Comfort among others.

Bungoma Municipality has an inequality and poverty challenge and the ability of the Municipality to drive a pro-poor agenda depends primarily on sustainable economic growth and a distribution of the benefits of growth. Given the rate of population growth and high structural unemployment, stronger economic growth is required to deal with the challenge of poverty.

The Municipality needs to grow, in order to create jobs and take care of its social obligations for those who may not be in economically viable situations. The likely effect of high sustained immigration patterns and population growth is that the growth in demand for jobs and services far outpaces the number of jobs and infrastructure available thereby putting pressure on the service delivery capacity of the Municipality.

3.3.3 Labor dynamics and unemployment

The Municipality of Bungoma continues to fight unemployment, which is one of the major problems facing Kenya as a whole. Unemployment is currently at 42.3% and youth unemployment is estimated to be approximately 45%. The trading sector is the biggest employer accounting for 26.6% of total employment, followed by the agricultural sector which employs 21.1% of the formal sector workers. The financial sector employs the least share of the formal sector workers with

only 4.4%. The informal sector employs almost 60% of people, with most of these jobs generated in Trade and Industry sector.

With a global economy influenced mainly by shifting economic centres, new technology and fiercely competitive markets, the current trend in the Municipality is low economic growth in many of its business sectors. As such, Bungoma's ability to deliver on its social and economic goals is impacted by the developments in the larger global economic context.

The combined effect of slow economic growth and fewer jobs presents the challenge of social instability, which is characterized mainly by high levels of crime. In order to achieve the political target of 10% economic growth in 2022, several bold but pragmatic solutions will need to be adopted. A thriving private sector, and a Municipality that attracts local and foreign investment are key to addressing the triple challenge of unemployment, poverty and inequality thereby paving the way towards the Municipality achieving the growth target. Table 8 shows employment by ward.

Table 8: Employment by Ward

Ward	Work for pay	Family Business	Family Agricultural Holding	Intern/ Volunteer	Retired/ Homemaker	Fulltime Student	Incapacitated	No work	No. of Individuals
Township	36.1	22.2	9.9	2.4	4.7	12.6	0.2	11.9	10,416
Khalaba	36.9	18.4	10.7	1.8	7.2	15.7	0.3	9.1	14,294
Musikoma	22.8	17.3	30.0	1.6	5.9	12.9	0.3	9.3	19,695

Source: KNBS, 2013

The Municipality economic activity is fairly diverse and characterized by a strong services sector, in particular finance, business services and the trade and logistics sector. The dominance of these sectors arises from the central location of the Municipality, amongst other factors. While the location of the Municipality has many advantages for the tertiary sectors (finance and trade), the primary and secondary (agriculture, mining, manufacturing) sectors have diminished in importance in the economy largely because of the lack of natural factor endowments. Thus, there is need to maximize on the Municipality's economic strengths and competitive advantages by focusing on improving the ease of doing business and competitiveness, exploiting opportunities for prospective investments and enhancing support to Micro, Small, and Medium Enterprises (MSMEs) and new businesses.

Importantly, economic growth resulting from such measures should result in meaningful redress by expanding social support, investing in spatial development, addressing issues related to homelessness and landlessness, building safe and inclusive communities, and advancing human capital.

Table 9 shows employment and education levels by ward.

Table 9: Employment and Education Levels by Ward

Ward	Education Total level	Work for pay	Family Business	Family Agricultural holding	Intern/ Volunteer	Retired / Home maker	Fulltime Student	Incapacitated	No work	No. of Individuals
Township	None	39.0	23.0	12.5	6.8	6.0	1.3	0.7	10.7	600

	Primary	28.4	25.1	11.7	1.8	6.5	12.2	0.3	13.9	2,929
	Secondary+	39.1	20.9	8.9	2.3	3.9	13.8	0.1	11.1	6,887
Khalaba	Total	36.9	18.4	10.7	1.8	7.2	15.7	0.3	9.1	14,294
	None	31.7	23.5	13.4	3.7	10.7	2.8	1.5	12.7	599
	Primary	32.0	19.4	13.9	1.7	9.3	13.9	0.4	9.4	4,724
	Secondary+	39.8	17.5	8.8	1.7	5.9	17.5	0.2	8.6	8,971
Musikoma	Total	22.8	17.3	30.0	1.6	5.9	12.9	0.3	9.3	19,695
	None	18.1	13.2	34.5	4.2	6.8	0.4	1.1	21.7	1,714
a	Primary	19.7	17.1	35.1	1.1	6.0	13.0	0.3	7.8	10,371
	Secondary+	28.0	18.4	22.1	1.7	5.6	15.6	0.1	8.5	7,610

Source: KNBS, 2013

3.3.4 Poverty, Food Insecurity and Inequality

Bungoma is faced with high levels of poverty and inequality, social exclusion and sub-standard levels of human development. These issues are further exacerbated by unequal development, long and costly commutes, inadequate basic services and policies not focused on ensuring and maintaining sustainable growth. As such, many residents find themselves in a state of deprivation.

Improving conditions for human and social development involves the enhancement of the population's well-being in terms of health, nutrition, education, social capital and safety. It also involves the expansion of social assistance programmes to provide a level of basic income security, particularly for those communities without access to economic opportunities. This social safety net is critical to combating poverty.

Bungoma Municipality has a Gini-coefficient of 0.42. The Gini-coefficient is a statistical measure of income inequality. It varies from 0 to 1. If the Gini-coefficient is equal to zero this means that income is distributed in a perfectly equal manner; if the Gini-coefficient is equal to 1, it means that income is distributed in an unequal manner. In Bungoma Municipality, it has decreased over the period from 2006 to 2016, indicating that the gap between the rich and poor is slowly narrowing. However, collectively, the Municipality together with the county (Gini coefficient of 0.44) and the country (Gini coefficient of 0.45) is still rated as unequal in the world.

Poverty is directly linked to food insecurity and vice versa. This creates a deprivation trap of powerlessness, vulnerability to both internal and external stressors, physical weakness through the lack of food and isolation due to lack of assets which individuals or households can employ to accumulate additional assets and acquire access to different resources. Additionally, food insecurity has remained a developmental challenge that the Municipality plans to eradicate in the future. Food insecurity affects thousands of dwellers. This contributes to massive social costs in the form of healthcare, loss of productivity and earnings, social tension and compromised educational attainment. The County Household Survey reported that an estimated 18% of dwellers have inadequate or severely inadequate food access. The combination of the factors associated with the deprivation cycle further limits peoples' ability to search for alternatives, that may not only contribute to food security, but also to building their adaptive capacity and resilience against external and internal stressors.

Furthermore, those in poverty often experience social exclusion. It is the process where people are systematically excluded from opportunities and resources that are normally available to other members of the society. They are therefore unable to fully integrate into society. Specific groups that are socially excluded include women, the youth, people with disabilities, migrants and the

elderly. The administration is committed to reducing both poverty and inequality through pro-poor development that provides meaningful redress for the injustices of the past.

The town labour force accounts for 45% of the population. This means that about 55% of the population is either too young or too old to engage in productive activities

3.3.5 Spatial development and transportation

The road network within the municipality consists of tarmac, murrum and earth roads. The tarmac roads include but are not limited to streets within the town centre and the roads linking Bungoma town to Malaba, Chwele, Webuye and Mumias towns. The other areas of the municipality are served by murrum and earth roads. In addition, the municipality has an airstrip for light aircrafts and helicopters while the other services include postal services, financial institutions, and electricity, water and telecommunication facilities among others.

Bungoma's urban form is a consequence of its history. The main mode of commuting to work is by *Tuktuk*, Motorbikes and Bicycles. The historical land ownership impacts negatively to the expansion of the town and development of serviced apartments/estates.

3.3.6 Safety and Security

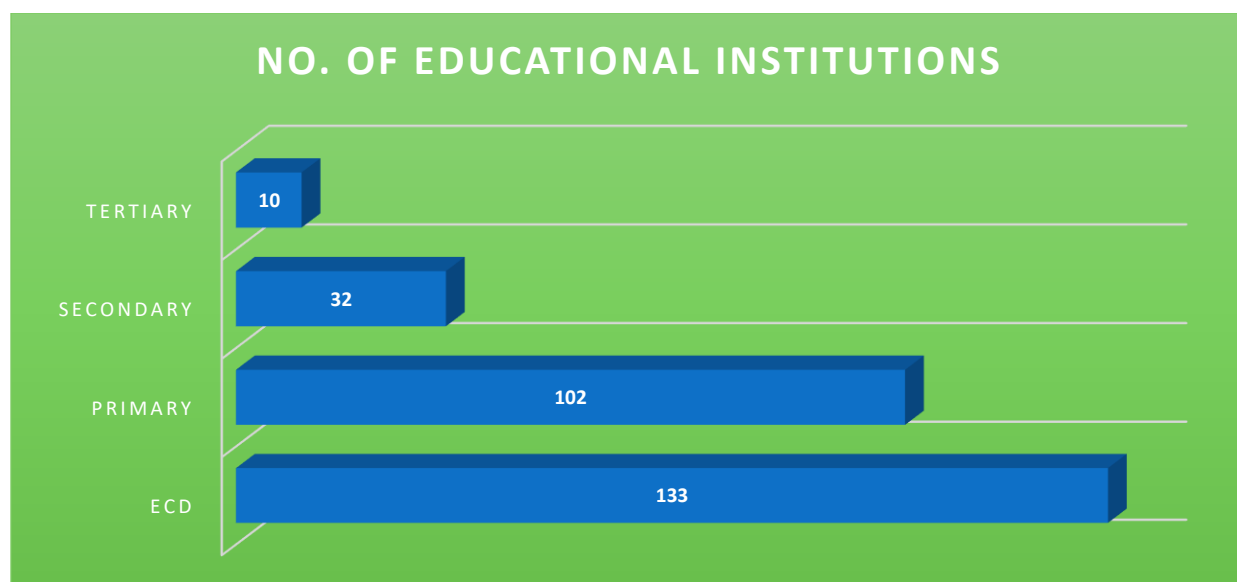
Safety and security remains an ongoing concern, compounded by factors such as historical, geographical, social and economic inequality. Despite this, evidence suggests that overall crime has decreased. The reduction in reported crimes may be attributed to the heightened level of enforcement, visible policing, multi-agency operations, and improved community relations (the 'Nyumba Kumi' initiative). The Bungoma Police Department (BPD) and County Enforcement Officers (CEOs) have almost doubled the number of priority by-laws infringements attended to, in line with the strategic objectives of increased by-law compliance.

The Municipality's role in crime prevention is limited, but interprets its mandate to include investment in public safety through community development, urban design and management, the protection of vulnerable groups, infrastructure upgrades, improvements to by-law compliance and enforcement, and responding to emergency and disaster situations timeously.

3.3.7 Education and Trainings

Majority of the population within Bungoma town have a primary school education. Township contains 46.2% of people who have attained secondary and post-secondary education at the same time recording the lowest non-formal education of 11.2%

Table 10: Number of Educational Institutions in Bungoma Town



The common names of secondary schools in the municipality include; Bungoma High, Namachanja, Baptist, Muslim, Wamalwa Kijana and Musikoma. Tertiary institutions include; branches and campuses of Bungoma KMTTC, Sang'alo TTI and Nairobi University among other commercial colleges. Table 11 shows the literacy levels in the municipality.

Table 11: Literacy Levels in Bungoma Town

	Musikoma	Khalaba	Township
None	17.6%	11.7%	11.2%
Primary	53.8%	45.8%	42.6%
Secondary +	23.6%	42.4%	46.2%

Source: KNBS, 2013

3.3.8 Public health

The demands that rapid urbanization places on the provision of health services are huge. Critical in improving the health of the citizens is ensuring healthy lifestyles. Attention to the burden of disease will improve life expectancy and thus reduce other indirect impacts such as the number of child headed households. A key focus area of the Municipality's health thrust is ensuring that the residents have access to adequate primary health care, including access to safe and affordable medicines and vaccines as well as environmental health.

Of particular relevance to the health sector is the amplified risk of communicable diseases outbreaks (e.g. H1N1 Influenza, Rift Valley Fever, Cholera, and Measles despite the high immunization coverage) and the social problems that come with unemployment: trauma and violence, alcohol related illnesses. It is difficult for mobile populations who are also at risk of acquiring diseases such as TB, to comply with the long-term treatment it requires. Poor treatment compliance contributes to the problems of emerging and re-emerging diseases like multidrug resistant TB.

There are 42 health facilities in the planning area. These include county hospital, dispensaries, medical clinics, radiology units, dental clinics, health care, VCT centers, medical laboratories, maternity homes and nursing homes among others. Table 12 shows bed capacity members in the municipality.

Table 12: Bed Capacity Numbers in the Town.

OWNER	SUB-COUNTY	BED CAPACITY
County/Ministry of Health	Kanduyi	216
Private Practice - General Practitioner	Kanduyi	40
Company Medical Service	Kanduyi	60

Source: KNBS, 2013

The services provided by health facilities in the town include medical diagnosis and treatment, counseling on HIV/AIDS and drug abuse, community health services, and voluntary counseling and testing (VCT) services. The provision and accessibility of health care services in the town is limited due to various constraints as depicted in figure 7:

Figure 7: Health Care Challenges in the Town



The level 5 hospital in Bungoma does not have the facilities and personnel required of its status. Some of the facilities needed at the hospital include a malaria control centre and a dialysis and cancer centre. The hospital also lacks vital vaccination and disease prevention programs. The level 2 and 3 health facilities in the town are similarly deficient, and lack pediatric wards, male and female wards, maternity wards, and water supply and electricity infrastructure.

3.4 Access to Services, Infrastructure Backlogs & Environmental Challenges

3.4.1 Access to Basic Services

It is a constitutional mandate for the Municipality to ensure that all households have adequate access to basic services. Provision of basic services to the community of Bungoma Municipality is comparatively high with the significant number of households (both formal and informal) enjoying access to piped water (22.5%), sanitation (95.8%), and electricity (80%). However, there continues to be a deficit, particularly in informal settlements where less than half of the households have access to basic sanitation. This backlog is exacerbated by high population growth and in-migration referred to in the previous section. The number of households in the Municipality has increased by an average annual rate of 13% from 2013 to 2018. As the number of households' increase, extra strain is put on the existing infrastructure. In the short to medium term this can make delivery of services difficult because the provision and maintenance of formal household infrastructure takes time. In order to avoid this situation, the Municipality needs to be keenly aware of backlogs and work to neutralize these.

Housing

Approximately 58.2% of all households in the Municipality live in formal dwellings. The housing backlog is a major concern for the Municipality. The formal dwelling backlog (number of households not living in a formal dwelling) is currently at 41.5%. Improving housing provision with better access to water, electricity and waste removal is the core to the sector.

The housing backlog is made of informal settlements, overcrowding in the public hostels, the nonregulated backyard rental, inner Municipality overcrowding, the housing waiting list, and homeless people in general. The Municipality is making a concerted effort to meet the housing demand and tackle this backlog. This will require the up scaling of housing delivery, further partnering with the private sector, and meaningful engagement with communities. The Municipality has a number of key projects, such as the upgrading of informal settlements by re-blocking, alignment of shacks and providing basic services; the construction of mixed income housing opportunities; the construction of social housing and rental accommodation within the inner Municipality and urban core; the construction of housing opportunities along the transport corridors. Additionally, the Municipality also has an obligation to provide temporary accommodation to certain evictees in emergencies.

These supply constraints, together with the rising cost of land and community land owners are making the delivery of subsidized housing much more expensive than the actual subsidy that is available in terms of national policy. As a result, the Municipality is called upon to scale up the subsidy program to afford delivery on well-located land and to a standard that is acceptable.

Another challenge faced by the Municipality is the limited availability of low-cost rental housing. As it continues to attract migrants, an estimated 25% are from outside the county creating a housing backlog. This shortage has in part led to the development of informal settlements, which further complicates the infrastructural challenge. Coupled with unequal development of the past, the result is that the residents of informal settlements do not enjoy the same service standards received by affluent communities. It is also important to bear in mind that chronically poor households often cannot pay for basic services. Against this background, the Plan has developed

a number of initiatives to address these issues. Table 13, 14, 15, 16, and 17 show housing characteristics in the municipality.

Table 13: Tenure Status and Housing Conditions by Urban Centres, 2009

Urban centre	% Households								
	Tenure Status			Roof Material			Wall Material		
	Own House	Individual units	rental	Iron Sheet	Grass Makuti	/	Stone/Block	Brick/	Mud/ Tin/ Iron Sheet
Bungoma	27.2	65.2		95.3	0.4		58.2		41.8
Kimilili	81.3	17		88.2	8.2		16.3		83.6
Webuye	54.9	37.2		91	4.7		44.6		54.5

Source: KNBS, 2009

Table 14: Urban Formal and Informal Settlements Population by County, 2009

Province/ County	Urban population	Formal settlements population	% of formal settlements population	Informal settlements population	% of informal settlements population
Western					
Bungoma	211,737	211,737	100	0	0
Busia	82,178	82,178	100	0	0
Kakamega	231,296	227,211	98.2	4,085	1.8
Vihiga	173,547	166,281	95.8	7,266	4.2

Source: KNBS, 2009

Table 15: Main material of the Floor by County, Constituency and Ward

Ward	Cement	Tiles	Wood	Earth	Other	Households
Township	85.1	2.0	0.2	12.0	0.6	4,420
Khalaba	74.9	2.4	0.3	22.1	0.3	6,324
Musikoma	38.8	0.5	0.3	60.2	0.2	8,169

Source: KNBS, 2013

Table 16: Main Roofing Material by County Constituency and Ward

Ward	Corrugated	Tiles	Concrete	Asbestos sheets	Grass	Makuti	Tin	Mud/dung	Other	Households
Township	91.0	2.4	1.8	3.5	0.2	0.0	0.3	0.0	0.7	4,420
Khalaba	96.3	0.6	1.3	1.2	0.4	0.0	0.0	0.0	0.1	6,324
Musikoma	0.3	0.2	0.3	8.6	0.3	0.0	0.1	0.0	8,169	90.2

Source: KNBS, 2013

Table 17: Main material of the wall

Ward	Stone	Brick/blocks	Mud/Wood	Mud / cement	Wood only	Corrugated iron sheets	Grass/ Reeds	Tin	Other	Households
Township	3.8	63.8	12.9	17.4	0.1	1.2	0.0	0.1	0.6	4,420

Khalaba	1.6	55.2	24.0	18.4	0.2	0.4	0.0	0.1	0.1	6,324
Musikoma	1.0	23.8	58.7	16.2	0.1	0.1	0.0	0.0	0.1	8,169

Source: KNBS, 2013

Water and sanitation

Safe water supplies, hygienic sanitation and good water management are fundamental to global health. Increasing access to safe drinking water; improving sanitation and hygiene; and, improving water management to reduce risks of water-borne infectious diseases, and accidental drowning during recreation. 22.9% households in the Municipality have access to pipe or tap water in their dwellings, offsite or on-site. The Municipality has been successful in decreasing the water backlog (represented by the number of households which do not have piped water within 500 metres of their dwelling) over time. Revamping the aging and expanding the infrastructure is one of the key challenges that the Municipality battles against. This will require an overhaul of the old infrastructure and an improvement in debt collection and revenue optimization.

The same legacy of neglect and under investment exists in our water and sanitation infrastructure. Despite a requirement to renew approximately 2% of the water network per year, the Municipality has historically renewed only about 0.2% thereof. This decay is reflected in available data from 2016/17 which shows that the water network suffered 45 000 burst for the year. The town's water losses have reached 31% and there are currently 371 leaks per kilometre of water pipes. This is despite the fact that water will be one of the greatest challenges in our future. Table 18 and 19 show the water and sanitation situations in the municipality.

Table 18: Households Main Source of Water and Mode of Human Waste Disposal by Urban Centres, 2009

Urban centre	% Households			
	Source of water		Mode of human waste disposal	
	Piped Water in House	Piped water elsewhere	Main sewer	Ordinary pit latrine
Bungoma	6.3	16.6	2.2	80.5
Kimilili	3.1	19.9	0.6	88.7
Webuye	8.6	15.8	11	74.6

Source: KNBS, 2009

Table 19: Source of Water by Ward

Ward	Township	Khalaba	Musikoma
Pond	0.1	0.4	0.6
Dam	0.1	0.0	0.1
Lake	0.0	0.0	0.6
Stream/River	2.7	2.5	7.1
Unprotected Spring	0.5	2.3	9.3
Unprotected well	1.4	4.0	6.4
Water vendor	13.2	2.5	0.4
Others	0.0	0.0	0.0

Unimproved sources	18.1	11.8	24.5
Protected spring	4.1	5.6	15.6
Protected well	25.9	30.1	20.8
Borehole	27.1	23.9	33.4
Piped into dwelling	6.3	10.1	1.0
Piped	18.3	17.9	4.6
Rain Water Harvesting	0.2	0.5	0.1
Improved sources	81.3	81.9	75.3
Number of Individuals	16,976	23,951	37,663

Source: KNBS, 2013

Waste Management

Over 50% of the global population lives in urban areas characterized by ever increasing consumption of resources and services. The increasing urbanization, rural-urban migration, rising standards of living and rapid development associated with population growth have resulted in increased solid waste generation by industrial, domestic and other activities. Bungoma municipality, like other urban centres in Kenya, is experiencing rapid population growth largely due to rural-urban migration and natural rate of increase. The rapid increase in population has resulted in the increase in solid waste generation rate which is estimated at 28 tons/day based on the core urban population whereas about 13 tons/day is generated from the peri-urban areas of the municipality.

Solid waste is emerging as a major public health and environmental concern in Bungoma Municipality. Despite increase in solid waste generation, there has not been accompanying increase in the capacity of the municipality to deal with this problem. The proper management of waste has thus become one of the most pressing and challenging environmental problem in Bungoma Municipality. About 80% of the present waste generation in the core urban area is left uncollected or illegally dumped within the town and the remaining 20% is carried to the final disposal site. There is hardly any waste collection from the peri-urban areas of the municipality on the other hand. Proper waste management must be addressed in several areas within the municipality including municipal slaughter house, the bus park waste collection chambers, Bungoma-Mumias highway, Chebukube open air market, Mjini informal settlement, Mandizini residential areas, Marrel residential areas, the Municipality hospital, Kiringet, Bungoma tourist hotel, Kanduyi area, Tuti disposal site and an illegal dumping point opposite Namuyemba junction.

The adverse impacts of uncontrolled dumping and burning are widely acknowledged but in spite of these, they are still the common methods practiced in disposing solid waste with a potential of resulting in serious pollution. The risk of poor solid waste management practices is that pollutants are dispersed into the environment including heavy metals, organic matter, plastics or synthetic organic compounds such as furans, dioxins or polychlorinated biphenyls. In addition to the possible existence of storm drains or leachate from the sites poses risk of dispersing pollutants into the environment through surface and ground water courses. Therefore, the impact of solid waste to the environment and to human health has to be managed and disposed of in an environmentally sound manner. Table 20 indicates various waste management practices.

Table 20: Human Waste Disposal by Ward

Ward	Main Sewer	Septic Tank	Cess Pools	VIP Latrine	Pit Latrine	Improved Sanitation	Pit Latrine Uncovered	Bucket	Bus h	Other	Unimproved Sanitation	No of HH members
Township	4.92	7.72	2.16	4.58	63.59	82.97	16.45	0.47	0.11	0.00	17.03	16,976
Khalaba	1.52	10.41	0.05	10.62	61.67	84.27	15.28	0.10	0.34	0.01	15.73	23,951
Musikoma	0.25	0.58	0.28	8.44	78.53	88.09	9.74	0.48	1.45	0.24	11.91	37,663

Source: KNBS, 2013

3.4.2 Infrastructure backlogs

The Municipality's total infrastructure backlog composed of dilapidated roads, Municipality pavements that are in a poor condition, potholes, burst water pipes and ailing substations. Finding effective solutions to these basic infrastructural problems is crucial, particularly if the Municipality is to show increased economic growth and cater to the needs of its poorest and most vulnerable citizens.

Roads, Storm Water and Bridges

The potholes in our municipality arise from a shocking historical backlog in our road network. In 2019, many kilometers of our network, had fallen into the classification of poor or very poor conditions especially the C33 (Mumias-Chwele) road that passes through the CBD.. This has been made worse by a backlog in storm water drainage, which results in the increasing structural decline of our roads. This is also seen in the flooding in our town, including large parts along Kenyatta street.

Energy

Over the recent past five years, investments in the generation and transmission of electrical power has improved. Overreliance on national electricity grid and lack of favorable policies to stimulate demand of alternative energy products and services has continued to pile pressure on Kenya Power and Lighting Company. This is made worse by our scattered population.

Despite these difficulties, Kenya Power has delivered well. 4 850 new households were connected in financial year 2016/17, exceeding the target of 4 000. Also, 6 225 ripple relays were installed exceeding the target of 5 000. This achievement in electricity services means that the Municipality is well on its way to increasing and securing energy supply and reducing preventable losses. The Energy Unit continued its rollout of solar water heaters to poor households. Over the same period, progress was made to include solar energy generated by the private and business sectors into the distribution grid when regular supply cannot meet demand. Other ongoing projects involving alternative energy include hydro-con rooftop photovoltaic and utility-scale battery storage plants. Kenya Power successfully rolled out smart electricity meters in households and businesses as part of its Smart Technology Programme.

Table 21, and 22 show energy use trends in the municipality.

Table 21: Cooking Fuel by Wards

Ward	Electricity	Paraffin	LPG	Biogas	Firewood	Charcoal	Solar	Other	Household
Township	-	1.9	12.9	5.8	1.9	11.2	66.0	0.0	0.4
Khalaba	-	1.5	10.2	6.7	1.3	20.7	58.8	-	0.8
Musikoma	-	0.5	4.1	0.4	0.8	59.9	34.0	0.0	0.3

Source: KNBS, 2013

Table 22: Lighting Fuel by Ward

Ward	Electricity	Pressure lamp	Lantern	Tin Lamp	Gas Lamp	Fuelwood	Solar	Other	Households
Township	42.4	0.8	31.9	23.3	0.4	0.2	0.5	0.6	3,076
Khalaba	32.9	1.0	34.3	30.6	0.3	0.1	0.4	0.5	4,327
Musikoma	8.5	1.4	36.2	52.0	0.7	0.6	0.4	0.3	6,007

Source: KNBS, 2013

Housing

The demand for housing in the Municipality far outpaces its financial ability to supply housing to those in need. Our housing list stands at 152 000 people, with a need for 300 000 Municipality produced housing opportunities. The unofficial backlog, including those in the missing middle' of the housing market, is far greater. It can be seen in the legacy of back-yard dwelling, landlessness, illegal land occupation and frustration in our communities. This is the most pressing issue facing the Municipality.

3.4.3 Environmental challenges

The environmental problems like global warming, acid rain, air pollution, urban sprawl, waste disposal, ozone layer depletion, water pollution, climate change and many more affect every human, animal and nation on this planet.

Bungoma Municipality is located near a major water source, with water scarcity and the increasing cost of water presenting a significant challenge. Water is central to economic production and the well-being of the Municipality's residents yet there is inconsistent supply. Poor infrastructural capacity of water storage, treatment and distribution is the main cause.

Bungoma Municipality resource use intensity is represented in the volume of waste it generates. The Municipality collects almost a tone of garbage each year, reflected in form of litters collected from households and garbage collected from streets. With an increasing population and a few primary sites, the Municipality is running out of landfill space. An aggregate of 8 years' of landfill space remains, but this varies considerably across the Municipality's regions.

CHAPTER FOUR

ALL INCLUSIVE GROWTH AND DEVELOPMENT

4.1 Overview

Inclusive growth and development contributes to a productive and resilient economy, to which all people and places engage and benefit from their full potential. In Bungoma Municipality not all people or places have benefited fully from rapid economic change; in fact, many feel they have been left behind, and that austerity has added to the negative impacts. For far too long traditional policies and actions to support economic growth and to tackle poverty have taken place in different silos. The annual municipal budget is inadequate to address all development priorities and the needs of the people keep on expanding.

The support received from Kenya Urban Support Program has been directed to addressing mainly urban infrastructure backlogs, thus negating other crucial investment areas such as developing human capacities. The result is that well-intentioned efforts to achieve growth rely inadvertently on the concept of trickle-down to spread the benefits and efforts to tackle poverty become focused on mitigating the consequences of deprivation, not tackling the causes.

The chapter focuses on the common issues, the guiding principles, the intended urban systems, the milestones, the funding requirements and the sources needed to deliver the BMIDP;

4.2 The Key Development Needs

The key development issues raised during the BMIDP formulation process are listed in table 23.

Table 23: Key Development Issues

Common Issues	Provision in the BMIDP
Provision of Housing and Upgrading of Informal Settlements	<ul style="list-style-type: none"> • Number of informal settlements upgraded • Number of mixed housing opportunities constructed • Percentage of all COJ proclaimed informal settlement households provided with Integrated waste management services • Number of title deeds issued to beneficiaries • Number of social and affordable housing developed for under privileged beneficiaries' municipality-wide • Number of mixed housing opportunities constructed
Provision of electricity	<ul style="list-style-type: none"> • Number of unit (structures) in informal settlements with access to electricity • Number of public lighting installed
Provision of water sanitation and waste removal	<ul style="list-style-type: none"> • Percentage informal households with access to water at minimum LoSI • Percentage informal households with access to sanitation at minimum LoSI • Percentage of all COJ proclaimed informal settlement households provided with Integrated waste management services
State of the Municipality's road Infrastructure	<ul style="list-style-type: none"> • Number of lane kilometers of roads resurfaced • Number of kilometers of gravel roads upgraded to surfaced roads • Kilometers of open storm water drains converted to underground systems • Percentage of potholes repaired within 7 working days

Access to health facilities	<ul style="list-style-type: none"> • Number of CoJ clinics that offer extended service hours in all regions will increase yearly • Clinics that are currently under construction and renovations
Employment Opportunities	<ul style="list-style-type: none"> • Number of Expanded Public Works programmes (EPWP) work opportunities created Municipality-wide • Number of SMMEs supported by the Municipality

4.1 Guidelines

The conditions of Bungoma Municipality presented in Chapter 3 reveal a concern with basic conditions of infrastructure, environment, economy and finance of municipalities. These conditions fail to convey the qualitative aspects of urban life and living. BMIDP should necessarily be guided by the need to improve current physical conditions, but more than that it has to articulate a qualitative vision of urbanization and urban development for the future so as to reflect the highest values of a society.

The five underlying and interconnected guidelines for the BMIDP are:

4.1.1 Durability

The strategies outlined should seek to promote environment, social and economic sustainability of urban development. This means that urban development initiatives should be environmentally sustainable, that is should not have negative externalities and should not over-stretch the capacity of the environment to sustain itself. Social sustainability refers to the nurturing and development of social capital which minimizes alienation and contributes to vibrant social life in the city. Economic sustainability refers to the promotion of environment friendly economic activities that can be sustained with minimal support from outside.

4.1.2 All-Inclusive Society

Municipalities have to be socially inclusive both in terms of ethnicity and gender, and in terms of economic class. Inclusion should be reflected in the space the municipality provides for the nurturing and celebration of social and cultural diversity and the sensitivity particularly to disadvantaged and marginalized, and minority groups, and the poor and the youth in general. Inclusivity promotes social justice and contributes to equity and balanced development. The increasing poverty trend in urban areas means that cities also need to be pro-poor in terms of attending to the needs of the poor and addressing their basic concerns of education, health, housing, livelihood and transportation.

4.1.3 Adaptability

Adaptability refers to both physical and social resilience that Municipalities are safer and adaptable to changes, both environmental and economic. The major focus of the strategy should be on physical, social, economic and institutional resiliency that is pivotal for mitigating short or long term vulnerability resulting from disaster or the regional/global impacts of climate change. Planning and urban development should enhance capacity to cope with different types of hazards and absorb shocks and risks.

4.1.4 Greening

Strategies for urban development should be guided by three key considerations, namely, keeping the Municipality green, cool, and wet. The thrust should be in saving, protecting, promoting greenery – green parks, green open spaces, urban agriculture, forestry and so forth. Municipalities should promote land use, technology and material that would contribute to low carbon emission, increase the use of alternative energy, reduce the effects of urban heat islands and lower ambient temperatures. Similarly, municipalities should promote and protect clean water bodies – ponds, wells, rivers, canals that contribute to blue convection and survival of aquatic life, and urban biodiversity and contribute to recharge ground water.

4.1.5 Effective and Efficient

A sustainable, an all-inclusive, adaptable and green municipality can only be one that is effective and efficient, well governed and effectively managed. BMIDP should therefore be guided by three basic concerns of governance: enhanced capability and technical competence of local bodies, institutionalization of a system of transparency and accountability in the urban planning and development process, and a citizen oriented delivery of services and development outcomes.

4.2 Projected Urban Development

Achieving a balanced and prosperous urban system should be the long term vision for Bungoma Municipality. This implies strengthening the potential of population and the mobilization of resources, and investment in the provision and quality of infrastructure and services in consonance with resource potentialities. A balanced and integrated urban system would contribute to:

- Diversification and specialization in terms of production and employment opportunities.
- Effective and efficient distribution of social and economic infrastructure, services and human resources.
- Effective articulation of political, community, civil society organizations with respect to their economic, social, cultural and environmental aspirations and the quality of urban living.
- Strengthened production-distribution-consumption linkages between urban and rural areas.

In order to ensure that the budget prioritization is accompanied by a focus on quality project implementation, the Municipality will also improve the efficiency of its systems. The reduction of red-tape is a priority, as well as the review of the institutional model to improve efficiencies are central to this. The development of a professional civil service requires appropriate systems that improve efficiencies on the one hand, and a municipality-wide adherence to by-laws and respect for the rule of law on the other. The following interventions captured in a range of sector strategies are represented as follows in figures 8 to 12:

Figure 8: The Economic Development



Figure 9: Social Inclusivity

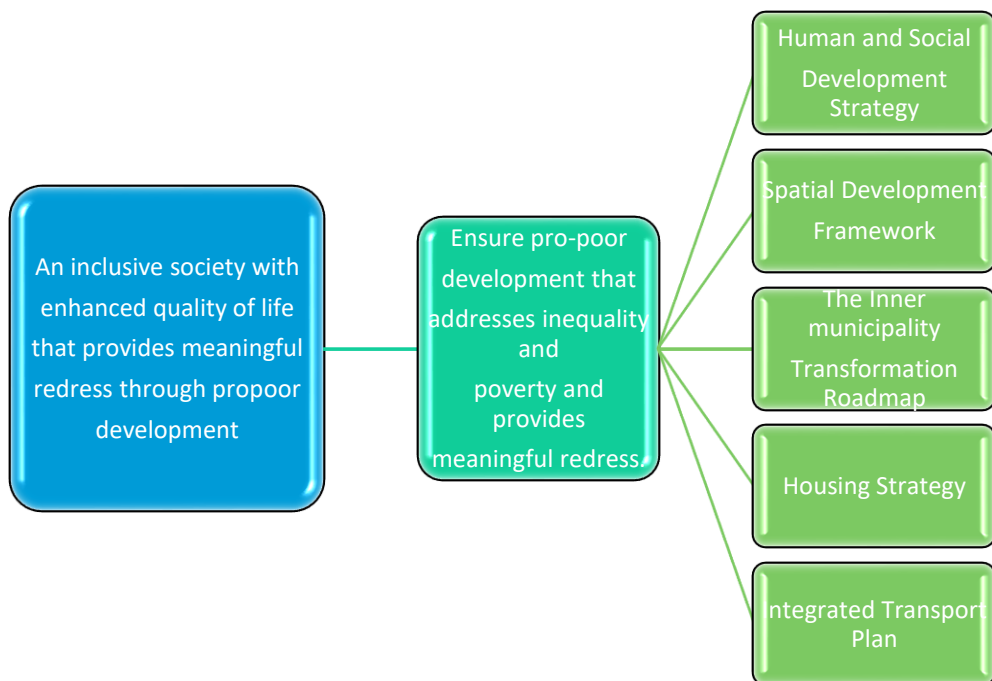


Figure 10: Institutional Development

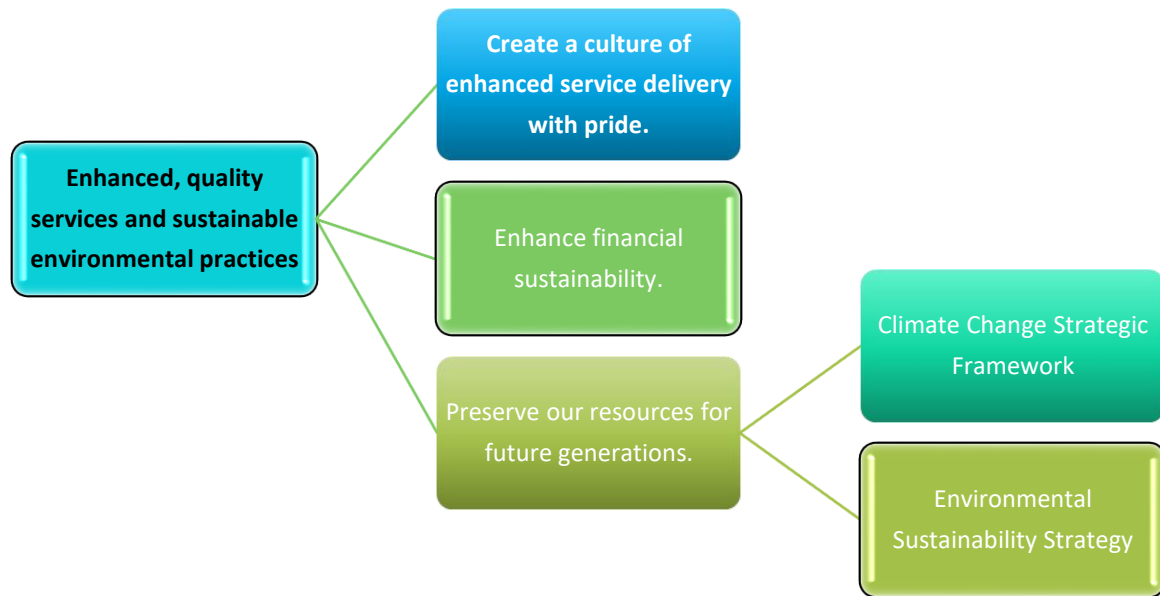


Figure 11: Community Development



Figure 12: Good Governance Structure



4.3 Key Steps for Urban Development

“Vision 2030: Balanced and Prosperous Urban System” is a singular—consolidated milestone for the urban development sector. This incorporates achievement of set milestones regarding physical and institutional development within each thematic area, and enhancement in the quality of urban living which includes urban environment, provision and quality of infrastructural, economic and social services, and citizen’s perception of the quality of urban living. The achievement of a balanced and prosperous urban system hinges on the coordinated and integrated efforts of the key agencies of the government dealing with transport infrastructure, environment, health, education, communication, commerce and industries, agriculture and biodiversity resources, energy in addition to the County Department of Physical and Urban Development. Five years’ milestone include the development of policies, plans, guidelines and regulations for improved investment and systematic planning for urban development. Ten years spatial plan, projects and programs operationalized with increased investment in urban development with strengthened interurban and urban rural linkages with improved infrastructure, healthy environment, efficient management and vibrant economy.

4.4 Resource Gap for Basic Urban Infrastructures

The need of investment for future development extends beyond fulfilling current deficit in infrastructure. It should capture infrastructure demand of the future population. Investment is needed to unleash the potential of the urban area and its hinterland, based on its comparative advantages, to increase its economic productivity. Therefore, future investment required for urban development is a sum of the investment needed to meet current deficit, as well as investment needed to realize the potential and consequent future demand.

4.4.1 Resource Requirement

A tentative cost estimate required for upgrading the existing state of the municipality to the minimum desired level of infrastructure has been made. The cost is based on the conditions and parameters prevailing in 2018. Accordingly, KSh 1.4 Billion would be required for bringing infrastructural standards to desired levels. About 60% of the cost would be required for the upgradation of existing roads, the extension of new roads, and upgrading the sewer lines.

Besides above municipal infrastructure, priority should be on constructing office premises and expanding the Municipal bus parks and markets. The existing former Municipal office complex is currently occupied by the Governor of Bungoma County hence the need to acquire new premises. Regarding the bus Park, the existing one needs expansion and modernization. On the Municipal market, focus should be on establishing modern stalls and business apartments. The requirement of total funding including future increase in population and for the municipal buildings, markets and bus parks are shown in Table 24.

Table 24: Funding Requirements for Basic Infrastructure

Project	Amount
Municipal Buildings	200,000,000
Municipal Markets	300,000,000
Bus Parks	100,000,000
Sewer Line	500,000,000
Water System	300,000,000
Total	1,400,000,000

BMIDP also attempts to estimate investment required to achieve the desirable conditions set in terms of infrastructure and service delivery. Investment is key to achieve the aspiration of intended urban system, which extends beyond fulfilling existing infrastructure deficit, to positively attain future demands of growing population and unleash the development potential. The total estimated investment required for the municipality by 2022 is staggering KSh. 1.8 Billion. This cost increases to KSh. 2.2 Billion when additional cost of 22 % is accounted for project preparation, implementation/management, safeguards, institution development, building community resilience, and land provisioning and rehabilitation support. Investment priority is determined by population size of cities. As it extends beyond the capacity of the local body to meet the investment requirement in projected period of 15 years, the possible sources of funding have been identified as:

- a) the National Government;
- b) the County Government;
- c) the Private sector;
- d) Own Source Revenue;

- e) Community; and
- f) Development Partners

4.4.2 Why Investments on Urban Infrastructure

The current status of urban areas is associated with lack of basic urban infrastructures, amenities and degrading urban environment. In the absence of prioritized investment on basic services, private investment for high end functions such as business, health, and education has largely fallen behind, thus leading to decline in overall quality of life of most urban areas. Consequently, urban centers have failed to create desired economic and employment opportunities and live up to expectations of becoming “engines of growth”— with increasing dependency on the central government. The failing economic growth of urban areas has also become disincentives for growth of surrounding hinterland and unleashing their development potential. As a result, poverty, marginalization and growing social divide have also come to prevail in most urban areas. These distortions, if allowed to continue, are likely to trigger more social conflict and insecurities. This only means setback in pursuing country’s vision of a balanced and prosperous national urban system. Therefore, judicious investment on urban infrastructure is crucial. This will also have positive ramification for achieving national development goals—which among other things include Sustainable Development Goals (SDGs)—which are formulated for the post MDG stage, and national desire of graduating Kenya from a Lower Middle Income Country (LMIC) to a Middle Income Country (MIC) by 2022. Moreover, it is only the prosperity of urban settlement which, by virtue of being a trans-active and transformative space for living, production, consumption, recreation and innovation, can contribute to the growth of other critical sectors namely hydro-power, tourism and agriculture.

Investment on infrastructures increases productivity and living standards. Improved infrastructures such as water supply, sanitation may increase labor productivity by mitigating incidence of diseases. Improved road condition reduces the transportation cost and manufacturing cost as well. Investment on infrastructure provides the economic stimulus for the manufacturing sector and the creation of employment opportunities. Urban areas with better infrastructure also have better economic growth prospects.

It is in this backdrop that BMIDP and its enforcement holds enormous significance for guiding and accelerating the urban sector investment and contributing to the economic transformation. BMIDP’s emphasis on phased provisioning and improving quality of basic urban infrastructure services in all urban is expected to provide an important foundation to stimulate both the service and industrial sectors—two important pillars of economic transformation. Indeed, basic service is the fundamental input to the Municipality’s functioning and productivity. Only the productive places based on efficient and accessible infrastructure services hold greater potential to transform their comparative advantages and become competitive.

Furthermore, ensuing strengthened governance and capacities of local bodies including management of urban land—with the enforcement of BMIDP will have positive ramification on improving both service delivery and creating enabling environment for urban economic activities to thrive on. Such competitive urban areas in turn can entice both private as well as foreign investment and turn into engines of growth. Therefore, investment on urban infrastructures and enforcement of BMIDP are major catalysts in the graduation effort.

CHAPTER FIVE

THE MEDIUM TERM DEVELOPMENT AGENDA

5.1 Overview

Urban development is the spatial manifestation of the process of National and County economic development. The strategies pursued in the urban sector influence urban development to the extent that they make an impact on the spatial patterns of production, distribution and consumption. It is in this context that the critical themes considered in the development of the BMIDP are urban infrastructure, environment, economy, investment and finance, and governance.

The purpose of the plan is to indicate the desirable conditions within each theme, and the coordinated policy directions that need to be pursued to address major issues and achieve the desirable conditions. While this approach places emphasis on the physical planning aspects, there is also an appreciation of the fact that an urban area is not merely a physical construct, it is as much a political, social and cultural construct. The physical space by itself has no meaning unless it is comprehended in terms of the political, social and cultural space it provides for the dynamic articulation of the heritage, ideas and values of society.

The desired outlook of the Bungoma Municipality is as shown in figure 13:

Figure 13: The Desired Bungoma Municipality



The Bungoma Municipality Integrated Development Plan is formulated with a time horizon of 5 years. Strategies have been conceived to achieve desirable condition in each major theme –

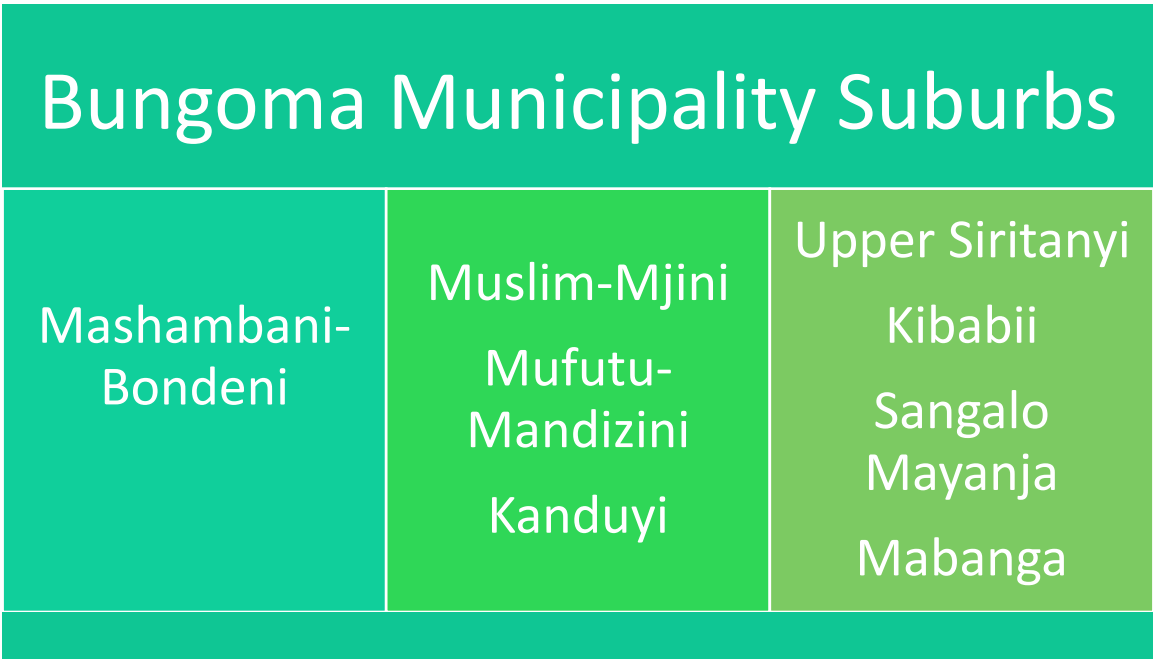
infrastructure, environment and economy. Each strategy is backed by a number of activities. All these strategies in detail are presented henceforth.

5.2 The Bungoma Municipality

Bungoma Central Business Municipality (CBD)

The CBD performs key economic, strategic and cultural roles as the focus for the municipality and the wider region stretching out to areas of Musikoma, Samoya, Sinoko, Kanduyi, River Khalaba and beyond. Centers of growth, job creation, and opportunities exist in the surburbs of the municipality and are premised on priority investments in infrastructure, security and safety, and effective urban planning. Figure 14 shows Bungoma Municipality suburbs

Figure 14: Bungoma Municipality suburbs



The CBD is at the heart of all urban development initiatives, and serves as the main driver of urban revitalization, including but not limited to:

- Being a key economic driver for the municipality, as a location for large-scale shopping, leisure, food and drink, financial and cultural activities.
- A location for a significant proportion of the municipality’s office-based businesses.
- Serving to meet the needs of Bungoma’s residents through the service and community facilities available, including county government offices, schools and colleges.
- Being a location for residential development, as part of a mixed land uses within the larger regeneration and redevelopment projects.

These uses allow the municipality to attract inward investment which brings economic benefits to the whole of Bungoma.

Shops and services

For many residents and visitors, the primary role of Bungoma Municipality CBD is as a destination for shops and services. Most shopping for various products and services is undertaken along Moi Avenue, with the highest concentration of modern shopping stalls located at **Sharraf Center, Tengeza House, and Capital point**. People often identify with particular brands or stores and will travel further to fulfil these needs. Accommodating these types of retailers is therefore seen as a critical part of a strategy towards maintaining a strongly performing centre.

The Municipality's shopping centres have helped the CBD to strengthen its attraction as a retail destination and maintain the centre's ranking as the top shopping location in Bungoma County. It has been successful largely because of its ability to attract major retail companies, providing accommodation that meets modern operating requirements. A strategy for change is needed to revitalize areas such as Chepkube market, Cooperative Bank – Namachanja – Telkom backstreet, Mteremko – slaughterhouse road, All C33 to river Khalaba link roads; with a view to attracting back permanent occupiers, particularly leading high street stores, or through changing the role of areas.

Leisure & tourism

Urban tourism can represent a driving force in the development of many cities and countries contributing to the progress of the New Urban Agenda and the 17 Sustainable Development Goals, in particular, Goal 11: Make cities and human settlements inclusive, safe, resilient and sustainable. Tourism is intrinsically linked to how a municipality develops itself and provides more and better living conditions to its residents and visitors.

The municipality is increasingly attracting attention, providing events and venues that attract visitors from a wide area. These include large-scale events like the Rhumba Night, live shows (Churchill, and Mshamba), brand advertisements on mounted-on tracks, Live Bands as well as attractions such as arts venues, theatres and top flight sporting events. The Plan is supporting projects including constructing a modern theatre, liaising with Kenya Airports Authority to convert Bungoma Airstrip into a SME park, entering into partnership with teacher's SACCO to convert Posta grounds into a recreational park, and seeking additional budgetary support to acquire land for urban green spaces.

Important facilities that support the stay of visitors include hotels, restaurants, hostels, motels, resorts, and bars. Others include quality health and educational facilities and services, as well as urban scapes and landscapes that warrant preservation. Specific opportunities have been identified for tourism infrastructure development in the municipality. There is need for all stakeholders to be committed to the required investments to meet visitor expectations.

It is recognised that increasingly, leisure uses are seen as an important part of the mix of uses in the municipality closely related to the retail role, encouraging shoppers to dwell longer and bring life to the municipality beyond normal trading hours. Businesses along Moi avenue, Simba Street,

Kanduyi, Municipality Market, Sharriiff shopping centre, and other emerging modern stalls along the Municipality connector roads have leisure, accommodation, food and drink uses, on different levels but closely linked to the primary shopping frontages.

Inevitably, a number of facilities that provide for cultural and leisure activities or are an attraction to tourists, are located outside the municipality.

Town centre residential amenities

A growing CBD population also brings added vitality to the centre throughout the day and evening. Certain sites have been identified as providing suitable and available opportunities purely for housing development. Housing can also be important as part of a mix of development, helping sometimes to add to the viability of schemes by raising scheme value. On larger opportunities that exist within the CBD where specific development proposals have not come forward, it is not yet clear exactly how many dwellings will be provided. Some of these developments will however be housing led and therefore will provide a significant number of dwellings.

Supporting infrastructure

Public Realm and Heritage

The Plan supports a number of projects within the CBD which aim to improve the general quality of the public realm of the centre. It will be critical to the success of the municipality in the future that strong linkages can be made between key parts of the centre to maximise the wider economic benefits of tourism. Strongly defined routes could revitalize the public realm and encourage new uses within areas of the centre that have declined. The Plan promotes primary public realm routes in the municipality. Major work has commenced to improve the quality of the streetscape along these routes.

Policies

Main town centre uses

The CBD will accommodate a full range of main town centre uses and necessary infrastructure to promote key objectives for economic growth and to make Bungoma a world-class visitor destination.

Education

The CBD will accommodate educational uses in connection with Kibabii University, Sang'alo TTI or other emerging educational establishments, and needs for expansion or remodelling of facilities will be supported subject to detailed planning considerations and other policy objectives of the Plan.

Housing

Approximately 2,500 homes will be developed in the CBD over the plan period to meet needs and to promote a larger resident population. Homes will be delivered on allocated housing sites, within allocated mixed use sites, and within upper floors of properties that make up the primary shopping area where these are not in retail use, and in locations that will not undermine the operation of main town centre uses that are critical to the function of the Municipality.

Vitality & viability of primary shopping area

The primary shopping area (PSA) will be the focus for leisure uses. Within the PSA a concentration of shops and services should be maintained in primary frontages to promote its strong shopping role and continuing vitality and viability.

Sequential & impact tests

Where development of main town centre uses is proposed on the edge of or outside of centres, the sequential test should take full account of the role of the CBD defined within this policy, and then other centres. The sequential test should consider the primary shopping area as in-centre for shopping development, and within the Municipality boundary as in-centre for all other main town centre uses.

Where retail, leisure or office development is proposed outside centres, an impact assessment will be required when development is above the following thresholds: retail, or a use that could change retail without planning permission, over 900 sqm; office development over 1,000 sqm; or leisure development over 2,500 sqm.

Where it is necessary for specific mitigation measures to ensure that development outside of designated centres, including development of retail warehouses and within retail parks, will not have a significant adverse impact on designated centres, then conditions and/ or legal agreements will be applied to the permission, including to define the nature and extent of the proposed use where necessary, to ensure such measures continue until such time as they are not required.

Development will not be supported where it fails the sequential test or would be likely to have a significant adverse impact on the Municipality or any other centre within its catchment, taking into account qualitative as well as quantitative factors and the likely consequences to the vitality and viability of existing centres in light of local circumstances.

Development of leisure and tourism facilities outside the Municipality will be supported where the unique characteristics of the location support it as a tourist or leisure destination, and where the draw of the facility would not adversely impact on the visitor attraction of the municipality.

Municipality, Local and Neighbourhood Centres

Beyond the CBD, Bungoma has a large number of different centres across the municipality that act as a focus for shops, services, leisure and community facilities. They differ greatly in size and the nature of what they offer, but given the compact nature of the municipality and inevitable overlaps between their catchments, all, either individually or together, enable people to access the range of facilities they require, often locally, reducing the need to travel. They help support healthy communities through the promotion of access to fresh food and social interaction, and they also support local economies providing opportunities for independent businesses, employing and often owned by local people. The centres are also important in the part they play in defining places and local distinctiveness.

Establishing a hierarchy of centres

Municipality centres are designated based on size and the diversity of uses, but also by the size of their catchment as they serve significant areas of the municipality. The Municipality centres, as well as having a large number of commercial properties overall, accommodate larger format units

which have attracted well-known high street brands. All of the Municipality centres also have a significant amount of food shopping within supermarkets. These types of occupiers have helped elevate and anchor the role of these centres in their large catchments, where the majority of other retailers in these centres are local or independent businesses. Municipality centres do also contain financial and retail services, as well as cafés, pubs and hot food takeaways. These uses contribute to the wider diversity and enhance the role of these centres. Kanduyi, Sikata and Musikoma all have community facilities including health facilities, libraries and information centres.

Local centres are smaller than Municipality centres. Some of them do still accommodate a large number of commercial properties, but these are not generally national multiples or larger format retailers, and the catchment served by these centres is smaller than the Municipality centres. They are long and linear shopping streets reflecting how they developed as trading places along main routes into the municipality and are often characterised as clusters of units around road junctions. Local centres in the municipality were typically purpose-built as part of local authority housing estates, as listed in box 1

Box 1: Local Centres

Milimani estate, Prisons, Mandizini, Muslim, Nzoia estate, Wings, Kwa Dismus, Nabongo, Nambaya, Banda, Musemwa, Milele, Romima, Kituyi, Chetambe, Wasilwa, Wamulali, Tafiri, Wamunyiri, Kamukunji, Bondeni, Muteremko, Mukhaweli, Khalaba, Mainya, Mashambani, Lukhuna, Pamus, Marrel estate, Maina Friends, Lwero, Sango, Nabayi, Bulala, Mewa, Sunrise, Namuyemba, Lukendo, South Gate, and Kanduyi.

They tend to be more compact reflecting the differing layout of streets within these areas. Local centres play an important role in the wider network of centres and provide important community hubs which often, in addition to retail provision, provide an accessible location for essential public services such as medical practices, libraries, post offices and dentists.

Neighborhood centres or parades are typically characterised by clusters of commercial units at road junctions or on main arterial routes, or within small purpose-built arcades. They are typically smaller in size and contain 10 or fewer commercial units and tend to be dominated by retail services such as hairdressers, taxi offices, estate agents, and food and drink and hot food takeaway outlets. They are often interspersed between larger local centres and help to maintain opportunities for local residents to have easy access to day-to-day retail needs and in particular top-up convenience shopping.

For each of the centres, a boundary is designated to include all main town centre uses, as well as community facilities, leisure or other non-A uses, and car parks and open spaces where these present an integral part of the overall role and function of the centre. A substantial proportion of the uses within most centres are shopping and related services, classed as 'A' uses. To guide the policy approach, it is therefore appropriate to also designate a primary shopping area within centres to be clear where shopping related policies apply.

Accommodating new development

Projected growth in comparison retail spending and consequential need for new floor-space is largely seen as supporting the expansion of the offer in the municipality centre and supporting

the reoccupation of vacant units. Evidence does not identify growth in convenience retail spending and so there is no need for further convenience floorspace. The Plan does not therefore seek to allocate specific opportunities or sites within Municipality or local centres. However, experience suggests that the rapidly changing retail industry will bring continuing pressure from proposals for new types of retail so it is important that the Plan provides a clear framework to guide these.

Vitality and viability of centres

As well as determining how future proposals can best be located to support centres, it is also important to consider how the future health of centres can be promoted. A key determiner of this is the mix of uses or occupiers. The health and success of centres across Hull differ significantly; some centres are strong and vibrant with a good diversity of uses, retailer representation, and footfall; others are showing signs of decline, with higher vacancy rates and poorer environmental quality.

The Plan can help manage the range of uses that exist within the primary shopping area of centres or particular frontages by setting policies that guide whether a change of use could be acceptable within certain locations. While shops and services can be classified by the type of goods they sell, the classification of use for the purpose of controlling change is made through reference to the Town and Country Planning Use Classes Order and General Permitted Development Order.

Policies

Municipality, Local and Neighbourhood Centres

Municipality centres will be the location for main town centre uses and also community facilities that can serve a catchment over a significant area of the municipality and immediately adjoining areas, but would not, by their scale or nature, either individually or cumulatively, serve a catchment area including the municipality as a whole or the wider sub-region/ region beyond.

Local and neighbourhood centres will be the location for a range of main town centre uses and also community facilities that provide access to the more immediate communities they serve, and would not, by their scale, nature and expected catchment, be more appropriate within a Municipality Centre.

Where stated proportions would be exceeded, development should demonstrate that it would not undermine the vitality and viability of the centre. Where current non-A uses within centres are converted to retail use, or new retail units are developed within or on the edge of centres, they will be considered as part of the overall mix of uses for the purpose of determining proportions.

In the municipality's neighbourhood centres, development that leads to the loss of food shops will not be supported when that loss would lead to a lack of easy access to food shops within easy walking distance of surrounding residential neighbourhoods.

Food & drink, drinking establishments and hot food takeaways

Development of food and drink, drinking establishments or hot food takeaway outlets will be permitted within centres where they do not lead to an over-concentration of inactive frontages

within stretches of properties that would undermine vitality and viability or would harm local amenity.

Community facilities

Community facilities should be located in or adjacent to Municipality, local or neighbourhood centres where they serve a significant catchment, to promote linked trips and ease of access by public transport.

5.3 Infrastructure

The BMIDP states that the local planning authorities should work with other national/county authorities and providers to:

- Assess the quality and capacity of infrastructure, for transport, waste water and its treatment, energy, including heat, telecommunications, utilities, water, health, social care, education, flood risk and coastal change management, and its ability to meet forecast demand.
- They should also take account of the need for strategic infrastructure including nationally significant infrastructure within their areas.

A core planning principle of BMIDP should support the expansion of electronic communication networks, including telecommunications and high speed broadband.

National Planning Guidance states that the Municipal Plan should make clear, for at least the first five years, what infrastructure is required, who is going to fund it, and how it relates to the anticipated rate and phasing of development. Where there is uncertainty over the deliverability of key infrastructure, then the Plan should address the consequences of this, including possible contingency arrangements.

The strategies seek to increase resource allocation on urban infrastructure development; promote private sector investment on basic services as well as higher order infrastructure; orient strategic investment for shared infrastructure in urban regions through a cluster municipality approach; and build local institutional capacities for infrastructure development and service delivery.

Each thematic area in urban infrastructure has specific issues. But there are some common issues related to the infrastructure sector as a whole that need to be addressed.

The Municipal Committee should work with other authorities and providers to: assess the quality and capacity infrastructure, for transport, waste water and its treatment, energy, including heat, telecommunications, utilities, water, health, social care, education and flood risk. They should also take account of the need for strategic infrastructure including nationally significant infrastructure within their areas.

To guide how the Municipality Plan incorporates infrastructure requirements, the plan identifies the key infrastructure needs for the town. It also seeks to identify the main funding sources to facilitate delivery, and where specific gaps exist. The study differentiates between:

- i. Strategic Infrastructure – with town-wide influence and typically
- ii. Government funding – in particular the Class A;
- iii. Enabling Infrastructure – critical to the development of strategically important areas and sites in the town.
- iv. Place-Shaping Infrastructure – driven by the need to regenerate areas and particularly the quality of the public realm and green infrastructure.

Policies

To ensure the delivery of infrastructure requirements, and to ensure the strategic and sustainability objectives of the Plan are met, the Municipal will:

- i. Support the provision of appropriate new infrastructure, including to mitigate and adapt to climate change, working with partner organisations and the municipality Council where necessary, to deliver the priorities of the Plan.
- ii. Support measures to protect, enhance or improve access to existing facilities, services and amenities that contribute to business needs, quality of life of residents, and visitor requirements, including access to information and communication technologies.
- iii. Facilitate the timely provision of additional facilities, services and infrastructure to meet identified needs, whether arising from new development or existing community need, including those of the emergency services and utilities, in locations that are appropriate and accessible.
- iv. Seek additional infrastructure funding from national and municipality funding sources to enable development to come forward.

Planning Obligations will be required where they directly relate to the nature and potential impact of development, taking account of material considerations, including viability of development.

The timing of provision of infrastructure and facilities will be carefully considered in order to ensure that appropriate provision is in place before development is occupied. An Infrastructure Delivery Programme will guide how infrastructure will be funded and over what time frames it will be delivered.

5.4 Water Management

The BMIDP addresses flood risk, climate change mitigation and infrastructure for water supply and waste water. It recognizes that these are strategic issues.

"Flood risk" is defined as "a combination of the probability and the potential consequences of flooding from all sources – including from rivers and the sea, directly from rainfall on the ground surface and rising groundwater, overwhelmed sewers and drainage systems, and from reservoirs, canals and lakes and other artificial sources". Areas are classified according to their probability of river and sea flooding, ignoring the presence of defences, into zones of low probability (Flood Zone 1), medium probability (Flood Zone 2), high probability (Flood Zone 3a) and the functional flood plain (Flood Zone 3b).

National policy guides development in areas at the lowest risk of flooding (the Sequential Test), having regard to the vulnerability of the proposed use and the flood risk of the site. Over 90% of

Hull is located within Flood Zone 3a, so work will be carried out through the Strategic Flood Risk Assessment to establish relative areas of risk within Flood Zone 3a to allow the Sequential Test to be applied in the municipality. This approach has been used since 2007, with the support of stakeholders, and the Local Plan will continue to use this approach.

Flood defences

Flood defences protect urban areas from the risk of tidal flooding and river flooding. However, these defences must be maintained and improved for this to continue to be the case. It is vital that development is carried out in a way that does not make flood defences less effective or would prevent maintenance of the defences. Proposals in close proximity to main rivers and flood defences will be carefully assessed by the Environment Agency to ensure there is no impact upon their future ability to provide flood risk management works.

Flood defences, including the easement, can be designed in a way that allows for them to form part of the public realm. This can bring wider benefits to an area by providing open spaces and improved access. It would be of particular benefit in the town as it could support the re-establishment of links with water Design and Heritage, and provide routes for walkers and cyclists.

Policies

Development adjacent to flood defences must not reduce their effectiveness, or prevent or hinder their future maintenance or improvement (including set-back). Proposals should include a minimum 8m easement to allow for access to flood defences, ordinary watercourses and main rivers, unless otherwise agreed with the regulatory body.

Improvement of the standard of flood defences will be supported. Where possible, development should be designed in such a way that improved flood defences can be incorporated into an enhanced public realm.

Development may be required to improve the standard of flood defense infrastructure if required to make the development acceptable (taking into account climate change), and where the improvements required are not already planned and funded by risk management authorities within an appropriate timescale.

Surface water storage and drainage

The Plan identifies that the flow of water from the settlements on higher ground toward Khalaba and Sio rivers, both onto land and into the combined sewer system, has the potential to exacerbate surface water and sewer flooding in Bungoma. The Plan promotes the use of 'aqua greens' (storage or balance pond areas with public amenity facilities) to reduce the risk of flooding.

Policies

Development of strategic facilities for the storage of water will be supported where they can be shown to improve the flood resilience of the bungoma town and are well designed.

Development which will reduce the effectiveness of any surface water storage operation or facility will be refused.

Localized surface water storage and drainage facilities will be supported.

Sustainable drainage

Sustainable drainage systems (SuDS) are designed to control surface water run-off close to where it falls and mimic natural drainage as closely as possible. They provide opportunities to reduce the causes and impacts of flooding, removing pollutants from urban run-off at source, and combine water management with green space with benefits for amenity, recreation and wildlife. They will play an important role in future-proofing the town and allowing for the most effective use of the existing infrastructure, which serves a wider area than just the municipality.

Policies

All development should incorporate sustainable drainage systems (SuDS) unless it has been demonstrated this is not technically or economically feasible. Major development should be accompanied by a Drainage Impact Assessment.

The Drainage Impact Assessment should account for the following:

run-off rates for greenfield sites should not exceed 1.4 litres per second per hectare;

run-off rates for brownfield sites should not exceed 50% of the current run-off rate;

the on-site drainage system should be capable of storing water

the site should be capable of storing the water from a rainfall event;

The drainage system should be designed so that in the event of the system failing or the tolerances being exceeded, no surface water flooding is caused to habitable buildings on- or off-site.

Site layout should have regard to any relative flood risk within the site and any existing features which could support sustainable drainage on-site.

Sustainable drainage systems must be designed with regard to Source Protection Zones.

Applications should demonstrate how the long term maintenance of the sustainable drainage system will be assured.

Groundwater Protection

Bungoma is an urban area with a network supply water. NZOWACO has a supply grid which allows water to be transferred around the region, and supply of water from a non-mains source is not anticipated to be an issue over the plan period. However, the water supply network should be upgraded and strengthened for efficient supply.

5.5 Waste Management

In terms of solid waste management, complete waste collection coverage is proposed. The strategies include focus on community-led waste segregation and collection; public-private partnership in waste collection and management; adopting sanitary landfill sites as a transitional strategy with the aim of promoting and mandating 4R (reduce, reuse, recycle, refuse) at household/community level; and establishing dedicated and capacitated Municipality SWM unit.

Solid waste disposal is a challenge in the town. Heaps of garbage litter the markets, bus park, and residential areas, especially in the Mjini and Mandizini informal settlements. The town has several garbage collection sites located in Mjini, Mandizini, Kanduyi, Chebukube market, and the Bungoma

main stage. However, the number of garbage collection sites is low relative to the large population. The collection points are also poorly maintained, and waste segregation is non-existent. The county government is in charge of solid waste collection, and collected waste is transported and dumped at the dumpsite in Bumula Sub County.

Policies

Although complete elimination of waste may not be feasible, application of the following method dubbed the '7R Formula' can alleviate the waste menace.

REDUCING: Reduce the amount of waste. Ensuring that the products you buy do not produce a lot of waste. Use products that can be reused. Avoid using products such as plastic bottles and polythene bags because they are non-biodegradable.

RETHINKING: Rethink a product and its environmental effects before making a buying decision. This is to avoid buying a product that will contribute to waste increment. If a product is harmful, rethink before buying or using it. Before you dispose any waste, rethink so as to avoid irresponsible dumping. Consider other ways you can make use of solid waste other than disposing it.

REFUSING: Refuse using products that produce non-biodegradable waste. If you must use such products, refuse irresponsible dumping of the wastes that emanate from those products.

RECYCLING: Recycle wastes if they can be recycled. Products such as plastics should not be disposed of. If you cannot reuse them, sell them to those who can recycle them. Do not burn them because they will pollute the air and produce gases, which cause global warming.

REUSING: Reuse any waste product if it can be reused. Instead of dumping any product that you do not use, give it to a person who can use it.

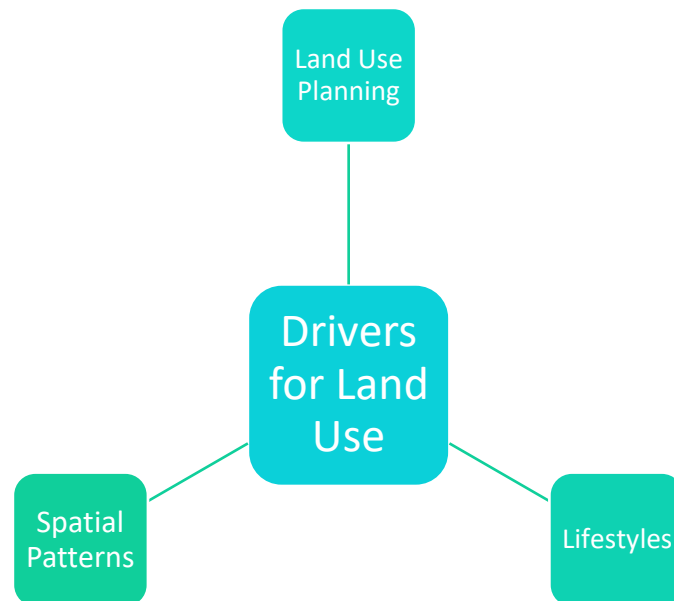
REPAIRING: Repair spoilt items such as electronic gadgets so as to continue using them instead of dumping them. Do not keep them in the house either since they cause unnecessary congestion.

REFILLING: Dump wastes, which are biodegradable, at designated waste disposal sites. Do not dispose wastes which can be recycled, reused or repaired, instead give them out to people who can use them.

5.6 Urban Land Management

Proper planning and spatial distribution of land users is key to a functional municipality. Land use in Bungoma Municipality shall be guided by the County Spatial Plan, and the Bungoma Municipality Local Area Development Plan. The Municipal management shall institute measures to ensure that land required for investments is accessible, affordable, and properly planned and designated for particular development. Figure 15 shows the drivers for land use in Bungoma Municipality.

Figure 15: Drivers for Land use



Land use planning covers infrastructure decisions, global economic trends, economic specialization of the municipality (tourism, industry, etc.), demography, climate, technology, etc. Lifestyles cover mobility, food, leisure, shelter, behavior, values, perceptions, etc. spatial patterns cover land use intensity, land use heterogeneity, land use connectivity, land cover change, urban density, urban reforms, size of the municipality, quality and age of buildings, etc. The municipality management shall mobilize resources for acquisition of strategic parcel of land (land bank) to facilitate current and futuristic investments.

5.7 Transport

The BMIDP encourages the use of sustainable travel by identifying, protecting, and improving key transport routes and exploiting opportunities to widen transport choice. New developments need to be as accessible as possible by a wide variety of travel modes. The BMIDP also expects local plans to support schemes that lead to carbon reduction and reduce air pollution caused by traffic congestion. Planning Practice Guidance which supports the BMIDP states that it is important for local planning authorities to have a robust transport evidence base to support the preparation of their local plans.

Furthermore, a broader perspective on urban transportation is proposed. The strategies include integration of land use and transportation in urban planning and development of related institutional mechanisms and capacity; provision of hierarchically balanced urban road infrastructure; promotion of sustainable urban public transport; and preparation of comprehensive transport management standards and plans.

Sustainable travel

Sustainable travel is a key component of sustainable development and refers to any means of transport with a low impact on the environment, and includes walking, cycling and public transport. Sustainable development reduces the need to travel, gives priority to pedestrians and cyclists and allows convenient access to jobs, homes, shops, public transport and services, such as education, healthcare, recreational facilities and open space. Moving people and goods is essential to the everyday life of the Bungoma town. People need to reach places for work, education, healthcare, shopping, recreation and entertainment, and goods must be moved between docks, factories, warehouses and shops. An efficient transport system widens access to opportunities for local people and assists regeneration of the local economy. However, the growing demand for mobility is taking its toll on the environment. Traffic congestion is increasing and, more seriously, so is pollution. A more sustainable transport system must be developed, balancing the needs of the economy with the environment, as well as meeting the needs of the whole community. The use of travel plans is an effective means of promoting sustainable transport at developments.

Policies

Development, including transport improvements, should promote sustainable transport objectives. It should have minimal impact on the environment and public health and should, where possible:

- a) include provision for walking, cycling and public transport and reduce the need to travel;
- b) reduce congestion and give priority to public transport, pedestrians and cyclists;
- c) provide convenient access to jobs, homes, shops, public transport and services, education, health care, open space and recreation facilities;
- d) improve air quality; and
- e) improve the journey time reliability of public transport.

Provision, including retrofitting, for the use of alternative fuel sources and smart transport solutions will be supported.

Location and layout of development

The Plan ensures developments that generate significant movement are located where the need to travel will be minimized and the use of sustainable transport modes can be maximised. More sustainable development can be achieved by fully considering the travel implications of development and locating it where the need for transport, particularly by car and lorry, can be minimised. The need to travel can be reduced by encouraging the provision of local facilities close to where people live, which can be easily reached on foot or by cycle. The demand for travel by private car can be minimised by locating major development attracting journeys by people, such as office, shopping and leisure uses, along public transport corridors, such as radial roads, or in the CBD, which is the focus of the public transport system. Housing generates journeys and should be located where it can be well served by public transport.

Development should provide satisfactory road access and adequate servicing and parking to minimise traffic and parking problems. This should provide for access by public transport, cycling, walking and for the mobility impaired, to maximise accessibility and encourage the use of alternatives to the car. This provision should be appropriate to the scale, type and location of the

development. Development should also be acceptable in terms of traffic generation and road safety.

Policies

Development should:

- a) provide all user modes of transport with safe, convenient, and direct access, where relevant, to:
 - i. the road network;
 - ii. bus transport (e.g. bus stops) (maximum walking distance 400m);
 - iii. rail transport;
 - iv. pedestrian routes;
 - v. cycle routes;
 - vi. public rights of way; and
 - vii. local services and facilities (maximum walking distance 400m);
- b) provide within the site, where practicable:
 - i. public transport facilities;
 - ii. Cycle and walking facilities (including secure covered cycle parking areas);
 - iii. initiatives to reduce congestion and air pollution;
 - iv. layouts to assist accessibility for mobility impaired;
 - v. adequate parking provision for cars and powered two-wheelers;
 - vi. A choice of travel, encouraging modes of transport which conserve energy and reduce pollution impact on human and environmental receptors;
- c) deliver, where relevant:
 - i. proposals that are acceptable in terms of traffic generation and road safety;
 - ii. Proposals that, in terms of traffic generation and road safety impact, do not compromise the delivery of allocated development sites;
 - iii. Proposals, in terms of the A104 (Strategic Road Network), that can be accommodated within the existing capacity of a section (link or junction), or they do not increase demand for use of a section that is already at full capacity unless it can be demonstrated that mitigation measures can be introduced to address the projected impact;
 - iv. New cycle, pedestrian routes, public transport facilities which serve the site; and
 - v. cycle and pedestrian access to and along rivers and waterways.

Classified road network

The Municipality's Classified Road Network (CRN) is designed to direct motorists towards the most suitable routes for reaching their destination by identifying roads that are best suited for traffic. All Kenyan roads (excluding motorways) fall into four categories: A roads - major roads intended to provide large-scale transport links within or between areas; B and C roads - roads intended to connect different areas, and to feed traffic between A roads and smaller roads on the network; Classified un-numbered roads - smaller roads intended to connect together unclassified roads with A and B roads; and Unclassified roads - local roads intended for local traffic. The vast majority of roads in Municipality are unclassified.

It is important that development along classified roads does not compromise their main function by adding significant local traffic movements and ensures efficient intra-urban motor vehicle access between key locations. Such development includes proposals requiring planning permission for vehicle crossing of footways/ verges on to classified roads. It is important that the ability of the CRN to meet expected demand arising from development is protected. Direct access onto a classified route should be avoided if possible. Access should preferably be to a secondary road. If development is adjacent to a classified road, the need for any road improvements is likely to be required. Direct access onto the CRN would reduce its effectiveness, thereby increasing congestion and, consequently, journey time and pollution.

Policies

Development adjacent to either the Classified Road Network or potential classified roads will:

- i. take into account the main function of the road as a route for through traffic and the capacity of the road to meet predicted traffic impact resulting from the development;
- ii. include provision of safe and adequate vehicular, cycle, and pedestrian access to and from the site;
- iii. only be allowed direct access onto the Strategic Road Network or Classified Road Network or potential classified roads where it does not have an adverse impact on the intended purpose of the road in terms of traffic capacity and safety;
- iv. ensure that any junction or capacity improvements necessary to mitigate the impact of the development shall be completed before the occupation of the development;
- v. demonstrate that it will not have a detrimental impact on the A104 (Webuye – Malaba Road) in terms of traffic generation and air quality; and
- vi. only be permitted new junctions or direct access onto the A104 (Webuye – Malaba Road) that: have the agreement of KenHA; are essential for the delivery of strategic planned growth as identified by the plan; and can demonstrate that all appropriate current design standards can be achieved.

New vehicle crossovers on to classified roads will only be allowed where they are acceptable in terms of:

- i. safety implications of any proposed boundary treatments;
- ii. impact on the character of the surrounding area and street scene including highway and garden trees;
- iii. materials used, particularly for hard surfacing and the need to complement adjoining footway;
- iv. cumulative effect of crossings and front garden parking on the classified road;
- v. amount of surface water run-off likely to be created;
- vi. drivers' visibility emerging from a frontage and the safety of pedestrians.
- vii. preventing drivers reversing from or on to the classified road network in the interests of pedestrians and other highway users' safety. Drivers must be able to turn within the site. Consideration should always be given first to using alternative access points.

New roads and road improvements

Building new roads or widening existing roads to cater for more traffic is not always a realistic solution to transport problems. Schemes increasing road capacity for traffic in general often lead to an increase in traffic and pollution. In addition, they sometimes disrupt communities and

damage the environment. However, some road schemes are necessary in order to bring wider benefits to the community. For example, schemes removing through traffic from congested roads will improve conditions for local users and possibly enable the introduction of priority measures for public transport and cyclists. However, this needs to be balanced with the need to effectively connect people and places.

Policies

New road schemes will be supported if they:

- i. improve road safety;
- ii. improve the environment;
- iii. assist public transport or cyclists;
- iv. improve accessibility including to employment areas;
- v. open up land for agreed development; and
- vi. reduce congestion/ pollution and improve air quality.

New road schemes will be required to take into account the:

- i. safe and efficient movement of vehicles;
- ii. impact on the built environment, in particular Listed Buildings and Conservation areas;
- iii. impact on the natural environment, in particular on local designated areas, and seek ecological mitigation measures/ compensation where the impact of a new road scheme on the natural environment cannot be avoided;
- iv. impact on housing amenity;
- v. needs of businesses;
- vi. needs of public transport, cyclists and pedestrians; and
- vii. need for landscaping. Schemes that adequately address these issues will be supported.

Routes and land required for new roads and improvements, including widening, are protected for the following schemes.

Bungoma town centre car parking

The Plan ensures that sufficient car parking spaces are provided in the CBD and there should be replacement provision if spaces are lost to development. Some sites have been built on and there are now more privately operated and temporary car parks. Car parking of a suitable type, amount, quality, and location is vital for the town centre to function properly. The right balance is necessary between car parking and other transport modes and between the needs of different parking users. This is important so that shopping, leisure and tourist visitors can gain access to the town centre.

Policies

- a) Long stay car parks in the town centre.
- b) Short stay car parks within the CBD or in edge locations will be supported subject to conditions that they remain available for short stay parking only. Parking for new development must comply with parking standards as appropriate.
- c) In exceptional circumstances, where planning permission for temporary surface level car parking is considered appropriate, permission will only be forthcoming for a maximum three-year period.

- d) New car parks, including undercrofts and temporary surface level car parks, should be of good quality, and where possible:
- i. the perimeter should have a clearly defined boundary;
 - ii. vehicular and pedestrian accesses and exit routes should be kept to a minimum;
 - iii. secure cycle/ motorcycle/ moped parking should be provided;
 - iv. car parking spaces should be of adequate size;
 - v. respect the surrounding buildings and local area, particularly Listed Buildings and Conservation Areas;
 - vi. give careful consideration to layout and pedestrian/ cycle access;
 - vii. be naturally well lit;
 - viii. have good artificial lighting levels when required;
 - ix. incorporate a sustainable drainage system;
 - x. provide sufficient, well located and wider spaces for people with restricted mobility;
 - xi. have good quality surface treatment (e.g. tarmacked);
 - xii. demonstrate that the facilities will be well managed and maintained;
 - xiii. signage within the parking facility must be clearly visible;
 - xiv. design must aid surveillance and the smooth passage of traffic and ensure customer and staff safety; and
 - xv. incorporate measures to help reduce air pollution; these could include tree planting, the use of pollution absorbent materials, and the installation of electric charging points.

Parking standards

The Plan sets out a range of issues that should be taken into account for setting local parking standards. It states that in setting local parking standards for residential and non-residential development, local planning authorities should take into account: the accessibility of the development; the type, mix and use of development; the availability of, and opportunities for, public transport; local car ownership levels; and an overall need to reduce the use of high-emission vehicles. The Plan further advises authorities to consider parking provision on an individual development basis mindful of local circumstances and traffic generation.

With regard to setting maximum parking standards, Planning Policy Guidance states that these can lead to poor quality development and congested streets. Municipality planning authorities should seek to ensure parking provision is appropriate to the needs of the development and should only impose local parking standards for residential and non-residential development where there is clear and compelling justification that they are necessary to manage their local road network.

Policies

Development should comply with the parking standards and guidelines as per the National Parking Standards and Guidelines. The standards will be applied flexibly, particularly in the CBD;

- i. the accessibility of the development;
- ii. the type, mix and use of development;
- iii. the availability of, and opportunities for, public transport;
- iv. local car ownership levels; and
- v. the need to reduce the use of high-emission vehicles;

Bus transport

Travel by bus is generally the most efficient way of moving large numbers of people in built-up areas, particularly along transport corridors and into central areas. It is accessible to most people and essential for the majority who do not have a car available. Buses give local people access to work, education, shopping, health, community, recreation, and leisure facilities. Buses are more efficient users of road space than cars. If car users can be encouraged to travel by public transport, then both congestion and pollution would be reduced. In addition, the Priory Park and ride facility offers secure parking for motorists/ cyclists and a rapid journey into the town centre.

The design of public transport facilities should consider the safety and needs of both users and non-users. The pedestrian concourse Interchange is operating close to capacity during peak hours (in terms of passengers queueing), and space at the bus station may need to be reconfigured to meet any extra demand. A number of improvements to bus operations across the Bungoma town are being considered.

Policies

Improvements to bus services and facilities will be supported which:

- i. provide public transport priority schemes, such as bus lanes;
- ii. improve bus passenger facilities including provision of bus shelters, smart ticketing, and real-time information displays, for example at bus stops and particularly at municipality centres and park and ride sites;
- iii. ensure that bus transport schemes are designed to provide integrated secure and quality car and cycle parking, and take into account road safety and the needs of the mobility impaired, pedestrians, cyclists, residents and businesses;
- iv. further improve the town centre; and
- v. ensure that bus flows in bus lanes are not compromised by development proposals.

Bus transport schemes, such as mini-transport interchanges, will be supported.

Rail transport

The current rail line connects Mombasa Port and Malaba Border of Kenya and Uganda. The main usage of the rail is transportation of goods between the borders. Freight movements is significant in the municipality and important in industrial and economic development. The impact of lorries on the environment can be reduced by encouraging more freight, particularly bulky goods, to be carried by rail.

Policies

- a) Retaining and improving Bungoma 's rail freight services and facilities will be supported. Development detrimental to the future of the rail system will be resisted.
- b) Moving freight by rail will be supported, in particular by encouraging:
 - i. potential users to locate at sites accessible to the freight line; and
 - ii. the provision of rail freight handling facilities.
- c) Rail freight facilities will be protected from other development unless a suitable replacement facility can be identified. Development to upgrade and increase the usage of the high level rail freight line will be supported.

- d) Development which may increase the level of pedestrian and/or vehicular usage at a level crossing or could impact on other rail infrastructure should be supported by a transport assessment.

Walking, cycling and powered two wheelers

To create healthier lifestyles, residents are being encouraged to walk and cycle more. Walking is free and one of the easiest ways to get more active, lose weight and become healthier. It is underrated as a form of exercise, but walking is ideal for people of all ages and fitness levels who want to be more active. Regular walking has been shown to reduce the risk of chronic illnesses, such as heart disease, type 2 diabetes, asthma, stroke and some cancers. Regular cycling can help weight loss, reduce stress, and improve fitness. Walking and cycling are important modes of transport in Bungoma due largely to the flat topography, low car ownership and the compact nature of the town.

Policies

- a) Improving facilities for cyclists and pedestrians will be supported and must take into account:
 - i. cycle and pedestrian access and personal safety;
 - ii. the needs of the mobility impaired;
 - iii. the need for appropriate signposting/ way marking;
 - iv. appropriate materials and landscaping;
 - v. the amenity and security of adjacent areas, in particular housing.
- b) Extending or improving pedestrian areas in shopping centres and housing areas will be supported. New commercial and housing developments should, where feasible, include convenient and safe pedestrian/ cycle links to existing areas and amenities. Where appropriate, consideration should also be given to the need for signposting/ way marking/ designated areas and access for recreational users.
- c) The provision of covered and secure cycle and powered two-wheeler (PTW) parking facilities will be supported, especially in the case of employment development. Cycle and PTW parking standards for new development: Parking Standards and Guidelines.
- d) Development involving footpath or cycle track route diversions will be required to demonstrate that:
 - a. the diversion is necessary to facilitate the development;
 - b. an alternative route is to be provided of a good standard and appearance; and
 - c. benefits outweigh any disadvantages of the proposed diversion to users of the route as well as nearby residents.

5.8 Housing

The Plan aims at meeting the full objectively assessed housing needs of their area; identify a supply of developable and deliverable housing sites for market and affordable housing for the overall plan period; and deliver a wide choice of high quality homes that are built in the right places and are the right type, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.

Housing development should create places which are attractive, safe and meet the needs of the residents. The quality of the environment is known to be a significant consideration for homebuyers and improving the quality of housing is an important aspect of the wider regeneration of Bungoma. In many cases, development sites will be integrating with the existing built form of the municipality. It is important that this is done sympathetically.

Building for Life is a recognized standard which is achievable but not prescriptive and provides flexibility for developers to reflect the circumstances of particular sites. It sets out twelve criteria which should be considered in the design of housing development. Developments are assessed using a traffic light rating system. Given the importance of improving the quality of housing in Bungoma, it is considered appropriate to specify a minimum number of greens to be achieved, along with avoiding reds and minimising ambers.

Provision of affordable, adequate and safe housing is the objective of the urban housing sector. Strategies include facilitation of the private sector to provide housing to the economically weaker sections; regularize standards of group housing; and promotion of innovative, economic and environment friendly buildings. Strategies to discourage squatter settlement and encroachment, encourage cooperative mechanisms for the production of housing for the economically weaker sections, and facilitate the production of serviced land through public-private/community partnership have been proposed.

Housing requirement

The construction sector is boosted by a high demand for new housing, infrastructure and commercial development. The national Government has adopted an ambitious house building plan through its Big 'Four' Agenda. 'Market signals' such as house prices, rents, affordability ratios, land values, rates of development and overcrowding/ concealed households.

Housing allocations

The Plan is required to identify a supply of housing land that is sufficient to meet the housing requirement for Bungoma over the plan period.

Policies

Housing requirement

The overall delivery of housing will be monitored to ensure that needs are being met.

Housing site allocations

Sites are allocated to provide flexibility and choice in land for housing development.

Housing allocations should be developed with regard to the relevant development brief where one exists.

The Municipal will ensure that a minimum 5-year supply of deliverable housing sites is available.

Housing regeneration

Many government households in Bungoma are in need of regeneration, particularly parts of the inner area and some of the outer estates. Delivering housing in these regeneration areas is a key priority for future growth in Bungoma. It will help meet needs and create a more balanced mix

and choice of housing. Without intervention, the physical quality of these areas will continue to decline with a resulting increase in social polarization. Areas subject to regeneration to date have successfully become attractive places to live once again.

Housing renewal can involve demolition or improvement. The Municipality should have a programme of housing demolitions and the impact of this on the housing requirement. Where existing housing is renovated, improvements to frontages and boundaries can significantly upgrade the environment in these areas.

Housing on brownfield land

Developing previously developed ('brownfield') land in preference to 'greenfield' is a more efficient and sustainable use of land. The BMIDP encourages re-using brownfield land and allows local authorities to set a target for this. Setting a target for housing on brownfield land should encourage these sites to be prioritized for development. But this needs to be realistic, and it is accepted that some brownfield sites are not viable and a significant amount of housing over the plan period will be delivered on greenfield land (new estates)

Policies

Housing regeneration

Housing demolitions will be recorded in the Municipal Monitoring Report and the housing requirement will be adjusted accordingly.

Where housing stock is to be renovated, improvements to frontages and/or boundaries will be supported.

The Municipal will continue to review the need to regenerate other areas and identify specific interventions and funding opportunities.

Housing on brownfield land

The re-use of previously developed (brownfield) land for housing will be supported provided that the site is:

- i. suitable for housing;
- ii. not needed for employment purposes; and
- iii. not of high environmental value.

Over the plan period, at least 60% of new housing should be built on brownfield sites.

The Municipal will maintain a register of brownfield sites suitable for housing and update it annually.

Type and mix of housing

In the last few years, Bungoma Municipality has experienced a resurgence in real estate development. Of particular interest are the numerous residential units that have dotted the town that continue to increase each day significantly. Numerous factors have contributed to the current development. Different types of houses include: Contemporary homes, Mansionette homes, Mabati houses, Apartment houses, Earth Houses, Condominiums houses, Town house, Container house, British/European rustic design and African Architecture.

Affordable housing

Through affordable housing scheme, Medium Income Group (MIG) segment are offered newly constructed houses or apartment at comparatively cheaper rates. Affordable housing or low cost housing is a scheme in which people with low income, rated by County or National governments are offered houses at cheaper prices. The Municipality shall allocate land for the National Housing Plan project.

Specialist housing

Specialist housing provides for people with specific housing needs, particularly in relation to impaired physical and mental health, and old age. The need for specialist housing in Bungoma is likely to increase as there is an ageing population and relatively high levels of poor health. This is likely to be accompanied by an increase in the number of people with specific disabilities, such as dementia and mobility problems, as well as a general increase in the numbers with a long-term health problem or disability.

Policies

Type and mix of housing

Housing development should contribute to re-balancing the housing stock in the following ways:

- i. at least 70% of new affordable housing should contain no more than 2 bedrooms;
- ii. on sites of 100 or more dwellings outside the town centre, at least 40% of new market housing should contain 3 or more bedrooms.

Affordable housing

Market housing development should contribute towards the supply of affordable housing. Affordable housing should be provided on-site and fully integrated into the development.

Custom and self-build housing

Development of custom and self-build housing will be supported where demand has been established.

The Municipal will seek to identify appropriate sites to meet the demand for custom and self-build housing, or may require housing development to provide a proportion of suitable plots for custom and self-build housing.

Specialist housing

Development of specialist housing for older persons, people with disabilities, and other vulnerable people, will be supported.

Specialist housing should be located and designed with particular regard to:

- i. access to services and facilities;
- ii. access to public transport;
- iii. the impact of flood risk; and
- iv. the needs of the intended residents, in particular their safety.

5.8 Energy

Provision of adequate, reliable, efficient and green energy is the major objective in the energy sector. The strategies include promotion of the optimal use of solar energy, promotion of passive design and energy efficient building materials.

A reliable and plentiful supply of renewable and low carbon energy is vital in order to cut greenhouse gas emissions and mitigate climate change. Moving to such technologies also has other benefits including greater energy security, tackling fuel poverty and improved air quality. In addition, better methods of storing energy are needed in order to support the adoption of renewable energy as renewable sources tend to be intermittent in their nature.

Major Issues:

- Inadequate and unreliable energy supply for urban needs.
- Inadequate energy efficiency and green energy.

Strategies	Activities/Inputs
Promote optimal use of solar energy for all purposes	✓ Develop incentives to promote solar energy in urban areas
	✓ Establish mechanisms to sell/share surplus power to the national grid
Promote passive design, and use of energy efficient building materials	✓ Prepare models and guidelines, and disseminate designs for energy efficient construction for all ecological regions
Promote hydro-power development that is oriented towards urban centers	✓ Prioritize hydropower projects in consideration of urban locations

5.9 Environmental Quality

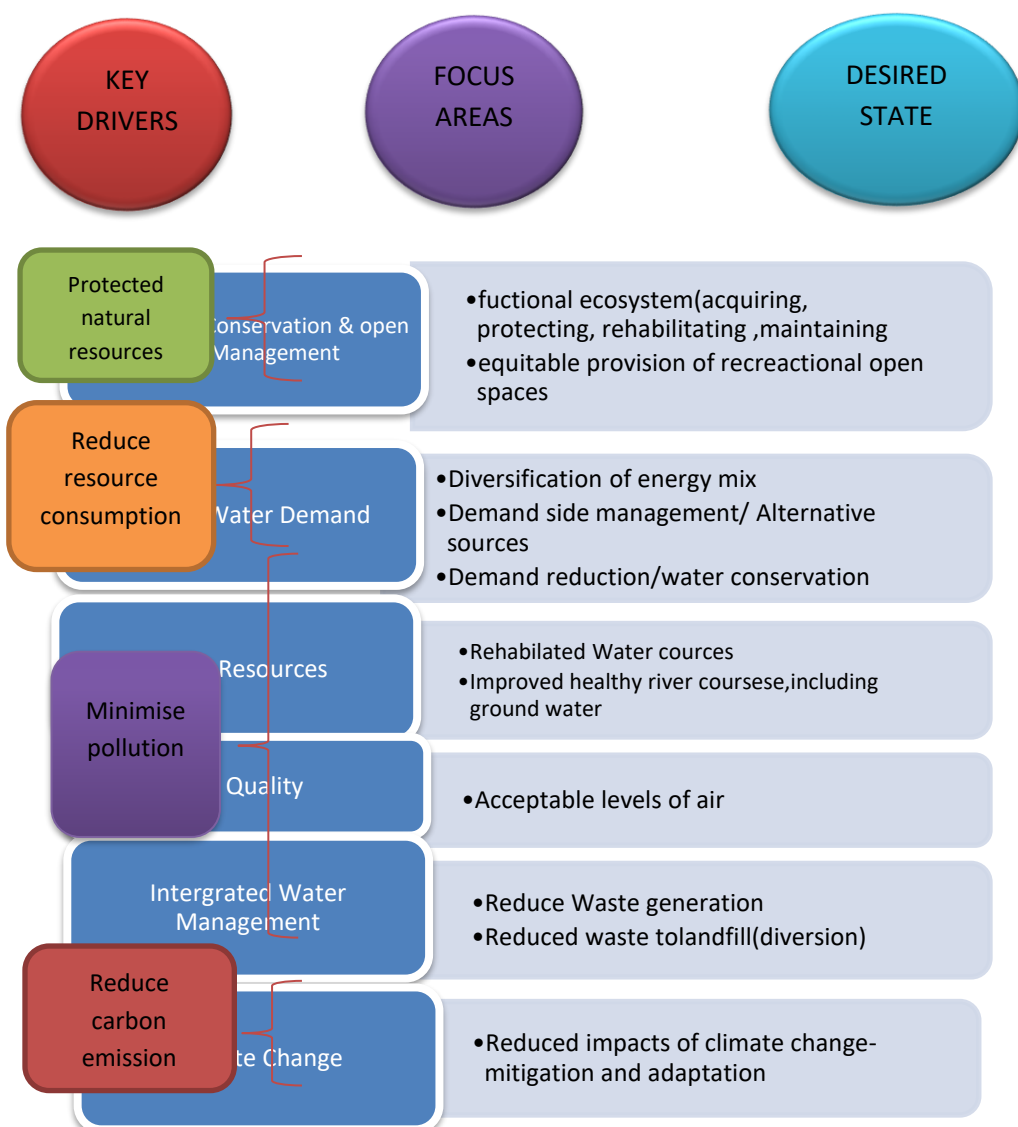
Urban environment incorporates natural as well as the sociocultural environment bringing in issues of urban safety, resilience, culture, agriculture, forest as well as the problems of land and environmental pollution. Major strategies include compliance with set standards of pollution in urban areas; promotion of multi-hazard approach to deal with disasters and climate change; internalization of resilience perspective in land use regulations, building codes and by-laws; and enhancing awareness and preparedness to deal with disaster risk and vulnerability at all levels of government as well as local communities and civic bodies. Promotion of urban agriculture; maintenance of minimum forest cover and stipulated open space in urban areas; preservation of heritage sites tied with local economy; promotion of innovative art, architecture and culture in new urban areas; facilitation of community and civil society organizations are among the other strategies proposed related to the urban environment.

The quality of the physical environment is vitally important for human health and biodiversity. The role of the planning system is:

- i. preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability; and
- ii. remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land where appropriate.

The key drivers informing the state of our natural resources can be categorised as follows in figure 16:

Figure 16: Key Drivers of Environmental Sustainability



The quality of the physical environment is vitally important for human health and biodiversity. The BMIDP sets out the role of the planning system as being: preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability; and remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land where appropriate.

The Plan advises that planning policies should ensure that new development is appropriate for its location. The effects and cumulative effects of pollution on health, the natural environment or general amenity, and the sensitivity of the proposed development to adverse effects from pollution, should be taken into account.

Atmospheric pollution

The Worldwide obligations sets legally binding limits for the levels of major air pollutants such as particulate matter and nitrogen dioxide. It is important, particularly where limits have been exceeded or are close to being exceeded, that the potential impact of new development on air quality is taken into account. The Plan advises that planning policies should sustain compliance with and contribute to international limit values or national objectives for pollutants. This should take into account the presence of Air Quality Management Areas.

Policies

An assessment of air quality must accompany applications for major development which could individually or cumulatively with planning permissions and/or developments under construction:

- i. worsen air quality within an Air Quality Management Area;
- ii. lead to the creation of a new Air Quality Management Area;
- iii. increase the number of sensitive receptors within an Air Quality Management Area; or
- iv. have a detrimental impact on local air quality anywhere in the town.

The scope of any assessment of air quality should be agreed prior to the submission of a planning application and will be required to:

- i. identify the site, development proposal and area in which the impacts will be assessed;
- ii. assess the existing air quality;
- iii. assess the impact of the proposal on air quality individually and in conjunction with any outstanding planning permission or development under construction; and
- iv. identify mitigation measures and quantify the impact of those measures.

Development which cannot appropriately mitigate air quality concerns, including dust and odour, will only be supported where the social and economic benefits significantly outweigh the negative impact on air quality.

Land affected by contamination

The integrated plan requires planning policies to ensure that sites are suitable for new uses taking account of ground conditions, including from natural hazards and pollution arising from previous activities. Future growth will require the re-use of land and there are contaminated sites which require remediation before development can take place. Developments which have a vulnerable

end use (such as housing) must be on land which is safe for that end use. Development also has the potential to create new pathways between contaminated land and sensitive receptors (such as people, wildlife and the water environment). These issues must be addressed as part of an application for planning permission.

Policies

Development which:

- i. involves the development of land known or suspected to be contaminated; and/or
- ii. would have a vulnerable end user; and/or
- iii. could create a new pathway between a contamination source and a vulnerable receptor (including municipality, national and internationally designated wildlife sites and the groundwater aquifer) must be accompanied by an appropriate contamination assessment.

Development will be supported where it has been demonstrated that appropriate mitigation can be carried out and will have conditions attached to require the appropriate works to be carried out.

Noise pollution

Planning policies should aim to avoid significant adverse impacts on health and quality of life as a result of noise from new development and that any other adverse impacts from noise should be mitigated where possible. It should also be recognised that development will often create some noise and existing businesses wanting to develop should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established.

The Municipality is a constrained urban area which has developed over time and land uses continue to change. This can result in land uses that may impact on the amenity of their neighbours. It is important that this issue is explicitly considered as part of the application process. It can allow for mitigation to be incorporated during development and reduce the potential for adverse effects from noise pollution.

Policies

- i. Development which would site noise sensitive receptors in proximity to noisy uses or areas should demonstrate that there would be an acceptable level of amenity for end users. Where this has not been demonstrated, development will not be allowed.
- ii. Development of noisy uses should demonstrate that adverse impacts of noise can be mitigated and that there would be an acceptable impact on the amenity of surrounding land uses.

Open Space and the Natural Environment

Open space sites

Open space, sport, recreation and play facilities are important to the quality of place and to people's overall wellbeing. They provide relief from the built form, provide venues for exercise, play and the exploration of nature, and are important for the adaptation to, and mitigation of, climate change. For these reasons, they make an essential contribution towards sustainable

development in the town. As well as offering opportunities for physical activity, good quality accessible green spaces are also linked to positive mental health benefits and can support community cohesiveness.

Open space protection

Bungoma has a skewed densely built urban area with a limited amount of open space. Some sites are under pressure to be built on but these need to be protected wherever possible because open space sites are difficult to replace. Even privately-owned sites that are not publicly accessible have value because they benefit wildlife by providing habitat and linkages between sites, and help improve the built environment by absorbing surface water, airborne pollutants and noise, and provide visual amenity and urban cooling.

On-site open space requirements

New housing development should provide on-site open space in areas where there is not sufficient open space, when considered against the most up-to-date assessments of open space and sports and recreational facilities need. The on-site open space should aim to meet the predicted needs of the residents of the new development. For example, children's and young people's play facilities would be highly suitable for family housing but inappropriate on a development designed exclusively for older people.

Policies

Open space sites

The design/layout of new open spaces should give consideration where appropriate, to the provision of facilities for dog walkers but not where this recreational activity on the site would have an adverse impact on the integrity of the Bungoma Site.

Open space standards

Schemes that increase open space provision, particularly in order to rectify identified deficits, will be supported.

Existing open space protection, including all open spaces that meet the criteria for open space contained in open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- a) An assessment has been undertaken which has clearly shown the buildings or land to be surplus to requirements, including consideration of population growth over the plan period, its amenity value, and its strategic function. The assessment should fully consider the potential to re-use the site to address deficits for all types of open
- b) space in the area; or
- c) The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- d) The development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

On-site open space requirements

On-site open space requirements for the Municipality Plan's housing allocation sites that require open space provision.

Housing windfall sites may require on-site open space to make them acceptable in planning terms, where there is or will be a deficit of open space and it is practicable to do so. The on-site open space should provide for the needs of the estimated future population of the development. The on-site open space requirements will be based on the latest assessment of open space need, and the standards.

Where it is demonstrated that it is not feasible to provide on-site open space, it will be provided off-site through a legal agreement securing a financial contribution.

Green infrastructure / Green Network

The Plan describes **green infrastructure** as “a network of multi-functional green space that is capable of delivering a wide range of environmental and quality of life benefits for local communities”. Benefits that green infrastructure can deliver include: improving health and wellbeing; enhancing biodiversity; helping to mitigate and adapt to climate change; providing business and educational opportunities; encouraging tourism; and promoting sustainable use of scarce land resources.

Green infrastructure should be designed to be multi-functional. A single piece of land can offer opportunities for play and adventure, store water during heavy rainfall, provide habitat for wildlife, and improve residential amenity by offering high quality landscaping that complements the built environment.

Policies

Development that adversely affects the continuity and value of the Green Network, will not be permitted.

Development within or in close proximity to the Green Network should seek to protect and/ or enhance the functionality and connectivity of the corridor.

Development should incorporate and enhance existing and/ or new green infrastructure features within their design, proportionate to their scale.

Biodiversity and wildlife

The Plan states that planning should “minimise impacts on biodiversity and provide net gains in biodiversity where possible”.

Trees

Trees in urban areas are highly valuable. They can reduce air pollution by absorbing gaseous pollutants and filtering dust, ash and smoke. They can absorb noise, reduce glare, provide wind protection, and cool the air. They contribute to greater health and wellbeing. They provide habitat for wildlife. They can reduce surface water run-off and thereby reduce flood risk. Planting new trees in development schemes to improve drainage and increase shading can act as an

adaptation to climate change. Furthermore, they make places more attractive – people generally prefer leafy surroundings.

Policies

Residential and commercial development and new trees

Three new trees of native species and local provenance will be required to be planted for each new dwelling (this excludes conversions and changes of use). A presumption that the trees will be planted as part of the development rather than off-site will apply when appropriate. The planting of new trees will be encouraged in new commercial development in appropriate places or within landscaping schemes wherever possible.

Tree protection and replacement

The Municipality will make Tree Preservation Orders (TPOs) when necessary, in order to protect specific trees, groups of trees, or woodlands, in the interests of amenity and biodiversity.

The Municipality will not grant permission for the loss of or damage to a tree, group of trees or areas of woodland of significant amenity, biodiversity or historic value unless there is deemed to be an immediate hazard to public safety.

Local food growing

Giving people the opportunity to grow their own food offers multiple benefits, particularly to public health. It encourages healthy eating and physical activity; addresses food poverty; educates people about food production and thereby reduces food waste; and it fosters greater community cohesion by encouraging people to work together outdoors.

Policies

The use of land and buildings as new allotments, orchards and for local food growing spaces and production will be supported, including the temporary use of vacant or derelict land or buildings and the use of amenity green space on housing estates and other open space areas, where this does not conflict with other policy objectives or land use priorities.

The incorporation of community gardens, allotments, orchards and innovative spaces for growing food, including green roofs, will be encouraged and supported in new development where possible and appropriate, particularly where there is demand for food growing space in the vicinity of the application site.

The inclusion of productive trees and plants in landscaping schemes will be encouraged where appropriate.

5.10 Education, Health and Community Facilities

The Plan identifies that supporting local strategies for health, social and cultural wellbeing is a core principle of the planning system. It is important to ensure that all sections of the community enjoy equal access to a wide range of facilities which support and enhance sustainable and vibrant neighbourhoods.

Social and community facilities include health provision (such as surgeries and walk-in centres) ECDEs, schools and colleges, cultural, leisure and sports facilities, community growing spaces and allotments, places of worship, community centres and libraries. This list is not exhaustive as local needs may change over time. How the Plan should make provision for social and community services and facilities will depend on the scale and nature of the use, and particularly the catchment served.

Kibabii University

The Kibabii University has a key role as an educational establishment, and is also a significant employer and research and development centre, both of which support economic growth in the municipality. Across its campus, the University hosts a range of uses which it continues to invest in, including its main academic and research activities, but also associated residential and leisure uses. Investment is evidenced by development student flats, and provision of sports and recreational facilities. It is therefore important that adequate provision is made in the Plan to support its continuing investment needs, to enable plans for development and remodelling within both its existing estate and the surrounding areas where this is necessary.

Education

The Plan gives great importance to ensuring that sufficient choice of school places is available to meet the needs of existing and new communities. The importance of education is recognised as being a key issue for the municipality, which has struggled with high populations in schools.

Significant investment in schools should be taken with the aim to significantly improve the quality of facilities and the environment available to children and staff, and to therefore support improved attainment, as well as meeting long term demand for places. It is anticipated that demand for school places can be met through existing well distributed provision across Bungoma, with the exception of need for further provision at Bungoma DEB and Namachanja to meet the needs of the growing population of this planned extension to the Municipality.

Health

Health services are delivered across the municipality in a range of settings. They have been subject to significant investment in recent years, but there remain significant drivers for change in the whole landscape of health care provision.

Health services will continue to go through a process of transformation over the initial years of the Plan, with the whole health economy needing to change in order to meet the increased demand for health care services arising as a result of demographic change, technological and pharmacological advances, increased demand for health care services and the requirement for integration across the health and social care sectors.

There move towards combining the provision of health care and other services into single facilities should be prioritized. A critical part of delivering this vision is the drive for a more efficient estate, to free resources, and a transformed estate from which to deliver new service models. Plans that will drive system improvements and support service transformation as well as releasing capital from buildings that are no longer fit for purpose.

Community Facilities

Community services and facilities are very varied but include health provision, government offices, nurseries, places of worship, and in some cases public houses fulfil this role. They are often located within or near to existing centres, and as such they can promote the roles of these centres as important community hubs where people can easily meet their needs.

The BMIDP states that local planning authorities should guard against the unnecessary loss of valued existing facilities and services, particularly where this would reduce a neighbourhood's ability to meet its day to day needs. The designation of centres to include them recognises the role these play as part of the broader function of the centre. The Plan also therefore needs to be flexible and promote potential for dual use of buildings where this can better serve viability, or to allow change of use where this can help fund new provision in a more appropriate or viable location.

Policies

Education and schools

Development to create new schools or expand or alter existing schools will be supported where it does not conflict with other key planning objectives. Provision of community facilities, including for sports and within new schools, will be promoted and provision should be made to ensure these are retained and continue to be accessible for local communities.

Health

Development to create, expand or alter health facilities, including at Bungoma Level 5, will be supported where they do not conflict with other key planning objectives.

Encouraging and protecting new and existing community facilities

Development of new community facilities will be supported where they are located to best meet the needs of the anticipated users of the facility. Where the facility incorporates main town centre uses, then development should be subject to the sequential approach and consider relevant centres including within the CBD, Municipality, Local and Neighbourhood Centres. Other community facilities should consider centres where sites or properties are available, where they could promote linked trips and support the vitality and viability of centres, and where they would have an acceptable impact on the amenity of the surrounding area.

Extension of existing community facilities will be supported where it is of a scale appropriate to the location and use of the facility and would not have a detrimental impact on the amenity of the surrounding area.

Development that would involve the loss of significant community facilities will not be supported unless it can be demonstrated that:

- i. the site is no longer needed for community use, or the loss would not create or add to a shortfall in the provision of such uses within its locality;
- ii. the land or buildings in question are no longer suitable to accommodate the current use, and cannot be retained or adapted to accommodate other community facilities;
- iii. the community use is to be incorporated or replaced within a new development or redevelopment of the site; or
- iv. existing nearby community uses can be improved to accommodate the loss, or suitable alternative facilities are provided close by.

5.11 Design and Heritage

Design and heritage are two of the twelve core planning principles identified in the BMIDP. It also makes clear that design and heritage go beyond how places and buildings look: they are also about the connections between people and places. This means design and heritage play an important role in meeting the core planning principle regarding health, social and cultural wellbeing.

Bungoma is entering a new phase of economic growth to the renewables industry and the tourism sector. The municipality has aspirations to maximise the use of renewable technology, reflecting its importance as a sector to Bungoma. It has also been recognised that Bungoma's history and heritage are assets which should be valued and used as a basis for growth.

The Municipality should establish a website to host information about Bungoma's heritage assets, including listed buildings, conservation areas and their character appraisals, scheduled monuments, registered parks and gardens and the local list. It should also have information about the historic environment record which holds records for both Bungoma and the Western Kenya region.

Design

Good quality design that takes account of the history and unique features of a place is fundamental to good planning. There is evidence to suggest that well designed places add value to people's lives by promoting opportunities for walking, cycling and social interaction. It is important that the policy framework continues to require good design in all applications to ensure that the quality of the built environment and public realm in the municipality is sustained and improved where possible.

The built environment has a role to play in social cohesion through providing safe places where people can interact. Well-designed places also encourage people to use them: this can have positive health benefits through increased physical activity and be beneficial to mental health. All of this is of particular importance in Bungoma in consolidating the legacy of Municipality of Culture and in encouraging people to continue visiting and spending their leisure time in the municipality.

Policies

Development should demonstrate how its design supports the delivery of a high quality environment, particularly with regard to:

- a) the relationship between the development and the surrounding built form in terms of:
 - i. character
 - ii. use and surrounding uses
 - iii. layout and connectivity
 - iv. setting and relationship to key heritage assets
 - v. scale
 - vi. massing
 - vii. grain and density
 - viii. architectural structure and enclosure
 - ix. detailing and materials;
- b) encouraging active and healthy lifestyles;
- c) providing landscaping which retains natural features where possible;
- d) providing inclusive access;
- e) opportunities to promote public safety and minimise the risk of crime;
- f) the creation of inclusive public spaces which encourage community interaction through:
 - i. inclusive design
 - ii. active frontages
 - iii. high quality public realm
 - iv. appropriate soft and hard landscaping
 - v. minimising the potential for anti-social behaviour
 - vi. providing public art where appropriate;

Local distinctiveness

Bungoma is a distinctive Municipality: an agricultural collection centre surrounded by a large rural area, the historic influence of trading links with EAC, development and shifting economic fortunes can all be seen. It is important that this character is not lost as the municipality changes and develops. The flat topography means that local references generally have to be derived from architectural references in the built environment through massing, height or other skyline features. This should be protected and encouraged throughout the town, including along arterial routes.

Policies

Development should promote local distinctiveness where appropriate, with particular reference to:

- a) creating a network of landmarks in prominent or gateway locations to develop legible local references that distinguish parts of the municipality;
- b) encouraging contemporary architecture that respects the municipality's heritage, creating positive and distinctive contributions to enrich the built fabric;
- c) the setting, character and appearance of Listed Buildings, Conservation Areas and other heritage assets;
- d) way-marking arterial routes; and
- e) ensuring proposals, including those on allocated sites, accord with any adopted masterplan, development brief or local development order.

Development of tall buildings (above 30m in height) in and around the CBD, must demonstrate that:

- a) they would not harm the character or appearance of the CBD Conservation Areas which are characterised by their low rise nature;
- b) would not harm the setting of heritage assets;
- c) they would not harm the distinctive, historic skyline;
- d) there would be an acceptable impact on views and vistas across and within the CBD;
- e) they are providing a positive contribution to the skyline through a high standard of design.

Heritage assets

The Plan provides extensive advice on the determination of applications affecting heritage assets. Heritage assets are defined as a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. This includes designated heritage assets and assets identified by the Municipal planning department. It is unequivocal that heritage assets are irreplaceable and that the poor condition of a heritage asset should not be taken into account in decision making when the poor condition has been caused by deliberate damage or neglect. Heritage assets are often among the most valued features of an urban area for residents and form a core part of the offer to attract visitors.

Policies

Development that would cause harm to the significance of a designated heritage asset will only be approved where it has been convincingly demonstrated that the harm cannot be avoided and there would be public benefits sufficient to outweigh the harm or loss caused. Scheduled Monuments, Registered Parks and Gardens and Conservation Areas.

Development affecting non-designated heritage assets must demonstrate that it has taken account of the particular interest of the asset. Development which would result in harm to or the loss of a non-designated heritage asset must demonstrate that:

- a) it would not be economically viable for the asset to be retained and that harm could not be avoided; and
- b) the economic or community benefits of the proposed development outweigh its loss.

Where development is acceptable in principle but would affect an archaeological deposit of less than national importance, the Municipal will seek to preserve the remains in situ. If this is not achievable, adequate provision for excavation and recording before and during development and publication, curation and dissemination of findings after development, will be required.

Development and initiatives which preserve and/ or enhance the significance and setting of the municipality's heritage assets will be supported, especially those elements which contribute to the distinct identity of Bungoma town.

Energy efficient design

The municipal will promote low carbon design approaches to reduce energy consumption in buildings, such as passive solar design. Passive solar design takes into account the position of the sun throughout the year and the thermal properties of the building materials. This knowledge is used to maximise the heating of the building using the sun during the winter and to keep the building cool through shading and ventilation during the summer. By doing this, the need to use mechanical heating and cooling is kept to a minimum. The correct choice in orientation, layout

and materials of each building is obviously crucial to making this strategy successful. Specialist design skills and the use of software at the design stage are required to test models to find the optimum design.

Development should demonstrate how the design will reduce energy and water use and mitigate flooding, pollution and over-heating. This should include consideration of the siting, form, orientation, layout and construction materials of buildings. The principles of passive solar design should be followed to minimise the need for mechanical heating and cooling. Non-residential development should seek to achieve 'Very Good' or better, unless it has been demonstrated through an economic viability assessment that it is not viable to do so.

Renewable and low carbon energy

A reliable and plentiful supply of renewable and low carbon energy is vital in order to cut greenhouse gas emissions and mitigate climate change. Moving to such technologies also has other benefits including greater energy security, tackling fuel poverty and improved air quality. In addition, better methods of storing energy are needed in order to support the adoption of renewable energy as renewable sources tend to be intermittent in their nature.

Policies

Development that generates, transmits and/or stores renewable and/or low carbon energy will be supported where the impact is or can be made acceptable. Potential impacts that are particularly relevant to this type of development are:

- a) local amenity, including noise, air quality, water quality, traffic, vibration, dust, visual impact, shadow flicker and odour;
- b) biodiversity, particularly in relation to national and international designations, and priority species and habitats and geodiversity;
- c) historic environment, such as Conservation Areas and Listed Buildings;
- d) telecommunications, so as not to interfere or block radio communications and radar systems;
- e) the cumulative impact of development.

Shop fronts

Bungoma has a number of designated shopping centres. Changing shopping patterns have created challenges for these centres. When consumers have extensive choice as to where to shop, an attractive environment will be important in encouraging people to use local facilities. Poorly designed shop fronts with limited accessibility and retrofitted security shutters do not encourage people to use local centres.

It is important, to maintain the network of local shops and services, that new development improves the environment of the shopping centre. Regard should be had, not only to the proportions of the shop front, but the relationship between the shop front and building on which it is located. In a number of centres there would have originally been traditional shop fronts, and where these remain they support the distinctive identity of each centre. This is of particular significance in Conservation Areas.

Policies

Shop fronts should be designed with regard to the character of the building on which it is to be sited and the character of the surrounding area. Particular care should be given to the proportions and alignment of the shop front relative to the building, particularly within Conservation Areas.

Existing shop fronts which make a particular contribution to the character of the building or surrounding area should be retained and refurbished wherever practicable.

Shop fronts should be designed in a way that maximizes their accessibility. Applications that fail to do this will be refused.

The installation of permanent security features must show why less intrusive security measures would not be appropriate. Security features must be designed as integral features of the shop front and must be treated in such a way as to provide an active frontage when lowered.

Advertisements

Applications for advertisement consent should be determined on the grounds of safety and amenity.

Advertisements should not unduly distract drivers or hinder views of road signs. They should not pose a danger to pedestrians or obstruct the view of CCTV cameras.

Advertisements should also have an acceptable impact on the amenity of the surrounding area.

As adverts are often located on buildings, they should be well related to the proportions of the building, particularly in Conservation

Areas and near heritage assets. It is also important that there are not too many advertisements in an area, creating advertisement clutter.

Advertisements should have an acceptable impact on public safety and amenity. Assessment of impact will have particular regard to:

- a) the impact of the advertisement on the safe movement of vehicles and pedestrians;
- b) the impact of the advertisement on CCTV coverage;
- c) the relationship of the advertisement to the features of the building it is placed on;
- d) the character of the surrounding area, particularly in Conservation Areas and in proximity to heritage assets; and
- e) advertisement clutter.

Designing for housing

Housing development should create places which are attractive, safe and meet the needs of the residents. The quality of the environment is known to be a significant consideration for homebuyers and improving the quality of housing is an important aspect of the wider regeneration of Bungoma. In many cases, development sites will be integrating with the existing built form of the municipality. It is important that this is done sympathetically.

Building for Life is a recognised standard which is achievable but not prescriptive and provides flexibility for developers to reflect the circumstances of particular sites. It sets out twelve criteria which should be considered in the design of housing development. Developments are assessed using a traffic light rating system. Given the importance of improving the quality of housing in Bungoma, it is considered appropriate to specify a minimum number of greens to be achieved, along with avoiding reds and minimising ambers.

Strategies

Housing development should be designed according to Building for Life principles and will be required to achieve at least 9 green scores out of 12, minimise amber scores and avoid red scores.

Housing density will be expected to be in the range of 30-40 dwellings per hectare unless the character of the surrounding area justifies otherwise, except in the CBD.

Housing development should provide accessible and adaptable dwellings that meet Building Regulation standard in at least 25% of market housing and at least 50% of affordable housing, unless:

- a) in all Housing Market Value Zones, a detailed assessment of feasibility is provided by the developer and demonstrates that a reduced level of provision is justified; or
- b) in Housing Market Value Zones 1 and 2 only, a detailed assessment of viability is provided by the developer and demonstrates that a reduced level of provision is justified.

The Municipal will seek to deliver wheelchair user dwellings that meet Building Regulation standard on suitable housing sites, where there is a demonstrated need for such accommodation in that specific area.

House extensions and alterations

The relatively small size of many houses in Bungoma means that extending property is commonplace in the Municipality. The Municipal is keen to support residents to continue living in the municipality. However, much of the municipality's housing stock is terraced and designed at a relatively high density. This means that house extensions and alterations potentially can have a significant impact on the amenity of neighbours. It is useful for householders and designers to be aware of what is expected from house extensions and alterations. House extensions should be designed to minimise their impact on the amenity of neighbouring occupiers and the surrounding area. The design should:

- a) not over-dominate or unduly enclose the neighbouring properties or the property itself;
- b) minimise the impact of overshadowing, loss of daylight and loss of privacy;
- c) be subordinate to the main dwelling;
- d) be well related to the existing building in terms of size, siting, materials and detailing; and
- e) respect the context of the surrounding area.

Designing employment development

Economic growth is fundamental to Bungoma's aspirations to grow and develop as a Municipality. It is of key importance that every potential barrier to investment is tackled, and a poor quality environment could be perceived as a barrier to investment. It also must be recognised that the town's employment land is located in close proximity to other uses, including residential. It is

important that clear standards for what will be expected are in place to provide certainty to developers and neighbouring occupiers.

Employment development should:

- a) have regard to the surrounding context;
- b) minimise impacts such as noise, disturbance and overlooking, particularly where the site is adjacent to residential properties;
- c) provide a sense of identity and variety, particularly in prominent locations; and
- d) use appropriate soft and hard landscaping to integrate the development into the surrounding area.

Utility equipment

The Plan explicitly supports the expansion of high quality communications infrastructure and the provision of necessary infrastructure. However, it is important that the installation of new utility equipment, which can remain in place for many years, does not have a detrimental impact on the amenity of the surrounding area or the quality of the public realm.

Installation of utility equipment will be supported where it meets the following criteria:

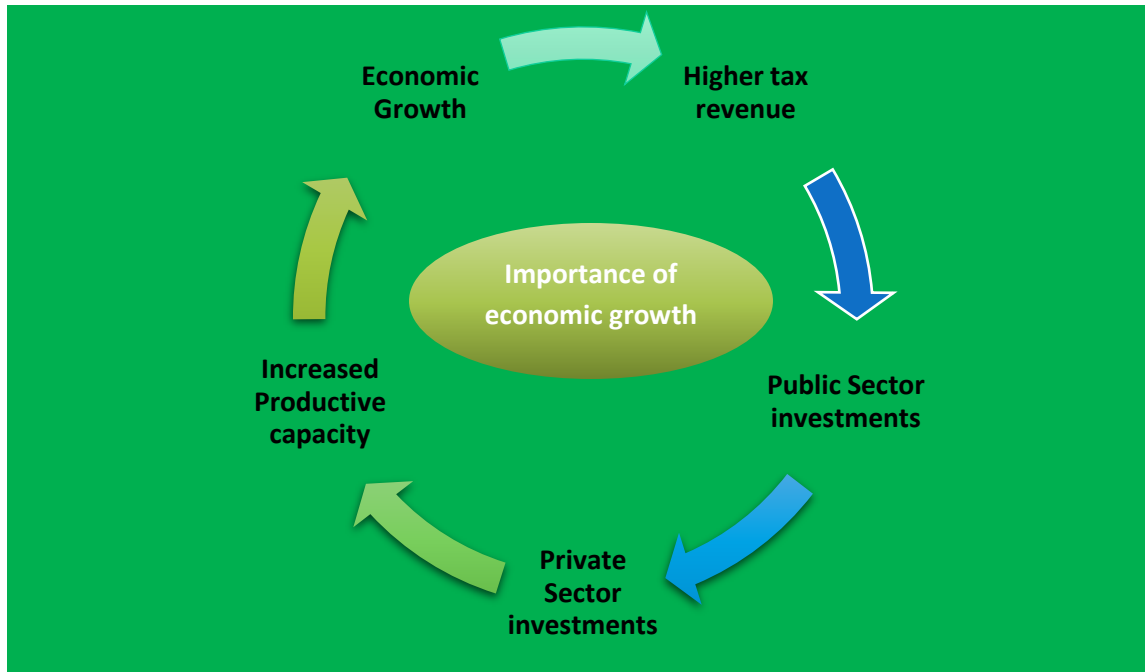
- a) the equipment has been sited so as to minimise its impact on the visual amenity, safety and use of the surrounding area;
- b) the equipment has an appropriate, anti-graffiti, colour treatment for its surrounds or an appropriate bespoke design;
- c) hard or soft landscaping is used to minimise the visual impact of the equipment; and
- d) any groundworks use the same materials as the immediate surrounding environment.

5.1 Economic Growth

The BMIDP positively and proactively encourage sustainable economic growth. The Plan provides a framework that supports investment and development to achieve a successful and sustainable economy. In particular, it builds on the National/County Strategic Economic Plan and the priorities of the Municipality Plan.

Economic growth is fundamental to Bungoma's aspirations to grow and develop as a municipality. It is of key importance according to figure 17 that every potential barrier to investment is tackled, and a poor quality environment could be perceived as a barrier to investment. It also must be recognised that Bungoma's employment land is located in close proximity to other uses, including residential. It is important that clear standards for what will be expected are in place to provide certainty to developers and neighboring occupiers.

Figure 17: Importance of Economic Growth



Employment development results of a positive economic growth should:

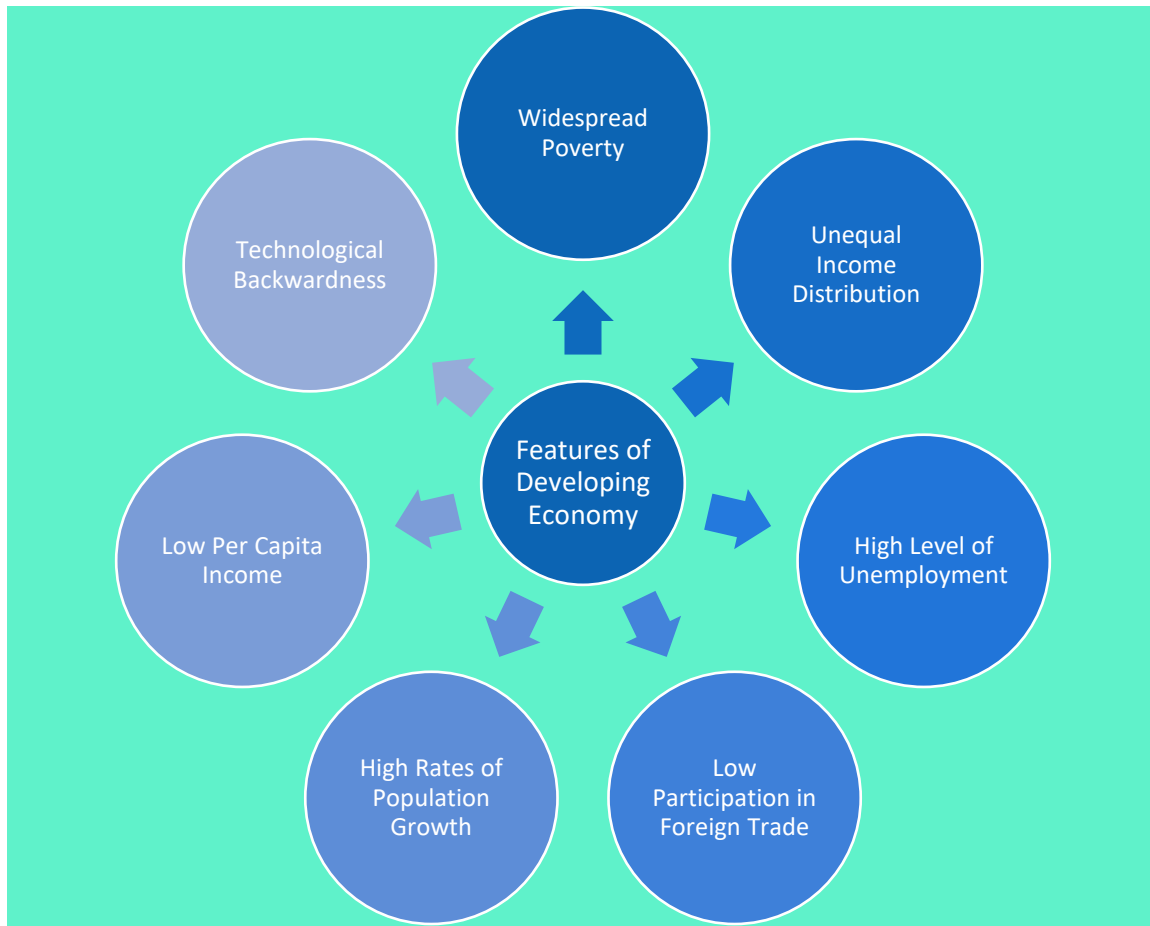
- have regard to the surrounding context;
- minimise impacts such as noise, disturbance and overlooking, particularly where the site is adjacent to residential properties;
- provide a sense of identity and variety, particularly in prominent locations; and
- use appropriate soft and hard landscaping to integrate the development into the surrounding area.

To achieve the desired Economic Growth, the Plan will prioritize the following strategies:

5.14.1 Achieving the Desired Economic Outlook

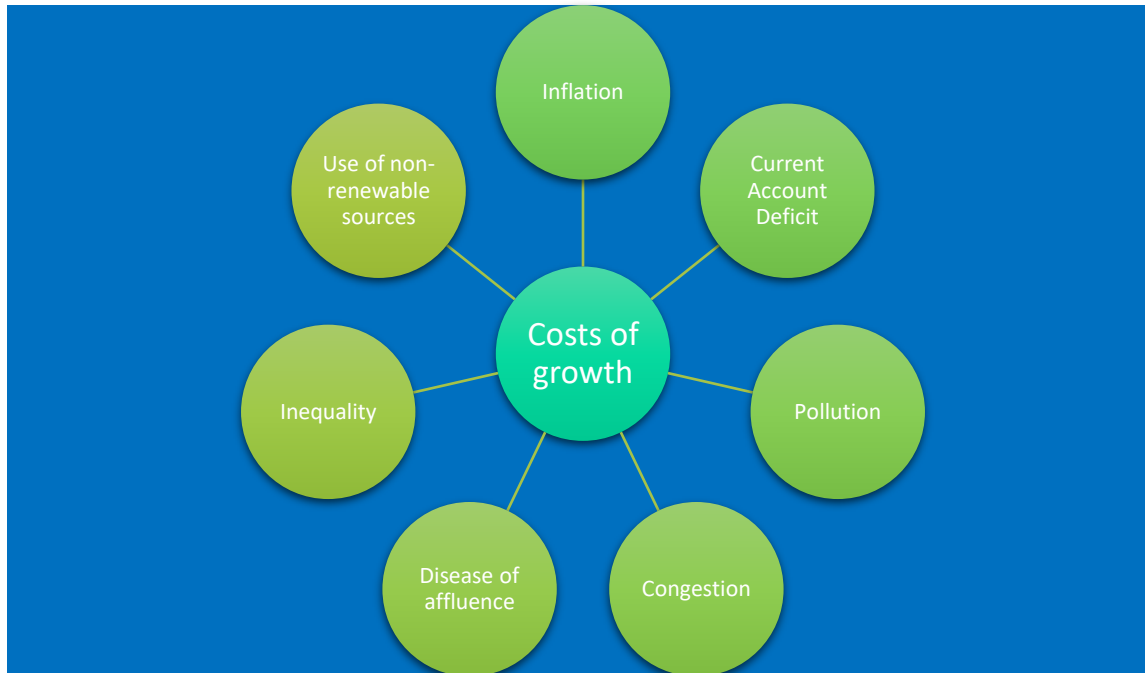
The economic growth of the developed countries has generally resulted in an expanding demand for the products and sometimes for direct labour services from the developing countries. For the developing countries like Kenya to achieve a desired economic outlook, characteristics as indicated in figure 18 need to be addressed.

Figure 18: Features of Developing Economy



Rapid rates of GDP growth can bring about undesirable economic and social costs – according to figure 19. Strategies related to urban economy are geared towards enhancing the contribution of the municipality to the GDP and strengthening the economic base of urban areas so as to cover aspects of economic development, investment and finance. The strategies for economic development include support in the formulation and implementation of local and county economic development plan for urban areas in order to build competitiveness based on local and county comparative advantages; promote urban regeneration programmes in historic core areas; mainstream informal urban economy and alleviation of urban poverty.

Figure 19: Costs of growth



Policies

Future employment land requirements

A growing and competitive economy will be supported through the identification and maintenance of a wide portfolio of sites that can accommodate demand for development within defined market areas. Designated employment areas will be the focus for a range of manufacturing, research and development, warehouse and distribution uses.

Future use within designated employment areas

Within designated employment areas and on allocated employment sites, development of uses outside these areas will not be allowed unless:

- i. it is demonstrated that the use of the site for other than these areas would not lead to a shortfall of land available to meet identified economic development needs within the relevant market area and it has been demonstrated that there is not reasonable prospect of the site; or
- ii. it is small-scale incidental development and it is demonstrated that this is necessary to make development of employment uses on the remaining parts of the site viable; or
- iii. development is of sui-generis uses that are of an industrial nature, and that support the economic growth objectives of the plan and are compatible with surrounding uses. Such development will not be allowed if the proposed use would result in bad neighbour issues leading to restrictions being placed on neighbouring businesses.

Office development

All office development outside of centres will be subject to a sequential test to demonstrate that it cannot be better located in the CBD. Outside the town centre, office development will be supported where it is ancillary to, or there is operational need to be close to, manufacturing or warehouse and logistics businesses, or within a business park development where smaller offices can be incidental to a wider mix of employment uses.

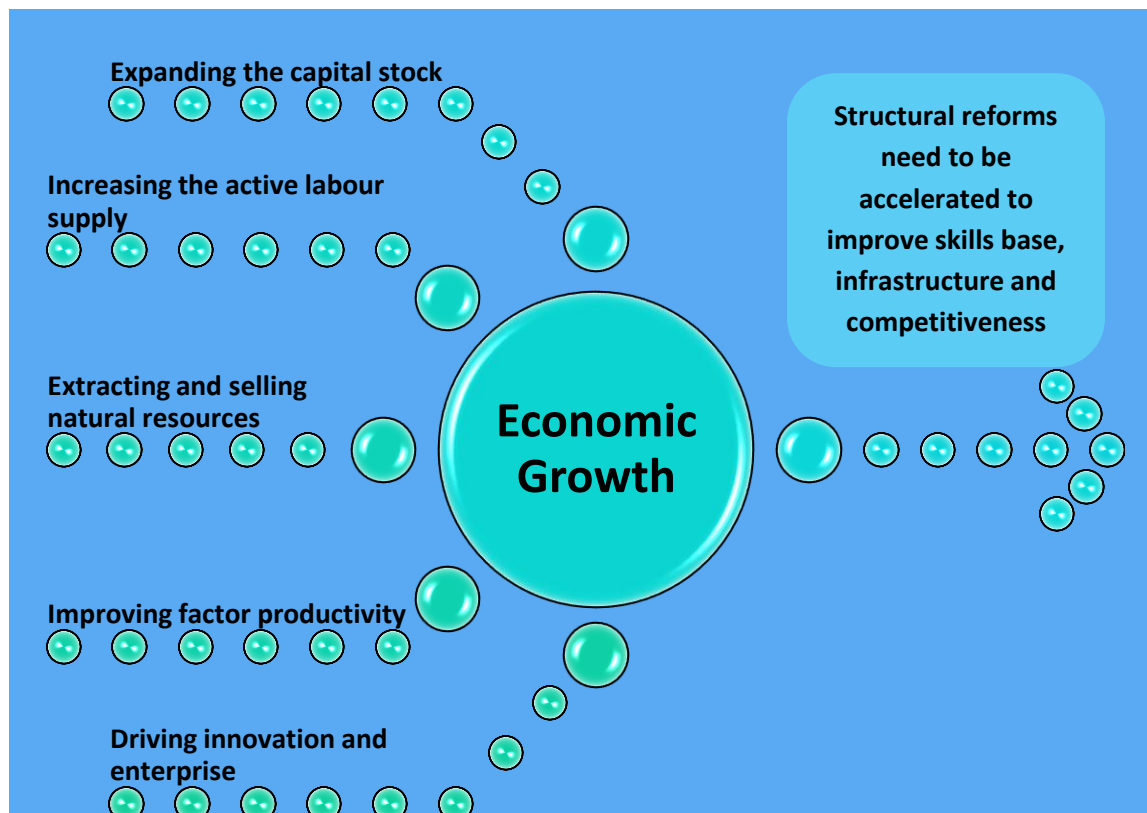
Extension of existing properties

Extension, remodelling and redevelopment of properties to allow expansion of existing businesses, or to accommodate new firms within designated employment areas will be supported, subject to detailed planning considerations.

5.14.2 Proper Investments

The investment strategy is based on the assumption that National/County resource allocation for urban infrastructure will be increased and that priority will be based on the key economic growth drivers as indicated in figure 20. Strategies include coordinated investment in urban areas involving all sectoral agencies; phased investment for improving basic infrastructure services in the municipality; focused investment for strategic infrastructure projects; prioritized investment in strategic market centres, administrative centres and new towns to provide basic services and promote urban growth.

Figure 20: Some Key Drivers of Economic Growth



Major Issues:

- Investment deficit for urban infrastructure (public and private)
- Lagging investment to the backward regions.
- Uncoordinated and dispersed investment.
- Access to loan and other form of debt financing not readily available
- Revenue potential of municipalities/urban areas from taxes and fees not realized and mobilized fully

Strategies	Activities/ Inputs
Enhance coordinated investment involving all sectoral agencies and layers of government including the private sector	✓ Government approval for sustained urban development investment as stipulated by BMIDP
Make phased investment for improving basic infrastructure services	✓ Develop and implement Urban Environment Improvement Programs (UEIP)
Channelize guiding investment for strategic urban infrastructure projects	✓ Plan for strategic infrastructure projects for integrated development
Optimize proportion of annual budget of Municipality for urban roads—while also ensuring contribution of beneficiaries/ community	✓ Investment Plan on Urban Infrastructures is prepared/ updated, put into implementation, and monitored continuously
Prioritize demand driven investment	✓ Earmark urban development program that channels investment based on demand and competitiveness of local bodies.
	✓ Prepare criteria for the selection of local bodies.
	✓ Prepare guidelines for submission of local body proposal including approval and implementation.

5.14.3 Prudent Financial Management

Creation of self-reliant and financially solvent urban area is the objective of strategies in urban finance. Major strategies include the development of an optimized inter-governmental fiscal transfer system; enhanced mobilization of own-source revenue of municipality; improved access to debt financing through strong financial intermediary institutions; and investment mobilization through alternative financing instruments.

Major Issues:

- Inter-Government Fiscal Transfer (IGFT) inadequate to match with expenditure assignments of local bodies
- Increasing number of unfunded responsibilities at Municipal level.
- Inadequate private sector participation in basic infrastructure provision.

Strategies	Activities/Inputs
Optimize IGFT by government	✓ Optimize central transfers through unconditional grants.

	<ul style="list-style-type: none"> ✓ Devolve land transaction registration fee to urban areas. ✓ Streamline expenditure assignment to local
	<ul style="list-style-type: none"> ✓ bodies governments/urban areas. ✓ Provide grant financing for basic infrastructure
	<ul style="list-style-type: none"> ✓ Formulate revenue mobilization policy.
	<ul style="list-style-type: none"> ✓ Formulate Local Revenue Administration Guideline to expand the revenue base of the municipality.
	<ul style="list-style-type: none"> ✓ Conduct periodic review and re-delineation of municipal boundaries (for enhanced resources base).
Enhance mobilization of Own Source Revenues (OSR)	<ul style="list-style-type: none"> ✓ Institutionalize Municipality Revenue Improvement Action Plan- RIAP with monitoring system in place ensuring full coverage of tax payers/tax base for exclusive taxes (like Property tax/land tax, vacant land tax, Profession tax, Entertainment tax, advertisement tax, betterment tax), other non-taxes (like service fees, registration fees, permit fee, licensing fee), value capture, etc.
	<ul style="list-style-type: none"> ✓ Internalize strong database system with ICT for revenue management in urban areas.
	<ul style="list-style-type: none"> ✓ Prepare Municipality medium term budget framework.
Mobilize investment through alternative financing instruments including private sector involvement.	<ul style="list-style-type: none"> ✓ Prepare and internalize guidelines for financing methods. ✓ Select viable PPP projects as pilot projects

5.15 Institutional Development

In the area of urban governance, the objective is to create an efficient and effective governance infrastructure for urban management and service delivery. Strategies include strengthening the role and capacity of DoPPUD; inter-department coordination and joint monitoring; make market plans as a basis for long-term development of BMIDP; improve the legal basis for managing the municipality; facilitate research based policies and programmes; and institutionalize social accountability mechanisms in urban governance.

Major Issues:

- Coordination between County Departments and the Municipality
- Inadequate technical expertise and capacity

- Fragmented character of urban space and mandates of multiple agencies on urban infrastructures
- Lack of Physical Development and Planning Act
- Need to clarify role and functions of National, County and Municipal levels
- Voluntary nature of cooperative planning
- Inadequacy of Municipality Development Act
- Lack of umbrella Urban Development Authority Act

Strategies	Activities/Inputs
Stress primarily “facilitating” role of national level and functions to include national and sectoral policy preparation, coordination, regulation, technical assistance, and planning and implementation of strategic large-scale projects of national and county significance beyond Counties; “coordinative” role of county level and functions to include the county wide planning, coordination, regulation, and implementation of project of county and sub-county significance benefiting the municipality, and “implementing” role of municipality and functions to include provisioning of basic amenities and service delivery.	<ul style="list-style-type: none"> ✓ Clarify roles in the government’s administrative and legal documents and guidelines
Establish High Powered Coordination and Monitoring Committee (HPCMC) to ensure inter-county department coordination and joint monitoring in the implementation of urban sector policy, strategy and programs.	<ul style="list-style-type: none"> ✓ Operationalize HPCMC. ✓ Strengthen the HPCMC with necessary budgetary support.
Make urban plans as a basis for long term development of the Municipality.	<ul style="list-style-type: none"> ✓ Formulate plans and prepare plans ✓ Ensure its approval and implementation.
Facilitate research based policies and programs.	<ul style="list-style-type: none"> ✓ Build institutional arrangement for urban research in collaboration with the academic and private organizations. ✓ Facilitate sharing of national and international knowledge and experiences in various aspects of urban development. ✓ Support establishment of national urban research institutes (think tanks) and data centre as knowledge hub.
Device social accountability mechanism between state and urban citizens to improve service delivery.	<ul style="list-style-type: none"> ✓ Institutionalize citizen’s voices in states ‘ policy and plan Making ,public hearing in project design, public audit to monitor performance of program and project, and social audit to measure impacts of policy and plan.
Strengthen Municipality Development Committee(MDC) to provide specific legislative basis, coordination and monitoring for implementing land development projects.	<ul style="list-style-type: none"> ✓ Assess and prepare Institutional and Human Resource Development Plan MDCs to implement Land Pooling Projects.

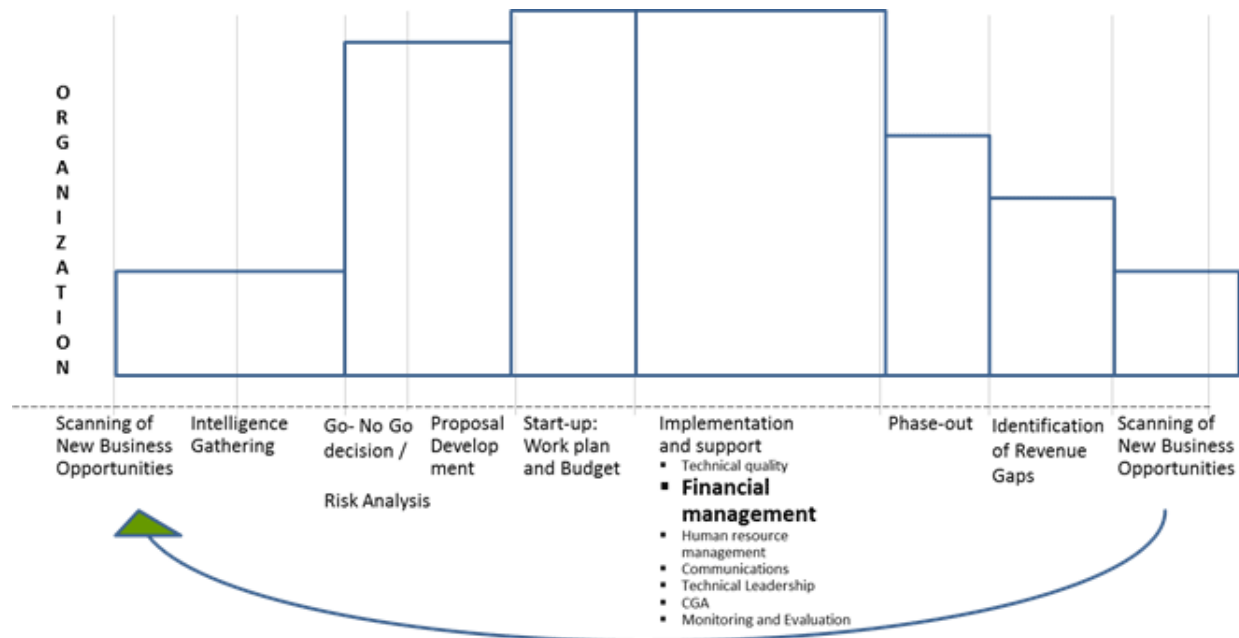
CHAPTER SIX

URBAN RESOURCE MOBILIZATION AND MANAGEMENT FRAMEWORK

6.1 Overview

Resource mobilization covers all activities involved in securing new and additional resources for the Municipality. It also involves making better use of, and maximizing, existing resources, and is referred to as 'New Business Development'. A framework for resource mobilization strategy may include such structural elements as context, vision and mission with goals and targets, strategic programming, review and evaluation. A vision statement describes the ultimate state that the strategy aims to achieve. A mission statement identifies purposes or broader goals for developing and implementing a strategy. Goals (roughly formulated aims) and targets or objectives (specific aims reflecting time-frames and magnitude of effect) serve to eliminate the gap between a current situation and a future aspirational state.

Fig: Resource mobilization and its functions in Bungoma Municipality



6.2 Context

Bungoma Municipality functional as guided by its Charter (annex 4) and the transfer of functions as guided by the County Executive Committee in 2020 and as duly gazette. There is urgent need to identify, mobilize and correctly apply resources to these functions and respond to the needs of the urban population which are very dynamic. This drive is supported by factors such as;

- a) The New Urban Agenda on the need for new and additional financial resources'
- b) Evolution of trends in aid levels and modality of development cooperation
- c) Evolution of the urban Financial Mechanisms led by the Bretton Woods Institutions
- d) Acknowledgement by National and County Governments of the special role of Municipalities in service delivery
- e) Emergence of other urban funds and mechanisms
- f) The need for unprecedented action to achieve the 2030 SDGs targets
- g) Integration of the urban development targets into the SDGs framework
- h) Increasing role of the private sector and of foundations, and increased consideration of the concept of payments for urban services

6.3 Mission/purpose of the framework

The framework provides mechanisms, tools and options for action at all Municipality decision levels for increasing resources available from all sources for implementation of the New Urban Agenda and targets set forth in this IDEP. Further, it provides a framework for the review by the County Executive Committee and the Municipal Board, its relevant decisions, and to assess progress towards relevant goals of the Urban Integrated Plan as well as the Strategic Plan and the 2030 urban targets.

6.4 Importance of Resource Mobilization

Resource mobilization is critical to Bungoma Municipality for the following reasons:

- a) Ensures the continuation of your organization's service provision to clients
- b) Supports organizational sustainability
- c) Allows for improvement and scale-up of products and services the organization currently provides
- d) Organizations, both in the public and private sector, must be in the business of generating new business to stay in business

6.5 Goals and targets

Goal: Parties have improved financial, human, scientific, technical and technological capacity to implement the approved urban plans (urban development priorities as spelled out in the Bungoma Integrated Development Plan 2020 - 2024)

Targets:

- a) All Parties have adequate capacity for implementation of priority actions in the Bungoma Strategic Plan 2020 – 2024 and relevant action plans.
- b) New and additional financial resources are transferred to urban areas through national government grants and conditional grants by development partners

6.6 Scope

The framework proposes the formulation of a comprehensive Municipality Resource Mobilization Strategy to support efforts at mobilizing and applying resources for urban service delivery from all relevant sources: both domestic and through international transfers; both public and private; and from both dedicated funds as well as by integrating urban functions into other activities.

6.7 The Strategy

As a guide for formulation the Municipality Resource Mobilization Strategy, we propose four “strategic approaches” that are supported by a number of “supporting components”. These will need to be applied at: both national and county levels (and in some cases regional) and supported by actions at international levels (regional, global).

I. Strategic approaches for mobilizing resources for biodiversity:

A. Leveraging available urban development resources by mainstreaming in sectoral and cross-sectoral strategies, plans and programmes:

This can be done through Integrating urban functions and services into sector strategies, plans and programmes (e.g. infrastructure, urban economy, agriculture, forestry, fisheries, tourism, extractive industries), national cross-sectoral strategies, plans and programmes (e.g. national medium term plans, national plans for implementation of the SDGs, poverty reduction strategies), and into planning processes at all levels of government (national, county and municipal)

B. Developing dedicated funds for urban areas and functions

National Government funds for the core activities required to implement national and county urban programmes and strategies and action plans, including conditional and unconditional grants from the National Treasury (public, private, and public-private)

C. Enhancing development for results

Putting in place community and stakeholder led-mechanisms to assure value for resources dedicated to urban development from all sources local and global.

D. Making other mechanisms work for urban funding

By promoting the Smart City principles, leveraging on technology for provision of urban services, conservation and sustainable use of urban biodiversity as co-benefits in other mechanisms, (such as the Clean Development Mechanism, proposed mechanisms to reduce greenhouse gas emissions through deforestation etc) Consistent with applicable international agreements

II. Supporting components in support of resource mobilization:

To be achieved through;

- a) ***Communication and awareness.*** Building awareness and understanding of the importance of Sustainable urban resource mobilization (with decision makers and the general public) to make the case for financing whether through dedicated funds or mainstreaming;
- b) ***Knowledge management and exchange.*** Providing access to information needed on successful cases of resource mobilization, the value of urban areas and urban services, and

on the costs and benefits of new urban agenda and sustainable use of available resources, to inform the needs and priorities for resource mobilization;

- c) **Institution building.** Ensuring national strategies for urban financing are implemented through well-developed national and county structures, including national inter-ministerial committees for the implementation of national urban strategies and action plans;
- d) **Capacity building.** Training in resource mobilization, cost-benefit analysis, valuation etc, project development and in mainstreaming, and;
- e) **Monitoring and review.** Monitoring the extent and effectiveness of resource mobilization strategies, to allow for continuous improvement in the application of the strategy.

6.8 Urban Resources

Food, energy, water, housing and associated services, employment, education, healthcare, intra-urban transport, and mobility.

6.8.1 Sources of Municipal Revenue

The sources of revenue for municipalities vary across countries but generally include taxes, user fees, and intergovernmental transfers. Other revenues may include investment income, property sales, and licenses and permits, for example. Figure 21 shows the major sources of Bungoma Municipality own source revenues.

Figure 21: Own Source Revenues



In terms of taxes, annual land rates and the property tax is levied by Bungoma County Government. Other local taxes can include income taxes, general sales taxes, and selective sales taxes (for example, taxes on fuel, liquor, tobacco, hotel occupancy, vehicle registration), and land

transfer taxes (or stamp duties). To meet capital expenditure requirements, and with requisites legal framework, Bungoma Municipality may charge developers for growth-related capital costs. The current urban legal framework in Kenya allows Municipalities to borrow within established limits, which cannot exceed a specified percentage of expenditures or own source revenues.

The most sustainable source of municipal revenue is investment in the urban economy and protection of the urban environment to spur opportunities for businesses to thrive and expand and generate employment, which in turn broadens the tax brackets.

6.9 Good Practices in Urban Resource Management

Generally, municipalities provide utilities and control public services for citizens and businesses that influence the majority of resource and energy use and the production of emissions and waste. Local authorities have the capacity to implement responses on multiple scales. The main challenge is to scale up actions from the simplest, one function, such as a building for housing, or one resource, such as water management, to integrated solutions in a large urban area (e.g. an Eco district) with many functions (e.g. housing, economic activities, green areas, renewable energy production, water harvesting). Another challenge is to move from the current centralized system, with mono-site and end-of-pipe utilities driven by municipalities or utility suppliers, to decentralized systems in which users are owners and producers.

6.10 The Circular Approach

Many industrial processes, in which wastes and byproducts become inputs for new processes, have already been transformed from linear systems to closed-loop systems (see Figure 3.5). The same rationale can be applied at the city territory level as part of good urban management. The territory's material and energy flows can be optimized by integrating all urban activities (industry, utilities, commercial, housing, urban and peri-urban agriculture), by involving all the actors (including investors and city residents) and by working with municipalities beyond the city limits. For a firm, recycling and reusing is a way of optimizing the production process by reducing waste, costs and inputs of raw materials. As the prices of raw materials increase, reusing waste and by-products is increasingly becoming a significant commercial opportunity. Companies can either reuse or recycle their residues (steam, by-products, exhaust gases, wastewater, waste, etc.) themselves or transfer them to local authorities. The analysis of flows highlights potential synergies between different players.

6.11 Productive Municipalities

Urban areas can be seen as places where resources can be harvested (e.g. food) and energy produced. The concept of local self-reliance is gaining in importance, in particular for energy and water (e.g. in Australia following a serious water crisis). A self-reliant community strives to produce all or most of its basic needs locally. Local policies and planning have to be tailored and oriented to meet the needs of the community. All the potential offered by the city territory and the hinterland need to be considered. Decentralized renewable energy production at city and region levels can be provided by wind power, biomass, solar rooftop installations and biogas.

Besides the more commonly used renewable energy sources such as solar energy or geothermal energy, there are many other sources of energy that should be explored at the local scale. For example, the city of Paris launched a call for contributions that was open to all citizens to identify the potential for energy generation in its territory: these included heat generated by data centres, the coolness of quarries, rainwater, pedestrians' kinetic energy, heat from bakery ovens or underground stations, and many others. All this information forms the foundations of local energy action plans. In addition, urban can play a key role in developing appropriate measures to encourage property developers to adopt best practice and to encourage their tenants to save on energy bills and to reduce greenhouse gas emissions.

6.12 Regenerative Municipalities

Human society depends on the benefits provided by nature such as food, materials, clean water, clean air, climate regulation, flood prevention, pollination and recreation. These benefits are referred to as ecosystem services. They are increasingly critical for the health and well-being of city residents and for the viability of the local economy. Urban planning plays a major role in the preservation of local environmental assets that provide ecosystem services. The concept of regenerative cities addresses the relationship between cities and the ecosystem beyond their boundaries on which they depend. 'The regenerative development of cities is a comprehensive approach that goes beyond established concepts of sustainable development. Cities need to proactively contribute to the replenishment of the run-down ecosystems — including farm, soils, forests and marine ecosystems — from which they draw resources for their survival.

CHAPTER SEVEN

IMPLEMENTATION AND DELIVERY

7.1 Overview

The chapter presents strategic priorities' indicators and the scorecard that will be used by the municipality to track progress on implementation of projects and programmes. It presents a matrix format of priority projects and programmes, implementing agencies as well as monitoring tools and indicators of achievement

7.2 Institutional Arrangements

The municipality organogram in Annex 2 provides a framework for optimal allocation of duties and responsibilities among duty bearers and the public (rights holders). Over the plan period, relevant policy, administrative, legal, and institutional reforms will be undertaken in a participatory manner and implemented to reduce and stop pilferage, abuse, waste, and restore integrity in the municipality.

7.2.1 Entrenching Good Governance

Good governance entails integrity, transparency, and accountability, which are principles of governance that are a prerequisite for sustainable, social, economic, and political transformation. In pursuit of good governance, the municipality organs shall endeavor to:

- a) Show commitment to prosecuting public officers who breach their professional code of ethics and conduct.
- b) Vet public appointments to weed out persons of questionable character.
- c) Through EACC, expedite investigations into allegations of corruption.
- d) Embrace public training and sensitization to inculcate good ethics and values to the municipal staff.

7.2.2 Enhancing Governance Organs

Over the plan period, the municipality will work with all relevant stakeholders to continually strengthen its governance and service delivery structures, including investing in human capital development, and undertaking regular reviews of existing structures.

7.2.3 Public and Stakeholder Engagement

The Municipal Board shall institute mechanisms for public and stakeholder participation in decision making on matters of policy formulation and development. The process of public engagement will be undertaken through multiple adult learning approaches, including focused group discussions, group work, brainstorming sessions, question and answer sessions, document reviews, etc. Social media and digital platforms shall be utilized as additional avenues for

interactive submission of views and sharing of feedback. The public shall be encouraged to prepare and submit memoranda and petitions on a wide range of issues in the municipality.

7.2.4 Collaboration and Partnership Framework

In order to realize the priorities in the urban plans, the municipality shall formulate and implement policies and legal framework to deepen collaborations and partnerships – to help bring synergies between different actors operating within the municipality. This will provide for a consensus building, promoting strategic approaches, avoiding overlap and duplication, and facilitating integration across policy fields.

7.2.5 Social Accountability and Human Rights

The Municipality shall actively place relevant stakeholders and the public at the center of development initiatives and social intelligence reporting. Good governance shall be embraced as a tool to protect human rights. In addition to relevant laws, the municipality shall pursue political, managerial, and administrative reforms to respond to the rights, privileges and needs of the people. This will be done through:

- a) Integrating human rights in municipality legislation, policies and practices.
- b) Promoting justice
- c) Defending democratic norms
- d) Promoting checks and balances between formal and informal institutions of governance.
- e) Effecting necessary social changes, regarding gender equality, serving the needs of vulnerable groups, and respecting cultural diversities.
- f) Generating political will, public participation and awareness.
- g) Responding to key challenges for human rights and good governance such as corruption and violent conflicts.

7.3 The BMIDP Scorecard: Programmes and Sub-programmes

Programme/Sub Programme	Key Outputs	Key performance indicators	Targets				
			Y1	Y2	Y3	Y4	Y5
Programme I: The Infrastructural Development and Management							
Objective: To enhance economic investments and transformation in the Municipality.							
Outcome: Equitable access to sustainable basic physical and social infrastructure							
SDGs Target No: Goal 6, 7, 9, 11,							
Link to New Urban Agenda: 6.2, 6.3							

Water Supply Services	Consumers served with safe water	% of HH with access to piped water	-	-	40	60	70
	Rain water harvesting services provided	% of HH with rain water harvesting equipment	-	-	20	40	60
	Water storage services provided	% of HH with water storage tanks	-	-	20	40	60
Sanitation Services	Sewer-lines constructed	% of functional waste water treatment facilities	-	-	100	100	100
		% of HH connected to Sewer-lines	-	-	30	50	70
		No. of modern ecological sanitation blocks constructed	-	-	-	2	2
		% of HH with developed bio-digester technology	-	-	10	20	30
Waste Management services	Waste collection services provided	% of municipal waste collected	-	-	70	60	100
	Dumpsites constructed	No. of operational dumpsites	-	-	1	1	1
	Garbage Collection services provided	% of HH accessing garbage collection services	-	-	70	100	100
	(Reduce, Reuse, Recycle, Refuse) system practiced	% of solid waste recycled	-	-	20	40	60
		% of solid waste reduced	-	-	20	30	40
		% of solid waste reused	-	-	20	30	40
		No of sanitary landfill sites provided	-	-	-	1	-
Transportation	Estate access roads tarmacked	% of Estate access roads tarmacked	-	-	40	50	60
	Bypasses constructed	No of new bypasses constructed	-	-	1	1	1
	Bus parks constructed	Number of Bus parks Constructed	-	-	-	1	-
	Bodaboda designated areas Established	Number of bodaboda designated areas established	-	-	1	1	1
	Parking slots marked	% of parking slots marked	-	-	50	70	100
	Underpasses constructed	No of new underpasses constructed	-	-	-	1	-
	Storm water drainage constructed	% municipality roads with storm water drainage	-	-	60	80	100
	Footbridges constructed	No of footbridge constructed	-	-	1	1	-

	CBD cyclist-ways constructed	% of roads with cyclist-ways constructed	-	-	10	20	30
	CBD pedestrian walkways constructed	No of CBD pedestrian walkways constructed	-	-	1	1	1
Housing	Land provided for affordable housing	No of acres provided	-	-	1	1	1
	Affordable houses provided	No. of affordable houses provided	-	-	-	10	10
	Increased formal settlement	% increase in formal settlements	-	-	70	80	90
	Informal estates upgraded	% of informal estates upgraded	-	-	50	60	70
	Urban estate access roads upgraded	Kms of urban estates access roads upgraded	-	-	10	10	10
	Housing development SACCOs registered	% of housing development SACCOs registered	-	-	100	100	100
	Annual budget allocation to housing	% annual budget allocation to housing	-	-	10	10	10
	PPP initiatives in housing development	No PPPs MOUs signed	-	-	2	2	2
Energy	HH connected to the grid	% of HH connected to the grid	-	-	90	100	100
	Household utilising renewable energy	% of HH utilizing renewable energy	-	-	10	20	30
	Business establishments connected to grid electricity	% of business establishments connected to grid electricity	-	-	70	90	100
	Municipality stakeholders sensitized on energy mix	% of urban stakeholders sensitized on energy mix	-	-	60	80	100
	Street lighting provided	No of streets installed with lights	-	-	1	1	1
Urban connectivity	Fibre optic network provided	% of HH connected to Fibre optic network	-	-	10	30	40
		No of WIFI Hotspots provided	-	-	1	1	1
		No of data centres established	-	-	-	1	-
Programme 2: Environment Management and Social Services Development							
Objective: To promote Socio-economic Development in the Municipality.							
Outcome: A healthy and competitive Municipality							
SDGs Target No:							
Link to New Urban Agenda:							
Urban Safety and Resilience	Early warning systems installed	No of early warning systems installed	-	-	-	-	1

	Designated safe areas	No of designated safe areas	-	-	2	2	2
		No of functional fire stations	-	-	1	-	-
Clean and healthy urban environment	Citizen report cards developed	No of Citizen report cards developed	-	-	1	1	1
	Urban environmental indices manual developed	No of urban environmental indices manual developed	-	-	1	1	1
Urban Land, Air, Visual and Water pollution control	Garbage Collection services provided	% of HH provided with Garbage collection services	-	-	80	100	100
	Waste segregation services provided	No of waste segregation points established	-	-	1	1	1
	Incinerators constructed	Number of incinerators constructed	-	-	-	1	1
	Pollution cases resolved	% of land pollution cases resolved	-	-	100	100	100
		% of air pollution cases resolved	-	-	100	100	100
		% of visual pollution cases resolved	-	-	100	100	100
		% of water pollution cases resolved	-	-	100	100	100
Urban Agriculture	Food crops produced	MT of Food crops produced	-	-	0.9	1	1.5
	Urban agriculture services provided	No of agro processing entities established	-	-	1	1	1
		% of stakeholders sensitized on urban agriculture	-	-	100	100	100
	Cash crops produced	MT of Cash Crops produced	-	-	0.2	0.3	0.4
Urban greening	Aesthetic trees planted	No of aesthetic trees planted	-	-	500	200	200
	Urban Greening services provided	No of trees planted on walkways and strategic places	-	-	20	20	20
		No of annual green events	-	-	1	1	1
		% of green service providers licensed	-	-	100	100	100
	Green parks constructed	No of Green parks constructed	-	-	1	1	1
Urban Facilities and Amenities	Social facilities provided	No of libraries constructed	-	-	-	-	1
		No of open spaces provided	-	-	1	1	1
		No of cemeteries established	-	-	-	1	-

		No of public recreational parks established	-	-	-	1	-
		No of public water points provided	-	-	2	2	2
		No of designated public smoking zones	-	-	1	-	1
		No of social halls constructed	-	-	-	1	-
Urban Art, Architecture and Culture	Monuments constructed	No of monuments constructed	-	-	-	1	-
	Performing Arts theatres constructed	No of performing Arts theatres constructed	-	-	-	1	-
	Cultural centres constructed	No of Cultural centres constructed	-	-	-	-	1
Community Organization and Youth	CBOs involved in urban planning and development	% of active CBOs	-	-	100	100	100
	Youths involved in urban planning and development	No of youth programs initiated	-	-	2	2	2
Urban Security	Safe and secure public spaces and neighbourhood's provided	No. of secure public spaces provided	-	-	-	1	-
		% of streets installed with CCTVs	-	-	100	100	100
Urban Health	Health facilities constructed	No. of Health facilities constructed	-	-	2	2	2
		% of health facilities licensed	-	-	100	100	100
Regularized land use system		Web-based land information system established	-	-	-	1	-

Programme 3: Urban Economy

Outcome: A competitive and vibrant Municipality economy

SDGs Target No:

Link to New Urban Agenda:

Urban Investments	Market infrastructure constructed	No. of market stalls constructed	-	-	50	50	50
		No. of market access roads tarmacked	-	-	3	3	3
		No. of auction rings established	-	-	-	1	-
		% of markets connected to water and sewer line	-	-	30	50	70

		% of markets connected to electricity	-	-	60	80	100
	Urban business services	No of Integrated Business information centres established	-	-	-	1	-
		No. of Business outreach programs	-	-	1	2	2
Urban Resource Mobilization	Increased revenue	No. of new revenue streams initiated	-	-	-	2	2
Vibrant and productive urban economy	Improved economic outlook	Unemployment rate	-	-	Survey	Survey	Survey
		Poverty rate	-	-	Survey	Survey	Survey
		Gini coefficient index	-	-	Survey	Survey	Survey
		% of increased market turnover	-	-	10	20	20
Urban Planning, Budgeting and support services	Plans documents developed	No of plans prepared	-	-	5	2	2
		No of plans disseminated	-	-	5	2	2
	Budget documents prepared	No of budget documents prepared	-	-	4	4	4
		No of budget documents disseminated	-	-	4	4	4
Urban Policies	Policies formulated	No of policies formulated	-	-	3	2	2
Strategic and adequate public investment	Investments initiated by the government	% of government investments per annum	-	-	20	30	30
		% increase in investments	-	-	20	20	20
		No. of investors conferences held	-	-	2	2	2
		No of investment and resource mobilization strategies developed	-	-	2	2	2
Public Financial management (PFM)	Open and Orderly PFM systems practised	% of programmes implemented in the budget	-	-	100	100	100
		% treasury documents accessed	-	-	100	100	100
		% adherence to policy-based financial planning and management	-	-	100	100	100
		No of M&E reports prepared	-	-	5	5	5
		No of financial audits conducted	-	-	4	4	4

Programme4: Urban Governance

Outcome: To promote Effective and Efficient Service Delivery

SDGs Target No:

Link to New Urban Agenda:

Human Resource Management	Improved service delivery	% of staff trained on service delivery	-	-	100	100	100
		No of staff welfare programs	-	-	4	4	4
Urban Administration	Improved Service Delivery	No of administration blocks constructed	-	-	-	1	-
		% of offices equipped	-	-	100	100	100
		No of customer satisfaction surveys conducted	-	-	1	1	1

7.4 Priorities Scorecard

Priorities	Key performance indicators	Baseline	Mid Term 2020	End-Term 2022	Lead cluster
Promote economic development and attract investment towards achieving 10% economic growth that reduces unemployment by 2022	% increase in the Town's GDP growth	1.6%	3%	5%	Economic Growth
	Number of SMMEs supported by the municipality	10 000	16 000	18 000	Economic Growth
	Number of business service standards implemented	New Indicator	3%	3%	Economic Growth
	Number of business loan beneficiaries	4.5	15	35	Economic Growth
Ensure pro-poor development that addresses inequality and poverty and provides meaningful redress	% of informal Households with access to water	82.68%	87.03%	100%	Sustainable Services
	No of affordable housing units constructed	1164	200	200	Sustainable Services
	% informal settlement households provided with integrated waste management services	New Indicator	100%	100%	Sustainable Services
Creating a culture of enhanced service delivery with pride and integrity	% of capacity building activities on employees	100% (levels 1 to 2)	100% (levels 3 to 4)	25% (Levels 5 and 6)	Governance Cluster
Create a sense of security through public safety	Number of bylaws enforcement operations to restore law and order	New Indicator	250	350	Human and Social Development Cluster
Create an honest and transparent town that fights corruption	% of investigated matters resolved	New Indicator	70%	70%	Governance Cluster
Create a Municipality that responds to the needs of the citizens, customers, stakeholders and businesses	Number of public participation meetings held with respect to planning and budgeting	New Indicator	30	30	Governance Cluster
	Number of public lights installed	270 000	2000	420	Sustainable Services Cluster

	Percentage of children under 5 years immunization coverage	95%	98%	98%	Human and Social Development
	Percentage of people tested positive for HIV and initiated on treatment	66.7%	85%	90%	Human and Social Development
Enhance our financial sustainability	Percentage collection of revenue in respect to service billings	91%	94.4%	95%	Governance Cluster
	Percentage of budget spent on infrastructure	90%	95%	95%	Governance

7.5 Outcomes Definitions

Indicator	Definition Or Rationale	Source	Periodicity	Current Baseline
Customer satisfaction index	Customer satisfaction survey seeks to evaluate only the Municipality's services based on quality and satisfaction dimensions. Respondents convey their experiences from services encountered and compared that with what was expected.	Commissioned Survey	Biennial	61 (2017)
Quality of life Index	The QoL index measures socio-economic circumstances, satisfaction with service delivery, psycho-social attitudes, value-base, and other characteristics of residents in the municipality.	KNBS Commissioned Survey	Biennial	75.13 (2019)
Percentage of HH with basic refuse removal services or better	The percentage of households served by regular solid waste collection is an indicator of municipality health, cleanliness and quality of life, and is recognized as a right within the Kenyan Constitution	General Household Survey	Annual	95.9% (2016)
Percentage of HH with access to basic sanitation	Percentage of households accessing ("using") a toilet facility that meets minimum standards for basic sanitation out of all households within the municipality. Minimum standards are currently defined as a either a flush toilet (sewerage system) and/or flush toilet (septic tank), and/or a pit toilet connected to ventilation (VIP).	General Household Survey	Annual	95.5% (2016)
Percentage of HH with basic water supply	Percentage of households with access to basic water supply, defined as the household's main source of drinking	General Household Survey	Annual	99.1% (2016)

	water is piped (tap) water inside dwelling/house, piped (tap) water inside yard, and/or piped water to a community stand: <200 m.			
Frequency of sewer blockages	Number of blockages in sewers per 100km of sewer length per year. Blockages are defined as reported or logged blockages that result in an obstruction of system flow which may be caused by roots, obstructive items or other pipeline disruption.	Nzoia Water	Annual	488.11 (2016)
Frequency of mains failures	Number of water mains failures per 100km of mains pipe per year. "Mains" refers to all transmission and distribution pipes for water, the ownership of which is vested in the metro for the purpose of conveying water to consumers.	Nzowasco	Annual	375.78 (2016)
GVA growth rate	This output represents the percentage change in Gross Domestic Product by Region (GDP-R) at constant price, from one year to the next. Gross Domestic Product by Region (GDP-R) represents the value of all goods and services produced within a region, over a period of one year, plus taxes and minus subsidies.	IHS Global Insight	Annually	1.46% (2016)
%ge of municipality population living below food poverty line	The food poverty line is defined by KNBS as the level of consumption below which individuals are unable to purchase sufficient food to provide them with an adequate diet. Those below this line are either consuming insufficient calories for their nourishment, or must change their consumption patterns from those preferred by low income households. This variable measures the number of individuals living below that particular level of consumption for the given area, and is balanced directly to the official food poverty rate as measured by KNBS	KNBS	Annually	17.2% (2016)
Unemployment rate	This number represents the total number of unemployed people in a region, according to the strict definition. In other words, it considers all people who are	KNBS	Quarterly	11.50% (2018)

	currently not working, but who are actively looking for work. It therefore excludes those who are not actively seeking work. These people, if they would like to work, are referred to as discouraged work seekers and form part of the non-economically active population.			
Commercial and industrial rate able value within integration zone for a single metro as a % of overall commercial and industrial rate able value for that same metro	The normalizing of the ratable value of commercial and industrial land in integration zones to that of the whole municipality shows the relative value of the industrial and commercial land in the integration zone. It can also be used as a proxy measure of the extent and intensity of the commercial and industrial activity in the integration zone.	Development Planning	Calculated as at the last day of the financial year	41.21% (2016 estimate)
Hectares approved for future development outside the 2015 urban edge as a percentage of Hectares allocated for future development as defined by the 015 SDF	The urban edge is defined in the Spatial Development Framework. Development applications outside of this are counted towards this indicator. For developments which cross the urban edge, use on the area which is outside the urban edge for calculating this indicator.	Development Planning	Annual	Ratio A: 0.01% Ratio B: 0.001% (2016 estimate)
Gross residential unit density per hectare within integration zones	Residential unit density is the number of households over a certain area. In this case the area is an integration zone.	Development Planning	Three year intervals	21.22 households per hectare (2016 estimate)
Ratio of housing tenure status in integration zones	Housing tenure statuses are based on those used in the General Household surveys. The indicator should be presented as Fully owned: Partially owned: Rented: Other	KNBS General Household Survey	Annual	85981 : 33665 : 179818 : 70085 (2016 estimate)
Number of all dwelling units within Integration	This indicator measures the number of dwelling units in integration zones within an 800m radius of an access	Development Planning	Every three years	61.6% (2016)

Zones that are within 800 metres of access points to the integrated public transport system as a percentage of all dwelling units in integration zones	point to an integrated public transport network, as a percentage of all dwellings in integration zones. A dwelling unit is the unit of measurement for proximity to public transport nodes. 800m does not take route length into account.			
Number of dwellings provided with connections to mains electricity supply by the municipality	The number of new residential electricity connections to dwellings provided by the municipality	Municipality Power	Annual	4850 (2016/17)
Percentage of all HHs in the municipal area classified as indigent	The number of households officially registered on the municipalities' indigent register as a percentage of all households within the municipal area.	KNBS General Household Survey	Annual	16.9% (2016)
Percentage of HHs with access to electricity	Percentage of households that have access to electricity services within the municipal area.	KNBS General Household Survey	Annual	89.8% (2016)
Tonnes of municipal solid waste diverted from landfill per capita	Many cities generate more solid waste than they can dispose of. Diverting recyclable materials from the waste stream is one strategy for addressing this municipal problem. A proper solid waste system can foster recycling practices that maximises the life cycle of landfills and create recycling micro-economies, and it may help to provide alternative sources of energy that help reduce the consumption of electricity and/or petroleum based fuels.	EISD / Pikitup	Annual	151 000 tonnes (2016/17)
Percentage of HHs living in adequate housing	Adequate housing' has seven elements: legal security of tenure, services, affordability, habitability, accessibility, location and cultural adequacy. For the purposes of this indicator, adequate housing is defined as 'formal' housing in terms of the Statistics Kenya definition used in the General household Survey, which is "A structure built according to approved plans, i.e. house on a	KNBS General Household Survey	Annual	88.5% (2016)

	separate stand, flat or apartment, townhouse, room in backyard, rooms or flat let elsewhere", thereby excluding informal (whether in in informal settlement or back yard) and traditional dwellings. The indicator is therefore the number of households residing in formal dwellings as a percentage of the total number of households within the municipality.			
Percentage of drinking water compliance to SANS241	The percentage of water samples measured that comply with the SANS 241 requirements over a 12 month period. See the SANS 241 requirements for a detailed breakdown of the various tests involved.	Nzowasco	Annual	99.8% (2016/17)
Percentage of non revenue water	Non-revenue water is defined as the sum of unbilled authorised consumption, apparent losses (unbilled unauthorised consumption and meter inaccuracies) and real losses (from transmission mains, storage facilities, distribution mains or service connections).	Nzowasco	Annual	40.3% (2016/17)
Total per capita consumption of water	Current non-revenue water for Kenya is estimated to be 39% and associated water losses are 37%. Current indications are that non-revenue water costs Kenya approximately R7 billion Annual. Average per capita consumption is approximately 223 liters which is high for a water scarce country.	NZOWASCO	Annual	287.7 litres per person per day (2016/17)

7.6 Municipal Budget, Financial Reporting and Auditing

Fiscal decentralization, coupled with a growing demand for accountability, and transparency, has resulted in greater public participation in the municipal budgetary process and more rigorous financial management techniques.

Municipal Budgeting

A municipal budget caters for revenues and expenditures, including salaries and wages of municipal employees and any associated benefits; operating costs of municipal offices, including equipment and supplies; purchase of equipment; repairs and maintenance; service delivery

(including services such as fire, enforcement, waste management, provision of drinking water, roads maintenance, public transportation systems, garbage removal, recreational and cultural activities and facilities); servicing of short/ long-term and debts (principle and interest payments); and capital expenditure (for new infrastructure and long-term equipment).

The municipal budgets serve two primary purposes:

- a) To set out a program of expenditures of the municipality during any given financial year and to forecast revenues that would be used to finance those expenditures.
- b) To provide a method to control municipal expenditures.

The municipal budget is a necessary management and planning tool, contributing to the accountability and transparency of the overall financial system. The Bungoma Municipal Board, and the top management shall ensure openness and transparency, including stakeholder participation in the process of formulating municipal budgets.

Financial Reporting and Auditing

Financial reporting and auditing are an important part in financial management, ensuring that the municipality has sufficient revenues to carry out its expenditure responsibilities, to provide information on the state of municipal finances, and to account for the sources and allocation of revenues.

The emphasis of municipal accounting is on cash flow, transparency, and accountability. Accounting and financial reporting standards are undertaken based on independent standard setting authorities. Accounting records provide information on debts and debt-service costs, and determine if the municipality can increase its debt portfolio. Additionally, they provide information on:

- a) Whether budget plans are on target
- b) When capital funds are diverted to meet operational expenditures
- c) When expenditures are greater than revenues
- d) Whether the municipality is incurring financial obligations beyond its ability to meet them.

Accounting Standards

Bungoma Municipality shall be guided by public sector accounting standards, based on International Public Sector Accounting Standards (IPSAS) or Generally Accepted Accounting Principles (GAAP). These standards provide information that is reliable, understandable, timely, relevant, and comparable across governments and entities. The standards demonstrate the accountability of the municipality for the resources entrusted to it, and help in accounting for the sources, allocation, and uses of the financial resources for any given period.

Auditing

Financial audits in the municipality are designed to detect problems in the system of internal financial control, failures to comply with accounting principles and standards, or with reporting requirements set out by oversight authorities, and misappropriation of funds.

To maintain the integrity of the audit, the municipality auditor must be independent of the county government, have the legal mandate to undertake the audit, and report the findings to the County Assembly or oversight bodies. It is critical that the audit reports be released to the public for general review and inspection. Generally, the municipality audit should cover three areas:

- a) Analyze the financial position of the municipality, including trends, quality of revenues, and expenditures.
- b) Evaluate the performance of the municipality on various financial management and accounting issues.
- c) Include audit observations on non-observance of rules and regulations, wasteful expenditures, delays, and non-achievement of budget objectives.

Emphasis should be on value for money audits or performance audits, which examine areas of wastes and mismanagement, thus helping the municipality to improve the efficiency of its operations.

ANNEXES

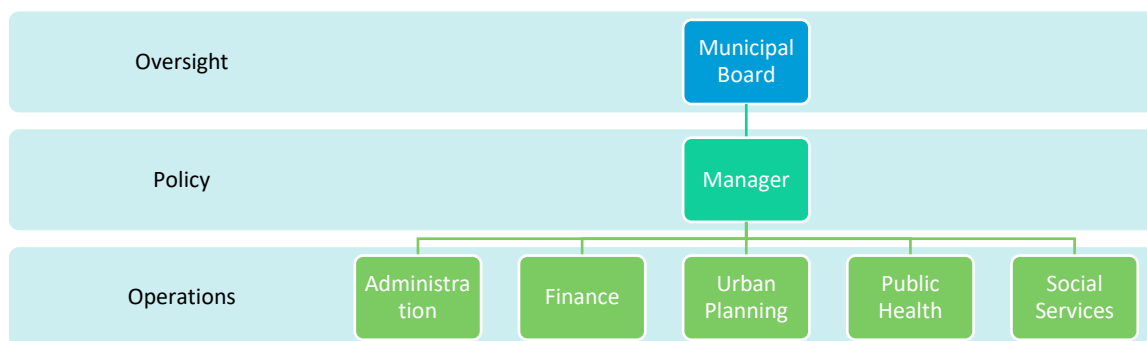
ANNEX I: THE KEY INVESTMENTS

Programme	Project	Duration	Responsible Persons/ Groups	Cost
Urban Land policy and planning.	Urban Physical Planning and Landscaping	5 years	Manager/ PPP/ DPs	10,000,000
	Procurement of land for public park	6 months	Manager/ PPP/ DPs	30,000,000
	Urban renewal initiatives	5 years	Manager/ PPP/ DPs	110,000,000
	Develop Planning and Land Reforms policies	5 years	Manager/ PPP/ DPs	5,000,000
	Conduct Land Survey	5 years	Manager/ PPP/ DPs	1,000,000
				156,000,000
Urban Infrastructure Development and Management	Dualing 6.5 km of C33 (Sang'alo Junction to Kanduyi)	5 years	Manager/ PPP/ DPs	1,382,442,976
	Masinde Muliro Stadium	3 years	Manager/ PPP/ DPs	679,386,376
	300-bed maternity wing	3 years	Manager/ PPP/ DPs	270,000,000
	Upgrading Namachanja to Telkom backstreet	3 years	Manager/ PPP/ DPs	
	Upgrading Total to Wambiya link road	3 years	Manager/ PPP/ DPs	
	Upgrading Muslim to Samoya junction	3 years	Manager/ PPP/ DPs	
	Upgrading Mteremko to slaughterhouse link road	3 years	Manager/ PPP/ DPs	
	Expanding Municipality Sewerage Treatment plant	3 years	Manager/ PPP/ DPs	
	Construction of Municipality water treatment plant	3 years	Manager/ PPP/ DPs	
	Construction of Municipality water storage tanks	3 years	Manager/ PPP/ DPs	
	Carbro-paving of municipal markets	3 years	Manager/ PPP/ DPs	
	Construction of Chepkube one-tier market	3 years	Manager/ PPP/ DPs	180,000,000
	Upgrading of Sunrise to Marell Road	5 years	Manager/ PPP/ DPs	35,000,000
	Upgrading of Wings to Bustani road	5 years	Manager/ PPP/ DPs	20,000,000
	Upgrading of Lady Irine to Mosque road	5 years	Manager/ PPP/ DPs	28,000,000
	Expanding Bus Park	6 months	Manager/ PPP/ DPs	15,000,000
	Construction of Urban Public Sanitation Facilities	6 months	Manager/ PPP/ DPs	10,000,000
	Upgrading backstreets for parking services	5 years	Manager/ PPP/ DPs	100,000,000
	Construction of urban walkways	5 years	Manager/ PPP/ DPs	30,000,000
	Constructions of bicycle and bodaboda parking bays	5 years	Manager/ PPP/ DPs	10,000,000
	Urban road markings	5 years	Manager/ PPP/ DPs	15,000,000

	Provision of street lighting	5 years	Manager/ PPP/ DPs	13,000,000
	Provision of public gymnasium services	5 years	Manager/ PPP/ DPs	12,000,000
	Installation of public benches and seats	5 years	Manager/ PPP/ DPs	12,500,000
	Construction of Exhibition and Performing Theatre	5 years	Manager/ PPP/ DPs	50,000,000
	Construction of community social halls	5 years	Manager/ PPP/ DPs	40,500,000
	Installing Public Dash Boards	3 months	Manager/ PPP/ DPs	11,500,000
				402,500,000
Urban Economy	Modernizing the Municipal Market	5 years	Manager/ PPP/ DPs	20,000,000
	Construction of Modern Trading Stalls	5 years	Manager/ PPP/ DPs	80,000,000
				100,000,000
Urban Environment and Human Services	River Khalaba Front Development	5 years	Manager/ PPP/ DPs	25,000,000
	Tree planting	5 years	Manager/ PPP/ DPs	17,000,000
	Expansion of Urban water treatment plant	6 months	Manager/ PPP/ DPs	30,000,000
	Urban greening services	5 years	Manager/ PPP/ DPs	18,000,000
	Waste management	5 years	Manager/ PPP/ DPs	51,000,000
				141,000,000
General Administration, planning and support servicesE	Consultancy Services for Development of 5 year Municipal Integrated Development Plan	1 year	Manager/ PPP/ DPs	5,000,000
	Consultancy Services for Development Annual Municipal Investment Plan	5 year	Manager/ PPP/ DPs	1,500,000
	Consultancy Services for Development Annual Municipal Development Plan	5 year	Manager/ PPP/ DPs	1,500,000
	Consultancy Services for Development 5 Year Municipal Strategic Plan	1 year	Manager/ PPP/ DPs	2,000,000
	Consultancy Services for Development Municipal Citizen Service Charters	1 year	Manager/ PPP/ DPs	800,000
	Consultancy Services for Development Municipal Programme and Project Fliers	5 year	Manager/ PPP/ DPs	1,000,000
	Consultancy Services for Development Municipal Staff Cards	1 year	Manager/ PPP/ DPs	500,000
	Consultancy Services for Development Municipal Code of Ethics	1 year	Manager/ PPP/ DPs	1,000,000
	Construction of Municipal Office Block	2 year	Manager/ PPP/ DPs	20,000,000
	Equipping of offices	5 year	Manager/ PPP/ DPs	10,000,000

	Procure of Vehicles	5 year	Manager/ PPP/ DPs	20,000,000
	Formulation of Policies	5 year	Manager/ PPP/ DPs	5,000,000
	Office maintenance	5 year	Manager/ PPP/ DPs	5,000,000
	Recruit staff	1 year	Manager/ PPP/ DPs	2,000,000
	Training of staff	5 years	Manager/ PPP/ DPs	300,000
				75,000,000

ANNEX 2: MUNICIPALITY GOVERNANCE STRUCTURE



ANNEX 3: RENEWABLE ENERGY TECHNOLOGIES

Table 25: Renewable energy technologies - pros and cons

Technology	Pros	Cons
Wind turbines	Established method for generating Electricity Come in a range of different sizes and designs making them suitable for different locations.	Can cause noise and shadow flicker affecting residential amenity. Minimum distance required between buildings and other obstacles. Can injure birds and bats. Possible interference with radar and radio communications.
Solar panels (photovoltaic or thermal)	Silent and can have a low visual impact. Many schemes are 'permitted development' so do not require planning permission.	May not be suited to listed buildings or conservation areas. Important that they are correctly angled to maximise their effectiveness.
Air source heat pumps	No visual impact.	Some visual impact – similar appearance to air conditioning units. Can be noisy.
Biomass (wood chips or pellets)	Can be a replacement to gas heating. Wood chips/pellets can be easily sourced.	Sustainability of fuel needs to be assured. Can impact on air quality. Space implications for fuel storage. Increase in traffic due to delivery of fuel.
Anaerobic digestion	Helps recycle waste products	Helps recycle waste products Delivery of waste – traffic issues.
Combined heat and power (CHP)	Reduces carbon emissions	Requires a fuel (fossil or biomass). More complicated than a simple boiler.
Municipality energy network	Can use a range of fuels, including waste heat from industrial processes. Simplifies maintenance as buildings don't require separate boilers. Electricity transmission is more efficient than over the national grid.	High start-up cost. Ideally requires a mixed-use development in order to even out the demand for heat. Requires a high density development in order to be viable.

ANNEX 4: SUMMARY OF OPEN SPACE TYPES IN BUNGOMA

Type	Description
Allotments	<ul style="list-style-type: none"> ✓ Opportunities for residents to grow their own produce. Includes urban farms. ✓ Does not include private gardens.
Amenity green space	<ul style="list-style-type: none"> ✓ Grassed areas for informal recreation set around housing areas.
Cemeteries & churchyards	<ul style="list-style-type: none"> ✓ Includes disused churchyards and other burial grounds.
Civic spaces	<ul style="list-style-type: none"> ✓ Hard surfaced areas that have community value. Generally located within or near to the Municipality.
Educational grounds	<ul style="list-style-type: none"> ✓ Land belonging to a school or college. Generally, consist of areas for formal sport, informal play, landscaping and nature conservation. For safety and security reasons they are usually kept locked and are inaccessible to the general public. ✓ Often schools allow community use of the sports facilities for a fee but this cannot be guaranteed.
Green corridors	<ul style="list-style-type: none"> ✓ Includes rivers, drains, cycle ways, rights of way and disused railway lines.
Natural and semi-natural green spaces	<ul style="list-style-type: none"> ✓ Includes woodlands, forestry, scrub, grasslands, wetlands and wastelands.

Outdoor sports facilities	✓ Natural or artificial surfaces, either publicly or privately owned, used for sport and recreation. They include: pitches/ playing fields; tennis courts and bowling greens; golf courses; and athletics tracks.
Parks and Gardens	✓ Includes urban parks and formal gardens. Usually contain a variety of facilities, and may have one or more of the other types of open space within them.
Private grounds	✓ Generally large private grounds and gardens that, because of their size, offer some sort of wider nature or amenity value.
Provision for children	✓ Usually described as playgrounds or play parks. Areas designed with equipment primarily for play and social interaction involving children below aged 12.
Provision for young people	✓ Areas designed with equipment primarily for play and social interaction involving young people aged 12 and above. Examples include: teenage shelters; skateboard parks; and Multi Use Games Areas.

ANNEX 5: THE MUNICIPLITY SERVICE CHARTER

SPECIAL ISSUE

Kenya Gazette Supplement No. 9

17th October, 2018

(Bungoma County Legislative Supplement No. 3)

LEGAL NOTICE NO. 3

THE CONSTITUTION OF KENYA
THE URBAN AREAS AND CITIES ACT
(No. 13 of 2011)
THE MUNICIPALITY OF BUNGOMA

PREAMBLE

WHEREAS Article 2 of the Constitution provides that the Constitution is the supreme law of the Republic of Kenya and binds all persons and all State organs at both levels of government

WHEREAS Article 184 of the Constitution of Kenya 2010 mandated parliament to enact a legislation to provide inter alia the criteria for classifying areas as urban areas and cities; establishing the principles of governance and management of urban areas and cities and to provide for participation by residents in the governance of urban areas and cities within 1 year of the promulgation of the Constitution.

WHEREAS Parliament enacted the Urban Areas and Cities Act in the year 2011 which legislation had an effective date falling after the first elections held under the Constitution of Kenya 2010.

WHEREAS Section 9 of the Urban Areas and Cities Act empowers the County Governor, on the resolution of the County Assembly, to confer on a qualifying town, the status of a Municipality by grant of a Charter in the prescribed form.

WHEREAS the Urban Areas and Cities Act does not have the prescribed form of a Municipal Charter.

WHEREAS No regulations have been promulgated under the Urban Areas and Cities Act providing the prescribed form of a Municipal Charter under the Urban Areas and Cities Act.

WHEREAS No regulations have been promulgated under the Urban Areas and Cities Act providing the prescribed form of a Municipal Charter under the Urban Areas and Cities Act.

WHEREAS Section 72 of the Interpretations and General Provisions Act allows for substantial conformity of any instruments required to be in a prescribed form under any statute in Kenya.

WHEREAS the County Assembly of Bungoma duly approved the request by the Town Committee of Bungoma for grant of this Charter to the now Municipality of Bungoma.

NOW THEREFORE IN EXERCISE of the powers conferred by section 9 (1) of the Urban Areas and Cities Act, (No. 13 of 2011) as complemented by section 72 of the Interpretations and General Provisions Act (Chapter 2) and all other enabling provisions of law, the County Governor of

Bungoma County HEREBY GRANTS the Municipality of Bungoma this Municipal Charter on thisday of 2018.

WYCLIFFE WAFULA WANGAMATI,
Governor, Bungoma County.

SEAL OF THE COUNTY GOVERNMENT OF BUNGOMA

INCORPORATION, NAME AND BOUNDARIES

Incorporation and Name

I.1.1. This Charter is the Municipal Charter of the Municipality of Bungoma, within Bungoma County, Kenya.

I.1.2. All processes affecting the Municipality shall be served on the Municipal Manager or acting Municipal Manager, in the absence of both of said officers, on the Secretary of the Board of the Municipality. *Boundaries*

I.1.3. The boundaries of the Municipality of Bungoma as now existing or as may subsequently be altered shall be the boundaries of the Municipality of Bungoma.

POWERS, OBJECTS AND FUNCTIONS OF THE MUNICIPALITY

Powers of the Municipality

I.1.1. The Municipality of Bungoma shall have all the powers, general and special, governmental or proprietary, expressed or implied, which may be possessed or assumed by municipalities under the Urban Areas and Cities Act, the County Government Act and the Municipal of Bungoma By-laws.

I.1.2. No enumeration of specific powers in this Charter shall be held to be exclusive. All such powers shall be exercised in the manner prescribed in this Charter, or, if not prescribed herein, in such manner as Board of the Municipality may determine, or, unless a contrary intent appears in this Charter or in the By-laws and Resolutions of the Board of the Municipality, in such manner as may be provided by the Municipal of Bungoma By-laws.

Objects of the Municipality

I.1.3. The objects of the Municipality of Bungoma are to—

- (i) Provide for efficient and accountable management of the affairs of the Municipality.
- (ii) Provide for a governance mechanism that will enable the inhabitants of the Municipality to—
 - (a) Participate in determining the social services and regulatory framework which will best satisfy their needs and expectations.
 - (b) Verify whether public resources and authority are utilized or exercised, as the case may be, to their satisfaction.
 - (c) Enjoy efficiency in service delivery.

- (iii) vigorously pursue the developmental opportunities which are available in the Municipality and to institute such measures as are necessary for achieving public order and the provisions of civic amenities, so as to enhance the quality of life of the inhabitants of the Municipality.
- (iv) provide a high standard of social services in a cost effective manner to the inhabitants of the Municipality.
- (v) promote social cohesiveness and a sense of civic duty and responsibility among the inhabitants and stakeholders in the Municipality in order to facilitate collective action and commitment towards achieving the goal of a harmonious and stable community.
- (vi) Providing for services, laws and other matters for Municipality's benefit.
- (vii) Fostering the economic, social and environmental well-being of its community

FUNCTIONS OF THE MUNICIPALITY

I.1.4. The Municipality of Bungoma shall, within the boundaries of the Municipality, perform the following functions—

- (a) Promotion, regulation and provision of refuse collection and solid waste management services;
- (b) Promotion and provision of water and sanitation services and infrastructure (in areas within the Municipality not served by the Water and Sanitation Provider);
- (c) Construction and maintenance of urban roads and associated infrastructure;
- (d) Construction and maintenance of storm drainage and flood controls;
- (e) Construction and maintenance of walkways and other non-motorized transport infrastructure;
- (f) Construction and maintenance of recreational parks and green spaces;
- (g) Construction and maintenance of street lighting;
- (h) Construction, maintenance and regulation of traffic controls and parking facilities;
- (i) Construction and maintenance of bus stands and taxi stands;
- (j) Regulation of outdoor advertising;
- (k) Construction, maintenance and regulation of municipal markets and abattoirs;
- (l) Construction and maintenance of fire stations; provision of fire-fighting services, emergency preparedness and disaster management;
- (m) Promotion, regulation and provision of municipal sports and cultural activities;
- (n) Promotion, regulation and provision of animal control and welfare;
- (o) Development and enforcement of municipal plans and development controls;
- (p) Municipal administration services (including construction and maintenance of administrative offices);
- (q) Promoting and undertaking infrastructural development and services within municipality;
- (r) Any other functions as may be delegated by the County Executive Committee.

THE BOARD OF THE MUNICIPALITY

Establishment of the Board

I.1.5. There shall be a Board of the Municipality of Bungoma.

I.1.6. The Board of the Municipality shall be a corporate body with perpetual succession and a common seal and shall in its own corporate name, be capable of—

- (a) Suing and being sued;
- (b) Taking, purchasing or otherwise acquiring, holding, charging or disposing of movable and immovable property;
- (c) Borrowing money or making investments within the limits imposed by law
- (d) Entering into contracts; and
- (e) Doing or performing all other act or things for the proper performance of its functions in accordance with the Urban Areas and Cities Act or any other written law which may lawfully be done or performed by a body corporate.

I.1.7. There shall be a principal and agency relationship between the Board of the Municipality and the County Government of Bungoma. *Powers and Functions of the Board of the Municipality*

I.1.8. The Board of the Municipality shall have all the powers and perform all functions vested in boards of municipalities under the Urban Areas and Cities Act, the County Government Act and the Municipality By-laws.

I.1.9. Except as this Charter otherwise provides, all powers of the Municipality shall be vested in the Board of the Municipality.

I.1.10. The Board of the Municipality shall provide for the exercise of these powers and for the performance of all duties and obligations imposed on the Board of the Municipality.

I.1.11. Subject to the Constitution and any other written law, the Board of the Municipality shall, within the boundaries of the Municipality of Bungoma—

- (a) Exercise executive authority as delegated by the County Executive Committee of the County of Bungoma;
- (b) Ensure provision of services to its residents;
- (c) Impose such fees, levies and charges as may be authorized by the County Government for delivery of services by the Municipality;
- (d) Promote constitutional values and principles;
- (e) Ensure the implementation and compliance with policies formulated by both the National and County Government;
- (f) Make By-laws or make recommendations for issues to be included in By-laws;
- (g) Ensure participation of the residents in decision making, its activities and programmes; and
- (h) Exercise such other powers as may be delegated by the County Executive Committee of the County of Bungoma.

I.1.12. Notwithstanding any other provision of law or this Charter, the Board of the Municipality shall exercise such executive authority as may be delegated by the County Executive Committee for the necessary performance of its functions.

I.1.13. The Board of the Municipality shall perform the following functions—

- (a) Oversee the affairs of the Municipality;
- (b) Develop or adopt policies, plans, strategies and programmes and set targets for service delivery;
- (c) Formulate and implement an integrated development plan;
- (d) Control land, land sub-division, land development and zoning by public and private sectors for any purpose, including industry, commerce, markets, shopping and other employment centers, residential areas, recreational areas, parks, entertainment, passenger transport, agriculture, and freight and transit stations within the framework of the spatial and master plans for the Municipality as delegated by the County Government of Bungoma;
- (e) Promoting and undertaking infrastructural development and services within Municipality as delegated by the County Government of Bungoma;
- (f) Developing and managing schemes, including site development in collaboration with the relevant national and county agencies;
- (g) Maintaining a comprehensive database and information system of the administration;
- (h) administering and regulating its internal affairs;
- (i) Implementing applicable national and county legislation;
- (j) Entering into contracts, partnerships or joint ventures as it may consider necessary for the discharge of its functions;
- (k) Monitoring and, where appropriate, regulating municipal services where those services are provided by service providers other than the Board of the Municipality;
- (l) Preparing and submitting its annual budget estimates to the relevant County Treasury for consideration and submission to the County Assembly for approval as part of the annual County Appropriation Bill;
- (m) Collecting rates, taxes levies, duties, fees and surcharges on fees as delegated by the County Government of Bungoma;
- (n) Settling and implementing tariff, rates and tax and debt collection policies as delegated by the County Government of Bungoma;
- (o) Monitoring the impact and effectiveness of any services, policies, programs or plans;
- (p) Establishing, implementing and monitoring performance management systems;
- (q) Promoting a safe and healthy environment;
- (r) Facilitating and regulating public transport
- (s) Performing such other functions as delegated by the County Government of Bungoma;

Composition and term of the Board of the Municipality

I.1.14. The Board of the Municipality shall be composed of nine (9) members.

I.1.15. Four (4) members of the Board of the Municipality shall be appointed through a competitive process by the County Executive Committee and approved by the County Assembly.

I.1.16. Five (5) members of the Board shall be nominated by the following umbrella bodies¹:

- (a) an umbrella body representing professional associations in the area;
- (b) an association representing the private sector in the area;
- (c) a cluster representing registered associations of the informal sector in the area;
- (d) a cluster representing registered neighbourhood associations in the area; and (e) an association of the Municipality.

and appointed by the County Executive Committee with the approval of the County Assembly.

I.1.17. In appointing members of the Board of the Municipality, the County Executive Committee shall ensure gender equity, representation of persons with disability, youth and marginalized groups.

I.1.18. The term of the members of the Board of the Municipality shall be five (5) years on a part-time basis—

Eligibility for appointment as member of the Board of the Municipality

I.1.19. Each member of the Board of the Municipality shall have the following qualifications—

- (a) be a Kenyan citizen;
- (b) be ordinarily resident or have a permanent dwelling in the Municipality;
- (c) carry on business in the municipality; or
- (d) have lived in the municipality for at least five years. *Chairperson of the Board*

I.1.20. At the first regular meeting of the Board of the Municipality, members of the Board of the Municipality shall elect from amongst themselves, a Chairperson of the Board of the Municipality.

I.1.21. The Chairperson of the Board shall hold office for a term of five (5) years

Powers and functions of the Chairperson

I.1.22. The Chairperson of the Board of the Municipality shall have the following powers and shall perform the functions set out below:

- (a) the Chairperson shall be the head of the Board of the Municipality;
- (b) chairing the meetings of the Board of the Municipality; and
- (c) perform such other duties as may be delegated by the Board of the Municipality.

Vice-Chairperson of the Board of the Municipality

I.1.23. At the first regular meeting of the Board of the Municipality, members of the Board of the Municipality shall elect from amongst themselves, a Vice-Chairperson of the Board of the Municipality.

I.1.24. The Chairperson and the Vice-Chairperson of the Board of the Municipality shall at all times be of different gender.

I.1.25. The Vice-Chairperson shall, in the absence of the Chairperson, perform the functions of the Chairperson and shall perform such other functions as may be delegated by the Chairperson.

Removal of the Chairperson and Vice-Chairperson

I.1.26. The Chairperson and the Vice-Chairperson of the Board of the Municipality may be removed by—

- (a) a majority decision of the members of Board of the Municipality at a duly convened meeting where quorum is present; or
- (b) upon petition by a resident of the Municipality.

I.1.27. The procedure for the removal of a Chairperson or Vice-Chairperson of the Board of the Municipality under 3.8.1 above may be provided by Regulations under the Urban Areas and Cities Act and in the absence thereof in accordance with Kenyan law having regard to fair labour practices.

I.1.28. Any vacancy arising out of the removal of a Chairperson or the ViceChairperson of Board of the Municipality may be filled in the manner provided under Article 3.6 and 3.7 respectively.

Secretary of the Board of the Municipality

I.1.29. The Municipal Manager, or a person acting in his/her capacity, or a person he/she has delegated to, shall be the secretary of the board. The secretary of the board shall not have a voting right in case of the need for the casting of a vote during the board's conduct of business.

I.1.30. Where the Secretary of the Board of the Municipality, or a person acting in his/her capacity, or a person he/she has delegated to is validly absent from any meeting, the members of the Board of the Municipality shall call off the meeting to another date not being more than 7days. *Committees of the Board of the Municipality*

I.1.31. The Board of the Municipality may—

- (a) establish such Committees for any general or special purpose which, in its opinion, would regulate or manage its affairs more efficiently and as may be necessary for the performance of its functions under the Urban Areas and Cities Act;
- (b) delegate to such Committee such functions as are necessary for the efficient performance of its duties in respect to the whole or any part of the area under the jurisdiction of the Board of the Municipality; and
- (c) include persons who are not members of the Board in any Committee.

I.1.32. The Committees of the Board of the Municipality to which members of the Board of the Municipality delegate any of their powers and functions must follow procedures which are based as far as they are applicable on those provision of this Charter which govern the taking of decisions and performance of functions by the Board of the Municipality.

Remuneration of the members of the Board of the Municipality

I.1.33. The Board of the Municipality shall not be entitled to a salary.

I.1.34. However, members of the Board of the Municipality shall be paid such allowances as the County Executive Committee shall, with the approval of the County Assembly, and on the advice of the Salaries and Remuneration Commission, determine.

Removal of members of the Board of the Municipality

I.1.35. A member of the Board of the Municipality shall cease to hold office if the member—

- (a) is unable to perform the functions of the office by reason of mental or physical infirmity;
- (b) is declared or becomes bankrupt or insolvent;
- (c) is convicted of a criminal offence and sentenced to a term of imprisonment of six months or more;
- (d) resigns in writing to the County Governor;
- (e) without reasonable cause, the member is absent from three consecutive meetings of the Board or Committee of the Board of the Municipality within one financial year;
- (f) is found guilty of professional misconduct by the relevant professional body;
- (g) is disqualified from holding a public office under the Constitution;
- (h) fails to declare his or her interest in any matter being considered or to be considered by the Board or Board Committees; (i) engages in any gross misconduct; or (j) dies.

I.1.36. A member of the Board of the Municipality may be removed from office by²;

- (a) the County Governor;
- (b) a resolution of the Board of the Municipality supported by at least two-thirds of the members of the Board of the Municipality; or (c) petition by the residents of the Municipality.

I.1.37. The procedure for the removal or petition for removal of a member of the Board of the Municipality under 3.11.1 above shall be provided by Regulation under the Urban Areas and Cities Act.

I.1.38. Any vacancy arising out of the removal of a member of the Board of the Municipality may be filled in the manner provided under Article 3.3 above. *Meetings of the Board of the Municipality*

I.1.39. The Board of the Municipality shall hold its sittings to transact the business of the Board once every three months.

I.1.40. Notwithstanding Article 3.12.1, the Chairperson of the Board of the Municipality may, and upon request in writing by at least one-third of the members of the Board of the Municipality shall, convene a special meeting to transact any urgent business of the Board of the Municipality.

I.1.41. All regular meetings of the Board of the Municipality called for the purpose of transacting public business, where a majority of the members elected are present, shall be open to the public.

I.1.42. The Board shall have the privilege of holding executive sessions from which the public is excluded, however, no by-laws, resolution, rule or regulation shall be finally adopted at such an executive session. *Quorum*

I.1.43. A majority of the members of the Board of the Municipality is a quorum to conduct business, but a smaller number may meet and compel attendance of absent members as prescribed by Board of the Municipality Rules.

I.1.44. A member of the Board of the Municipality who is interested in any discussions or decision-making regarding any subject or transaction under consideration by the Board of the Municipality, shall not to be counted as participating in the discussions or decision-making, and is not entitled to vote on or agree to the subject or transaction relating to it. *Rules of the Board*

I.1.45. The Board of the Municipality shall by resolution adopt rules to govern its meetings.

Record of Information of the Board

I.1.46. The minutes and other information of the Board of the Municipality shall be kept by the Secretary of the Board of the Municipality.

I.1.47. Access to information on the activities and resolutions of the Board of the Municipality shall be as provided under the Urban Areas and Cities Act. *Record of Information of the Board*

I.1.48. The Board of the Municipality shall ensure the development of mechanisms for the participation of the residents of the Municipality of Bungoma in the management and administration of the Municipality.

I.1.49. All recommendations from the Citizen Fora of the Municipality of Bungoma shall be forwarded to the Board of the Municipality for resolution.

I.1.50. All recommendations on issues raised in the Citizen Fora and addressed by the Board of the Municipality shall be forwarded to the Municipal Manager for implementation.

REGULATIONS *By-laws*

I.1.51. The Board of the Municipality shall exercise its legislative authority by passing Municipality By-laws. *Passing of By-laws*

I.1.52. Except as authorized by Article 3.2.2, passing of By-laws shall require approval by a majority of the Board of the Municipality at two meetings.

I.1.53. The Board of the Municipality may adopt a By-law at a single meeting by the unanimous approval of at least a quorum of Board, provided the proposed By-law is available in writing to the public at least one week before the meeting.

I.1.54. Any substantive amendment to a proposed By-law must be read aloud or made available in writing to the public before the Board of the Municipality adopts the By-law at that meeting.

I.1.55. After the adoption of a By-law, the vote of each member must be entered into the Board minutes.

I.1.56. After adoption of a By-law, the Chairperson of the Board must endorse it with the date of adoption and his title. *Effective date of Regulations*

I.1.57. By-laws shall take effect on the 30th day after adoption, or on a later day provided in the By-law.

I.1.58. A By-law may take effect as soon as adopted or other date less than 30 days after adoption if it contains an emergency clause.

ADMINISTRATIVE AUTHORITY

Resolutions

I.1.59. The Board of the Municipality shall exercise its administrative authority by approving resolutions. *Approval of Resolutions*

I.1.60. Approval of a resolution or any other Board administrative decision requires approval by the Board of the Municipality at one meeting.

I.1.61. Any substantive amendment to a resolution must be read aloud or made available in writing to the public before the Board adopts the resolution at that meeting.

I.1.62. After approval of a resolution or other administrative decision, the vote of each member must be entered into the Board minutes. *Effective Date of Resolutions*

I.1.63. Resolutions and other administrative decisions take effect on the date of approval, or on a later day provided in the resolution.

THE MUNICIPAL MANAGER

Office of the Municipal Manager

I.1.64. There is established the office of the Municipal Manager.

I.1.65. The Municipal Manager shall be the administrative head of the Municipality of Bungoma. *Appointment and term*

I.1.66. The Municipal Manager shall be competitively recruited and appointed by the County Public Service Board

I.1.67. The Municipal Manager may be appointed for a definite or an indefinite term.

Qualifications

I.1.68. The Municipal Manager shall³:

- (a) be a citizen of Kenya
- (b) hold a degree from a university recognized in Kenya or its equivalent
- (c) have served and had proven experience in administration or management either in public or private sector for a term of at least five years.

I.1.69. In appointing the Municipal Manager, the County Public Service Board shall ensure— (a) gender equity;

(b) the inclusion of minorities and marginalized communities; and (c) the person satisfies the requirements of Chapter six of the Constitution.

I.1.70. The Municipal Manager need not reside within the Municipality. *Functions and Powers of the Municipal Manager*

I.1.71. The Municipal Manager shall implement the decisions and functions of the Board of the Municipality and shall be answerable to the Board.

I.1.72. The Municipal Manager shall perform the following functions (a) act on behalf of the Board of the Municipality—

- (i) in ensuring the execution of the directives of the Board of the Municipality;
- (ii) during all intervals between meetings of the Board of the Municipality;
- (b) prepare and present for approval of the Board of the Municipality, an annual estimate of revenue and expenditure to fund and carry out the programmes and operations of the Board;
- (c) be principally responsible for building and maintain a strong alliance and effective working relationships between the Board of the Municipality and the civil society, private sector and community based organizations;
- (d) cause to be prepared, transmitted to the Board of the Municipality, and distributed to the public at least an annual report on the activities and accomplishments of the departments and agencies comprising the executive branch of the Municipality.
- (e) act as an ex-officio member of all committees of the Board of the Municipality; and
- (f) such other functions as the Board may, by order, confer upon the Municipal Manager.

I.1.73. The Municipal Manager shall be fully responsible for the proper conduct of the executive and administrative work and affairs of the Municipality. The Municipal Manager shall have the power and shall be required to—

- (a) exercise supervision over all departments and agencies of the Municipality and provide for the coordination of their activities;
- (b) enforce the provisions of this Charter, Municipal By-laws, and all applicable laws;
- (c) exercise powers granted to the Municipal Manager in this Charter, By-laws and applicable laws concerning the appointment and removal of certain officers, employees, and members of committees of the Board of the Municipality;
- (d) exercise such other powers as may be prescribed by this Charter, by-laws and applicable laws.

I.1.74. The Municipal Manager must—

- (a) attend all Board of the Municipality meetings unless excused by the Chairperson of the Board or the Board of the Municipality;
- (b) make reports and recommendations to the Board of the Municipality about the needs of the Municipality;
- (c) administer and enforce all Municipality By-laws, resolutions, franchises, leases, contracts, permits, and other Municipality decisions;
- (d) appoint, supervise and remove Municipality employees;
- (e) organize Municipality departments and administrative structure;
- (f) prepare and administer the annual Municipality budget;
- (g) administer Municipality utilities and property;
- (h) encourage and support regional and intergovernmental cooperation;
- (i) promote cooperation among the Board of the Municipality, staff and citizens in developing Municipality policies and building a sense of community;
- (j) perform other duties as directed by the Board of the Municipality;
- (k) delegate duties, but remain responsible for acts of all subordinates.

I.1.75. The Municipal Manager shall have no authority over the Board of the Municipality.

I.1.76. The Municipal Manager shall be entitled to attend meetings of the Board of the Municipality but shall not be entitled to vote.

Remuneration

I.1.1. The County Public Service Board shall set the compensation and determine the conditions of employment of the Municipal Manager. *Removal of the Municipal Manager*

I.1.2. The Municipal Manager may be removed from office by;

- (a) the County Governor;
- (b) a resolution of the Board of the Municipality supported by at least two-thirds of the members of the Board of the Municipality; or (c) petition by the residents of the Municipality.
- (d) in removing the Municipal Manager the requirement of the County Public Service Board in doing so shall be adhered to.

I.1.3. The Municipal Manager shall cease to hold office upon the lapse of the employment term of if he/she—

- (a) is unable to perform the functions of the office by reason of mental or physical infirmity;
- (b) is declared or becomes bankrupt or insolvent;
- (c) is convicted of a criminal offence and sentenced to a term of imprisonment of six months or more;
- (d) resigns in writing to the County Governor;

- (e) without reasonable cause, is absent from three consecutive meetings of the Board of the Municipality;
- (f) is found guilty of professional misconduct by the relevant professional body;
- (g) is disqualified from holding a public office under the Constitution;
- (h) engages in any gross misconduct; or (i) dies.

I.1.4. The procedure for the removal of the Municipal Manager may be provided by the Regulations made under the County Government Act (No. 17 of 2012) and in the absence thereof in accordance with Kenyan law having regard to fair labour practices.

I.1.5. Any vacancy arising in the office of the Municipal Manager may be filled in the manner provided under Article 6.2 above. *Acting Municipal Manager*

I.1.6. When the Municipal Manager is temporarily disabled from acting as Municipal Manager or when the office of the Municipal Manager becomes vacant, the County Governor shall appoint a qualified person to be an Acting Municipal Manager.

I.1.7. The County Governor shall inform the County Public Service Board of such appointment within seven (7) days.

I.1.8. The Acting Municipal Manager shall have the authority and duties of the Municipal Manager, except that the Acting Municipal Manager may appoint or remove employees only with approval of the Board of the Municipality.

I.1.9. An Acting Municipal Manager shall hold office until such a time as a new Municipal Manager shall be appointed by the County Public Service Board.

MUNICIPAL FINANCES AND FINANCIAL MANAGEMENT

Sources of the Municipality's Funds and Revenue

I.1.10. The Board of the Municipality shall derive its revenue and funds from⁴:

- (a) monies allocated by the County Assembly for the purposes of the management and service delivery of the Board;
- (b) monies or assets that may accrue to the Board in the course of the exercise of its powers or the performance of its functions;
- (c) all monies or grants from any other legitimate source provided or donated to the Board;
- (d) revenue arising from rates, fees, levies, charges and other revenue raising measures which is retained by Municipality for the purpose of defraying its costs for providing services;
- (e) investment income; and
- (f) borrowing.

Appointment of the Municipality Accounting Officer

I.1.11. The Municipality Accounting Officer shall be designated by the County Executive Committee Member for Finance in the manner provided under Section 148 of the Public Finance Management Act.

Functions and Powers of the municipality Accounting Officer

I.1.12. The Municipality Accounting Officer shall have all the powers and perform all the functions of accounting officers as provided under the Public Finance Management Act.

I.1.13. Without prejudice to the foregoing, the Municipality Accounting Officer shall be responsible for managing the finances of the Municipality.

Financial Year

I.1.14. The Municipality shall operate on an annual budget.

I.1.15. The financial year of the Board of the Municipality shall be the period of twelve months ending on the thirtieth June in each year. *Budget*

I.1.16. The budget of the Board of the Municipality shall be developed in the manner provided under Section 175 of the Public Finance Management Act. *Management of Municipality Finance*

I.1.17. The Board of the Municipality shall, with the approval of the County Executive Committee member for finance, open and maintain a bank account in the name of the Municipality.

I.1.18. All monies received by the Board of the Municipality shall be paid into the Municipality's bank account promptly and in accordance with the Public Finance Management Act.⁵

Borrowing by the Municipality

I.2. The Board of the Municipality may only borrow from—

- (a) from the County Government;
- (b) through the County Government; or (c) by way of a bank overdraft.

and subject to such terms as may be imposed by the County Assembly or such terms as provided by law. *Audit*

I.2.1. The audit of the Board of the Municipality shall be as provided under Section 46 and 47 of the Urban Areas and Cities Act.

MUNICIPALITY PERSONNEL

Municipality Personnel

I.2.2. The Board of the Municipality may subject to the approval by the County Public Service Board, employ such officers and employees as it deems necessary to execute the powers and duties provided by this Charter or other any other law. *Management of Municipal Personnel*

I.2.3. Employees of the Municipality shall be under the general guidance of the Municipal Manager. *Retirement Systems*

I.2.4. The Board of the Municipality may do all things necessary to include its officers and employees, or any of them within any retirement system or pension system under the terms of which they are admissible, and to pay the employer's share of the cost of any such retirement or pension system out of the general funds of the Board of the Municipality.

Compensation of Municipal Personnel

I.2.5. The compensation of all employees of the Municipality shall be set by the County Public Service Board upon the advice of the Salaries and Remuneration Commission.

MUNICIPALITY PROPERTY

Acquisition, Possession and Disposal

I.2.6. The Board of the Municipality is a body corporate and may acquire real, personal, or mixed property for any public purpose by purchase, gift, bequest, devise, lease, or otherwise and may sell, lease, or otherwise dispose of any property belonging to the Municipality.

I.2.7. All town property and funds of every kind belonging to or in the possession of the town (by whatever prior name known) at the time this Charter becomes effective are vested in the Municipality, subject to the terms and conditions thereof. *Compulsory Acquisition*

I.2.8. Whenever the Municipality deems it necessary to acquire private land for its purposes, it shall request the County Executive Committee Member to request the National Land Commission to acquire the land on its behalf¹.

I.2.9. The provisions of the Land Act shall apply to any intended compulsory acquisition by the Municipality of property within the Municipality. *Municipal Buildings*

I.2.10. The Board of the Municipality may acquire, obtain by lease or rent, purchase, construct, operate, and maintain all buildings and structures it deems necessary for the operation of the Municipality.

Protection of Municipality Property

I.2.11. The Board of the Municipality may do whatever may be necessary to protect municipal property and to keep all municipal property in good condition.

GENERAL PROVISIONS

Oath of Office

I.2.12. Before entering upon the duties of their offices, the Municipal Manager, the Chairperson and Vice-Chairperson and the members of the Board, and all other persons elected or appointed to any office of profit or trust in the Municipality, as determined by Board, shall take and subscribe to the following oath or affirmation:

¹ Section 107 of the Land Act

“I,.....of Bungoma County, being called on to exercise the functions of [Municipal Manager/Chairperson, etc.] of the Municipality of Bungoma, do swear/solemnly affirm that that I will at all times be faithful to the Republic of Kenya; that I will obey, respect and uphold this Constitution of Kenya and all other laws of the Republic, that except with the authority of the Board of the Municipality of Bungoma, I will not directly or indirectly reveal the nature or contents of any business, proceedings or document of the Municipality committed to my secrecy, except as may be required for the due discharge of my duties as [Municipal Manager/Chairperson, etc.] of the Municipality of Bungoma or otherwise under the law. (In the case of an oath— So help me God.

I.2.13. The Municipal Manager shall take and subscribe to this oath or affirmation before the County Governor or before one of the sworn deputies. All other persons taking and subscribing to the oath shall do so before the Municipal Manager.

Amendments to the Charter

I.2.14. The County Governor may at any time, after consultation with the Board of the Municipality, amend any provision of this Charter.

I.2.15. The County Governor shall cause a copy of the Amended Charter to be laid before the County Assembly within 30 days of its amendment for approval.

Separability

I.2.16. If, at any time, any provision of this Charter is or becomes illegal, invalid or unenforceable in any respect under Kenyan law, neither the legality, validity or enforceability of the remaining provisions nor the legality, validity or enforceability of such provision will in any way be affected or impaired.

TRANSITIONAL PROVISIONS

Effective date of Charter

I.2.17. The provisions of this Charter shall be in effect from the date of this Charter

Rights and Privileges Preserved

I.2.18. Nothing in the Charter except as otherwise specifically provided shall effect or impair the rights or privileges of persons who are Town Officials, Officers or Employees at the time of its adoption.
Rights and Privileges Preserved

I.2.19. All Town Departments shall continue to operate with the same powers, duties, activities, budgets, and employees as were in effect at the time this Charter becomes effective until changed by the Municipal Manager with the approval of the Board of the Municipality. Assuming

BRAMUEL MURGOR,
County Executive Committee Member, Lands, Urban, Physical Planning
and Housing.