

Urbanisation, Informality and Housing Challenge in Nairobi: A Case of Urban Governance Failure?

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Abstract

This paper examines the past planning approaches employed by the Kenyan state and the Nairobi city planning authorities in housing provision. The central question addressed in the paper is: how did the past planning approaches enhance or limit low-income housing, and how did the adopted urban governance contribute to housing informality in Nairobi? The paper employs extensive literature review of published material and project document analysis, which are augmented by the authors' rich experience in planning practice in Nairobi. The central argument of the paper is that while there have been enormous efforts in improving the urban housing situation, particularly with regard to the current constitution of 2010 and recently enacted urban areas and cities act of 2011 among others, governance issues have remained on paper awaiting effective translation into the planning practice. Power dynamics and exclusion continue to shape housing provision, a factor that perhaps has precipitated informality not just in Nairobi but across the country. Instead, the paper advocates for a more inclusive urban governance system in housing production, which we argue, can contribute to sustainable low-income housing that will in turn reduce housing informality that robs the urban poor of their rights to adequate housing and service provision.

Key words: urban governance, informality, housing, urbanisation, Nairobi

1. Introduction

Nairobi is Kenya's largest city and its capital. According to the latest census report, Nairobi's population stood at about 3.1 Million people in 2009 (GOK 2010 a). The city's population growth can be traced to various dynamics since its establishment as a railway depot in 1899. Nonetheless, the main drivers of population increase have been the upward trend in rural-urban migration and natural population increase over the years (Hope 2012; Hope 2013). The incoming population have greatly impacted on the housing provision with the housing sector characterized by an increasing demand Vis a Vis low supply. Notable though, much of the city's growth has taken place without any definite urban development framework (K'Akumu and Olima 2007; Oyugi and Owiti 2007; Syagga 2011) hence, the complex housing

production and settlement pattern. In addition, there has been rudimentary enforcement of proper housing construction standards and accompanying infrastructure and services (Kimani and Musungu 2010). The resultant pattern has been a mixture of housing models ranging from high-rise and tenement developments to informal settlements, which house the middle and low-income populations respectively. These developments are manifested in unplanned city growth depicting urban sprawl, congestion and property development in excess of the carrying capacity of available infrastructure (Ibid). More importantly, the housing policies and governance structures have and continue to shape housing production and service provision be it in the bright or dark side.

The past decades have seen implementation of various efforts and strategies to improve the housing situation in Nairobi and the country at large. For instance, the period 1930-60s was characterized by state investments in public housing to house government working population as the colonial government restricted urban population to comprise of the city's workforce only. Soon after Kenya's independence in 1964, investment in public housing diminished owing to the dwindling state resources coupled with a fast growing population that was favoured by the lift of the colonial ban of rural-urban migration. This era opened the scene for private sector involvement in housing supply. However, the private sector motivation for profit and higher returns left many of the low-income population without proper housing, resulting in informal settlement developments at very rapid rates. The state viewed these informal settlements as eye sore to the city's development prospects. As such, the 1970-90s witnessed mass evictions of squatters and clearance of slums which were adopted as strategies to clean the city (Alder 1995; Weru 2004; Klopp 2008). The evictions were carried out concomitantly with implementation of other housing strategies such as the site-and-service schemes in 1980s with assistance from international financiers. Consequently, the state supported a number of slum upgrading programmes to help in resolving the urban poor's housing, which was the most underperforming compared to the middle and high-income housing. Alongside the housing programmes, the country's housing policy and constitutional rights have undergone reformulations with the current policies emphasizing every citizen's right to adequate housing. Even with this explicit constitutional provision, the housing market significantly operates at the margins of the law with most of the housing informally produced.

The bill of rights in the current constitution of Kenya stipulates adequate housing as a basic right for every Kenyan (GOK 2010 b). Despite this right being deeply entrenched in the highest law of the country, its realization is difficult, owing to many factors, some of which include lack of a proper operationalization framework for the county's land laws and housing policies, and the complexity presented by the fact that close to 60% of the city's population already live in developments exhibiting informal settlements characteristics (UN-Habitat, 2006a, b¹), which developments are identified as inadequate forms of housing. Consequently, the right of access to adequate housing is more often than not associated with access to water, sanitation and refuse collection. Yet this is a service that is very rare in Nairobi's informal settlements. Decades of poorly functioning local government have led to commercialization of these services, making them very expensive for residents living in informal settlements (Gulyani and Talukdar 2008; Huchzermeyer 2008). Such scenarios qualify as core infringements to the informal settlement resident's right to not only adequate housing but also to access to basic services.

The situation is not better in recently developing middle-income areas of Nairobi, which are facing serious housing servicing deficits. According to the 2009 Kenya Population and Housing Census 75.7% of Nairobi's households have access to piped water (either into dwelling or to a communal water point) and only 47.7% are connected to the main sewer system (GoK 2010 a). In the informal settlements, the Nairobi City Water and Sewerage Company (NCWSC) and the Athi Water Services Board (AWSB) estimate that about 24% of the population have access to a latrine or a flush toilet, 68% use public toilets and that 6% resort to open defecation or defecation in plastic bags commonly dubbed "flying toilets" (NCWSC/AWSB 2009). With such high figures and keeping in mind the diminishing capacity of local authorities in provision of basic socio-economic services amidst rapid urbanization, the rights to adequate housing will continue to melt away for most of the Nairobi residents.

¹ UN-HABITAT defines a slum household as a group of individuals living under the same roof in an urban area who lack one or more of the following (UN-Habitat, 2006 b):

1. Durable housing of a permanent nature that protects against extreme climate conditions.
2. Sufficient living space which means not more than three people sharing the same room.
3. Easy access to safe water in sufficient amounts at an affordable price.
4. Access to adequate sanitation in the form of a private or public toilet shared by a reasonable number of people.
5. Security of tenure that prevents forced evictions

It is against the above background that we focus on the various housing models and planning approaches implemented in Nairobi during the colonial and post-colonial periods, unravelling their underlying governance structures and local politics of city's development that have shaped the housing production. In doing so, the paper brings to the fore an understanding of the informal settlements that are today synonymous with housing for the urban poor in Nairobi, and other cities of the global south. Using experience from Nairobi, the aim of this paper is to investigate the mismatch between (official) planning practices and actual urbanism taking place on ground. More specifically, the paper examines past planning approaches employed by the Kenyan state and the Nairobi city planning authorities in housing provision. The central question we ask is: how did various planning approaches enhance or limit low-income housing, and how did the adopted urban governance contribute to housing informality in Nairobi? To achieve this objective, the paper takes advantage of voluminous literature available on Nairobi's housing and employs extensive literature review of published material and project documents. To a large extent, the ideas presented herein is shaped by the authors' rich experience, knowledge and first hand interaction with life in Nairobi as it is the city where the authors have lived and practice as urban planners.

2. Framing the housing provision in Nairobi: a historicised account

In this section, we provide an interwoven historicized narrative of housing development in Nairobi since the colonial era to present time. We lay emphasis on four key aspects that have shaped housing provision trends in the city for the last half century. First, we provide a background on the historical injustices in housing provision, mainly those enforced through selective accommodation during the colonial days. This is triangulated through analysis of various urban plans prepared to guide development pattern of Nairobi while cross-referencing the spatial plans with urbanization trends. Fourthly, we highlight various urban governance structures (legal, policy and institutional frameworks) in support of housing provision adopted since independence up to date and their resultant outcomes with regard to the city's housing dynamics. The four strands should be read together as Kenya's housing development presents a checkered pattern rather than a linear reading.

Land and housing development for the city of Nairobi dates back to the colonial days. Nairobi was conceived as a European city, where Africans were "tolerated" only for their labour power (Amis, 1984; Huchzermeyer, 2011). The concept of "no man's land" was adopted by the colonialists to acquire large tracts of land as either private property or as leases extending to 999 years without regards to the local community needs and aspirations (Oyugi and Owiti 2007). During this period, there was a large-scale government sanctioned spatial segregation based on race and reinforced by planning laws as well as exclusionary zoning regulations (Olima, 2001). According to Olima (2001) the segregation/division along racial lines divided the city into four distinct sectors; North and East defined as the Asian Sector (Parklands, Pangani and Eastleigh); East and South East defined as the African Sector (Pumwani, Kariokor, Donholm); South East to South marked another small Asian enclave before it was bounded by the Game Park (Nairobi South, Nairobi West). Finally, the North and West lines marked the European area (Ibid).

The segregation and zoning was articulated in the major colonial Nairobi city plans of 1905, 1927 and 1948 and supported by very high planning standards that were unattainable by the African city builders/residents at that time, given the prevailing economic conditions facing them (Van Zwanenburg, 1972; Amis 1984). The first plan which was drawn in 1905 positioned Nairobi as a railway town. The plan delineated the city to a size of 18Km². The plan also identified areas to be used for commercial purposes and in line with the prevailing racial segregation, identified the residential areas for the European employees and Asian traders while ignoring the Asian labourers and the Africans. The second plan prepared in 1927 elevated Nairobi as a settler capital. The plan encompassed an extended city boundary to cover an area of 77km². This extension incorporated more European areas and allowed extension of transport networks to service the newly created urban land. The plan provided for drainage and swamp clearance, building and density regulation and attempted to furnish Nairobi with a monumental center. Zoning of the city was done such that 90% of the territory belonged to Europeans and 10% to Asians while no provisions were made for the male Africans (who were the majority of urban migrants for their contribution to labour), forcing them to live in the fast emerging squatter settlements. Between 1906 and 1927, the racial segregation continued and was entrenched further by the Command paper of 1923, resulting in inflated land prices in the Asian and African residential areas. The third colonial

plan was done in 1948 and was formulated to address emerging challenges of a growing population and expanding informal settlements. Designed with functionalism as the main principle, the plan increased the city size to 83km² and classified Nairobi into different zones: Kenya center, official buildings, business and commerce, industry, railway, residential, official housing, open space, and forest reserve and park zones. This, it was argued would create a more functional segregation, attract industrial investment and establish neighborhood units for the working class. Although some provisions were made for housing the Africans, these were limited spaces in which congestion was the order of the day (ETH Studio Basel 2008; Nairobi City County, NCC 2014).

Kenya's independence in 1963 came with relaxation in policies and laws that prohibited movement of Africans to Nairobi, resulting in major upward shifts in the city's population without concomitant rise in housing provision (Amis, 1984). Nairobi's population had grown from 11,512 people in 1906 to 342,764 people in 1963 (Olima, 2001). Subsequently, the city's population changed from 342,764 in 1963 to 509,286 people in 1969 and further to 827,755 in 1979. At the time, the population growth rate of Nairobi city alone stood at 12.2% (Owuor and Mbatia 2012). This rapid growth, coupled with challenges of unequal distribution of infrastructure as propagated by the colonial plans and other sectoral pressures soon became a huge challenge for the independent government. There was need for planning, housing, transport, business and the desire to integrate urban residents into developing one city as opposed to the segregated colonial city (Ibid). A housing policy was drafted in 1963 to provide legal guidelines for housing provision. Notable though was the slum clearance policy statement that was carried forward from colonial policies in dealing with informal settlements across the city. A land planning act was later enacted in 1968 to control development of urban land mainly through preparation of town plans. The contents of town plans and the machinery of preparation were however not clearly spelt. Planning decisions were made purely on administrative grounds and the rights of people affected by proposed development, including tenants, were subordinated to administrative convenience (Mwangi 1997; Kimani and Musungu 2010). To address the spatial challenges at the time, the Nairobi Urban Study Group was formed in 1973 and developed the 1973 Nairobi Metropolitan Growth Strategy which was to guide the growth and development of the city to the year 2000 (Nairobi Urban Study Group 1973). The growth strategy changed

the city's boundary to include adjacent urbanizing areas giving rise to a new area of 696km². The plan formulation was funded by Nairobi City Council, the government of Kenya, World Bank and the United Nations and was drafted by consultants without participation of the Nairobi city residents.

A follow-up plan to the Nairobi metropolitan growth strategy was drawn by the city commission and named the 1984-1988 Nairobi City Commission Development Plan. The plan outlined the development needs of all sectors: housing, health and environment, sewerage, social services, transport and public works, manpower development and financial management (Nairobi City Commission 1985). With the call for increased public and stakeholder participation in all decision making processes witnessed in the 1990s, the Nairobi City Council organized a stakeholder's open forum (the Nairobi City Convention) in 1993 comprising of stakeholders, professionals and ordinary citizens to map out strategies and practical actions towards a better Nairobi (*The Nairobi We Want*). The recommendations of the convention were organized around four areas, namely, (1) issues dealing with the use of space and the physical environment; (2) problems pertaining to provision of services; (3) issues relating to the social sector; and (4) administrative, legal and political issues (Karuga 1993). Alongside the plan, new sets of building codes (By-laws) commonly referred as code 95 were instituted by the state in 1995. The aim of the revised by-laws was to provide building standards and regulations that cater for local realities of poor households, including the use of innovative building materials, alternative building technologies and minimized space standards aimed at reducing overall building costs. Local authorities were mandated to enforce these provisions to enhance access to decent housing by the poor. A year later, the physical planning act of 1996 was enacted to provide for the formulation of national, regional and local physical planning guidelines, policies and strategies. The act further provided for the preparation of regional and local physical development plans and created a framework for interest group involvement at various stages of plan formulation, as well as dispute resolution mechanisms to resolve planning disputes.

With expiry of the Nairobi metropolitan growth strategy in 2000 albeit insignificant progress in housing provision particularly for the low-income population, Nairobi continued to grow

at a Laissez-faire for over a decade. There were however notable policy developments in the land and housing sectors during the 2000-2010 decade. For instance, a new housing policy was instituted in 2004, repealing the retrogressive housing policy of 1968. The 2004 housing policy owes its formulation to the millennium development goals declaration in 2000, to which Kenya became a signatory in a bid to show commitment in improving the lives of burgeoning slum dwellers across the country. In the place of the 1968 policy, the 2004 housing policy abolished the slum clearance policy and embraced integrated strategies in scaling-up housing production, shifting towards pro-poor approaches and slum upgrading (GOK 2004). In 2008, a metropolitan region was created, changing the 1973 Nairobi's boundary to a larger area measuring 32,000km². This metro region brought together the surrounding 14 autonomous local authorities and includes parts of Southern Kiambu county, south-eastern Kiambu county, western Machakos county and northern Kajiado county. To govern the newly created region, a new government ministry was formed—the ministry of Nairobi metropolitan region. The ministry came up with the 'Nairobi metro 2030: a world class African metropolis' strategy document that spelled the region's development and infrastructure planning, whose benefits are yet to be realized (GOK, 2008).

The year 2010 saw the promulgation of a new constitution with the state making radical changes in the land and planning policies in a move to streamline land and development matters of the country. For the first time, the 2010 constitution explicitly recognizes the rights of all citizens to accessible and adequate housing, and to reasonable standards of sanitation. In effecting provisions of the constitution, complementary acts of parliament have been enacted namely, the County Government Act of 2012, the Land Commission Act of 2012, the Urban Areas and Cities Act of 2011 and the **Land Use Planning Bill of 2015**. The County Government Act gives effect to chapter eleven of the constitution; to provide county governments' powers, functions and responsibilities to deliver public services (GOK 2012). The Land Commission Act provides for principles of devolved government in land management and administration (GOK 2012) while the Urban Areas and Cities Act give effect to article 184 of the constitution; to provide for the principle of governance, participation of residents and management of urban areas and cities (GOK 2011). The land use planning bill of 2015 has been formulated to work hand in hand with the urban areas and cities act, and provides the legal framework for planning, use,

management, regulation and development of land in the country. In addition to the new policies, the government launched the Kenya Vision 2030, which is the government's development blue-print to transform Kenya into a middle-income country, providing a high quality of life to all its citizens by 2030 in a clean and secure environment (GOK 2007). Among the flagship projects under the vision is the annual production of 200,000 housing units and installation of physical and social infrastructure in slums in 20 urban areas (ibid.).

In line with the constitutional requirements and the development vision, a Spatial Planning Concept for Nairobi Metropolitan Region (SPCNM) was formulated in 2013 to provide population, settlement pattern, settlement hierarchy and land use guidelines for the fast growing region (NCC 2014). The provisions of the SPCNM formed the basis for the recently launched Nairobi Integrated Urban Development Master Plan 2014-2030 (NIUPLAN). The purpose of NIUPLAN is to provide a guiding framework to manage urban development in Nairobi City County from 2014-2030, integrate all urban development sectors and realize the goals of Kenya Vision 2030 for the city county of Nairobi (NCC 2014).

3. Urban planning, Urban Governance and Housing challenge in Nairobi: A Synthesis

The foregoing historicized account of housing provision in Nairobi attempts to unravel the origins of current housing challenges and that of the growing informality in housing provision. The first and foremost feature is the legacy of colonial ideals in housing provision even within the contemporary postcolonial city. The spatial development pattern manifested in the housing characteristics demonstrate the continued systemic inscription of colonial ideals in the post development of Nairobi. This is evidenced by materialization of relations of rule under different regimes through housing projects by the postcolonial government, which have aimed to segregate urban population based on economic status as outlined in the planning regimes that shape urban housing landscape (Oyugi and Owiti 2007)². Tracing this legacy provides a powerful lens in understanding the power relations

² The urban planning regimes adopted in Kenya led to the development of four categories in housing in Nairobi, all based on the economic status of the target population a) **upper-income** - which are low density developments consisting of privately owned homes with plots in excess of one acre and some as big as five acres; b) **medium-income** - which are medium density developments with variations in density and levels of development as some of these estates are owned by public or private sector; c) **low-income** - which are high density developments mainly concentrated in the eastern part of

which continue to determine housing provision in the present times, a dynamic that brings forth colonial-rooted ideals and its implications for the contemporary city. The only difference here being that of segregation along economic lines as opposed to the colonial segregation along racial lines. Numerous authors allude to dominant presence of the British urban planning and architecture in Nairobi, four decades after independence notwithstanding various efforts directed in amending inherited planning laws and practices famed for their failure to improve the city's development (Lamba, 1994; Mabogunje, 1992, Syagga, 2000, Obudho, 1987, Amis, 1984; Nairobi Urban Study Group, 1973).

The historicized narrative points to top-down approaches in housing provision and policy formulation that largely failed to address local needs of low-income population by using same planning traditions. There are two key areas where the top-down approach is more pronounced. First is the lack of engagement of low-income communities in the design and implementation of housing programmes. The top-down planning model has been widely criticized for its contribution to the socio-spatial inequalities in contemporary cities of the developing world (Watson 2009). Up to date, the urban development process of Nairobi is still dominated by public interventions permeated by non-participatory technocratic instruments of urban space production (Omenya and Huchzermeyer 2006; Oyugi and Owiti 2007). These synoptic planning models have exacerbated the housing problem in the city and country at large. Although there have been notable efforts to decentralize urban governance in the past, they have recorded minimal progress. For example, programmes like the Local Authorities Transfer Fund (LATF) introduced in 1999/2000 as a grant from the central government to equip local authorities with means to provide their citizens with basic services; and the Local Authority Service Delivery Action Plan (LASDAP) introduced in 2001 as a tool to promote participatory planning and budgeting did not result in much improvement in the housing conditions or the related basic services (Owuor et al 2006).

There is new hope however to improve urban governance through citizen participation in planning given the recently enacted urban policies. For instance, the current constitution

the city, and previously forming a large part of developments owned by the City Council of Nairobi; and d) **the informal settlements** occupied by the poor are and are characteristic of very high densities and are scattered all over the city, mainly near major work areas (Oyugi and K'akumu).

provides for broad national values and principles of governance. Specifically, chapter eleven on devolved government gives power to self-governance to the people and enhance the participation of the people in making decisions affecting them (GOK 2010 b). The regulation of land use and citizen participation in local development matters has particularly been brought closer to the people through the devolved system of governance. Accordingly, the county government act (GOK 2012) establishes modalities and platforms for citizen participation in planning and development process within decentralized units. On its part, the urban areas and cities act (GOK 2011) provides governance principles and rights of, and participation by residents in local development affairs. These provisions, if adequately enforced by the state and relevant planning organs present opportunities for harnessing innovative ideas by communities through their active participation in the urban development process.

The second sphere which is marred by top-down approaches is that of land governance. As her counterparts in sub-Sahara Africa, land governance in Kenya is characterized by power and exclusion, illustrated by powerful vested interests that seek to ensure land titling and registration benefits them and disposes other claimants (Klopp 2000; Syagga 2006; Toulmin 2008; Briggs 2011). To this day, the land administration is preoccupied with a monolithic system of land ownership based on individual titling, which favours the state and individuals while neglecting poor communities and groups. This urban management practice exposes the plight of the urban poor who are huddled in informal settlements as access to and ownership of land is greatly skewed in favour of the politically, economically and socially powerful members of the society and those in authority (Olima 1997; GOK 2004; Syagga 2006). This trend has exacerbated the gap between the rich and poor and is spatially manifested by contrasts of dingy slums situated side by side with posh gated communities (K'Akumu and Olima 2007).

The Kenyan land institutions and governance structures were greatly influenced by De Soto's ideas on individual titling without considering the consequences on the urban poor's access to long-term housing. Under the influence of De Soto's idea of individual titling, numerous low-income housing were rolled out with assistance from international organizations (World Bank) on the basis of allocating individual titles to households.

Examples include Dandora, Kayole, Umoja I and Umoja II, where land was subdivided into individual plots and serviced with infrastructure services such as roads, electricity, water and sewerage systems. However, the housing process was characterized by irregular allocation of plots and corruption by politically-connected individuals at the expense of the public poor since it is the powerful members of the society that participates in land acquisition and development (GOK 2004; Syagga 2006; Klopp 2008). In addition, the individual land allocation in low-income housing ignored the effects of market pressures such as displacement, gentrification and price pressures that reinforces the socio-economic inequality, subjecting the poor to deeper poverty once they succumb to vagaries of the market (Durand-Lasserve, Fernandes et al. 2007; Durand-Lasserve and Selod 2009; Payne, Durand-Lasserve et al. 2009; Midheme and Moulaert 2013). In Dandora and Umoja II estate for example, initial beneficiaries sold the serviced sites to richer individuals who invested in multi -storey tenements, which has reshaped development in the area (Huchzermeyer 2008).

In attempt to reverse the inequalities in the land governance that has long bedeviled low-income housing in Nairobi and the country at large, the state has formulated new land use guidelines and policies. For instance, chapter five of the constitution provides guiding principles for land ownership, which promotes social equity in land access by different socio-economic groups. The law categorizes land into public, community and private. Given the inexplicit nature of past land policies, this provision is very fundamental as for the first time in Kenyan laws, communal land ownership has been accorded equal weight to individual and public ownership. Communal landholding is applicable where land can be owned and registered jointly by community members with similar interest (GOK 2010 b). The explicit recognition of community land therefore serves as an important avenue towards greater low-income housing projects across the country. Through proper public land administration, the government can reserve blocks of public land in support of communal low-cost housing. Only until then can we realize the provisions of the housing policy of 2004, which holds the government accountable in streamlining land acquisition for housing the poor, and adoption of appropriate tenure systems to secure the urban poor housing needs (GOK 2004). More importantly, the move will not only be in line with the

constitutional rights of access to adequate shelter by all citizens, but will also go a long way in solving the problem of informal settlements across the country.

On another front, the post-colonial government is obsessed with 'modernistic' housing development borrowed from conventional planning standards without reference to low-cost housing models. This has placed the cost of housing unaffordable for a significant proportion of urban population due to unattainable standards for low-income housing, reducing level of housing production and ownership by the urban poor. A clear example is the long disregard of the building codes of 1968 that has been guiding housing construction in Kenya since 1968. The by-laws were first introduced by the colonial government in 1926 and later replaced by the Nairobi City Council By-laws that incorporated town planning and zoning (Building) in 1948, finally repealed in 1968. Whereas there were previous unsuccessful attempts to revise it (such as the code 95), it was only in 2014 that the building code received major amendments through the National Building Regulations 2014. The by-laws specify provisions for cost and space reduction, which can potentially enable reasonable and quality low-cost housing. However, implemented housing programmes for the low-income population such as the current Kenya slum upgrading programme have continued to disregard these provisions. For instance, Huchzermeyer (2008) writes that 'one cannot blame Kibera residents for assuming that the project is deliberately attempting to create housing for the middle -class and deprive current Kibera residents of their right to a convenient location in Nairobi (Kibera resident)' (p. 27). Such sentiments point to the continued use of conventional building standards such as use of stones and cement for building materials and maintaining of high space standards, which makes it unaffordable for the low-income population. This raises the question of the extent of reinforcement of low-cost housing provisions by city authorities who are charged with this responsibility.

The master planning approach employed in Kenya for the past decades has proved inadequate in tackling the informal settlement challenge. The long-term spatial plans provided frameworks for citywide development but more often without short-term action plans that assist in articulating the long-term strategies and plans into measurable and achievable projects. In drawing these plans, sheer allocation was considered for low-income housing projects and even where considered, the poor were eventually displaced by middle-

income population as most of the housing was left to market mechanisms with the private sector taking the lead in housing production. Consequently, inadequate resources in terms of budgetary allocation and human resource capacity have hampered translation and implementation of the spatial plans into actual projects. The state and local authorities' inadequacies coupled with a fast growing population meant that existing housing systems were overwhelmed. Of worrying is that even in instances where the state has received financial support, the general lack of political will and zeal to respond adequately to low-income housing has threatened the huge investments usually sunk into such projects. From the era of site-and-service schemes implemented in the 1980s funded by the World Bank and other international agencies to ongoing slum upgrading projects implemented across the country under the rubric of the Kenya Slum Upgrading Programme (KENSUP) and Kenya Informal Settlement Improvement Project (KISIP) funded by UN-Habitat and World Bank respectively in collaboration with the Kenyan government, city planners seem not to learn from past mistakes that ail such programmes meant to alleviate the low-income housing. This, adding to the fact that some decades were without any spatial development plan to guide housing development in the city, the growth of informal settlements is inevitable as the poor are forced to innovate ways of housing themselves as they seek economic opportunities presented by the city.

Yet another critical factor to be highlighted is the poor institutional and policy coordination between different government tiers and state organs. For a long time, physical development planning and construction has been implemented by a complex of institutional arrangements. Institutional failures are largely associated with poor coordination among different actors and lack of accountability in housing provision. It was not until 2013, that the Department of Physical Planning in the Ministry of Lands (under the central government) obtained the legal mandate of spatial development planning. Previously, there were other multiple institutions undertaking the same role at various levels in the country. These included local authorities under the ministry of Local Government, regional development bodies under the Ministry of Regional Development, the Ministry of Nairobi Metropolitan Development and the Ministry of Northern Kenya. The result was a multiplicity of spatial plans and development policies as earlier narrated albeit poor coordination among the policy makers and implementers altogether. The overlapping of areas of jurisdiction further complicated the realization of proper spatial plans and policies

since many actors made decision making a difficult task and created conflicting interests. Likewise, issues of approval and inspection of all developments are carried out by local authorities while aspects of occupational health and safety were the responsibility of the ministry of public health. This has manifested in physical development plans not being informed by local needs thus failing to address local realities. Kimani & Musungu (2010) identify that "the greatest legislative impediment in the building industry today is the law enforcement procedures. The administration of the various statutes is carried out by several agencies. The Multiplicity of institutions in the planning and building industry create conflicts and confusion that inhibits the proper functioning of the industry" (pg 8). Classic examples of failed schemes due to incoordination of multiple institutions include the new Pumwani urban renewal project and the Dandora Phase II Community Development Housing Project.

4. Conclusion

This paper has been an attempt to bring to the fore some of the ailing issues in the low-income housing provision for Nairobi city. Whereas the paper is not exhaustive of the factors underlying the poor performance of the housing sector, it opens areas of questioning that require further interrogation in trying to amend the planning and provision of low-income housing in the fast transforming city of Nairobi. It is evident that the rapid rate of urbanization has caught up with the planning systems in responding commensurate with expanding housing needs. Fast urbanization amidst low capacity of the state and local authorities has contributed greatly to the growth of informal settlements as more and more people stream to the city in search for better opportunities.

Although Nairobi has a rich and long-standing experience in terms of spatial planning compared to other cities in Kenya, the planning approaches employed throughout the past decades raise the question of effectiveness and practicalities in handling further expansion of informal settlement. Failure to address practical needs of the low-income population calls for a need to review the current planning practice and models or else, planning will continue to be viewed as partly inhibiting low-income housing and instead, precipitating informal housing. The challenge of informal settlements is complex as evidenced from their

persistence after decades of planning. Tackling them therefore, requires new approaches and ideas grounded in local realities.

The foregoing demonstrate the critical role of urban governance in addressing low-income housing and informality in Nairobi's housing. Proper governance systems driven by the political good will can go a long way in creating positive transformation of the land and housing sectors of the country. Taking advantage of the already existing rich policies and laws as exemplified by the constitution, the land use policy and housing policy, a governance shift can radically translate the policy provisions into realistic and inclusive urban housing projects to house the low-income population, who are currently residing in informal settlements. Creative (re)interpretation of the legal systems and existing planning policy can help in addressing the socio-spatial inequalities expressed through urban informality.

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