



**MINISTRY OF LANDS AND PHYSICAL PLANNING  
LEARNING SESSION WITH KPDA- KEMPINSKI HOTEL**

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**IMPROVING EFFICIENCY**

**Presented by Mr. Augustine Masinde – Director for  
Physical Planning**

**TUESDAY, 30<sup>th</sup> JULY 2019**



# INTRODUCTION

➔ **World Bank ease of doing business rankings puts Kenya among the top five countries in Sub Saharan Africa**

- 1. Mauritius**
- 2. Rwanda**
- 3. South Africa**
- 4. Botswana**
- 5. Kenya**
- 6. Seychelles**
- 7. Zambia**
- 8. Lesotho**
- 9. Ghana**
- 10. Namibia**

## The Ease of doing business ranking attempts to measure:

- Property acquisition and subdivision
- The simplicity and cost of processes and procedures
- The strength of established facilitating institutions
- The quality of Regulatory measures in place
- Level of compliance to world class best practices

# AREAS OF INTERACTION WITH PROPERTY DEVELOPERS

## Property acquisition and subdivision

- Property searches
- Planning of property and preparation of schemes
- Survey and establishment of property boundaries
- Property valuation and taxation
- Registration of properties
- Approval and grant of development application



# PAST BUSINESS PROCESS FOR PROPERTY REGISTRATION



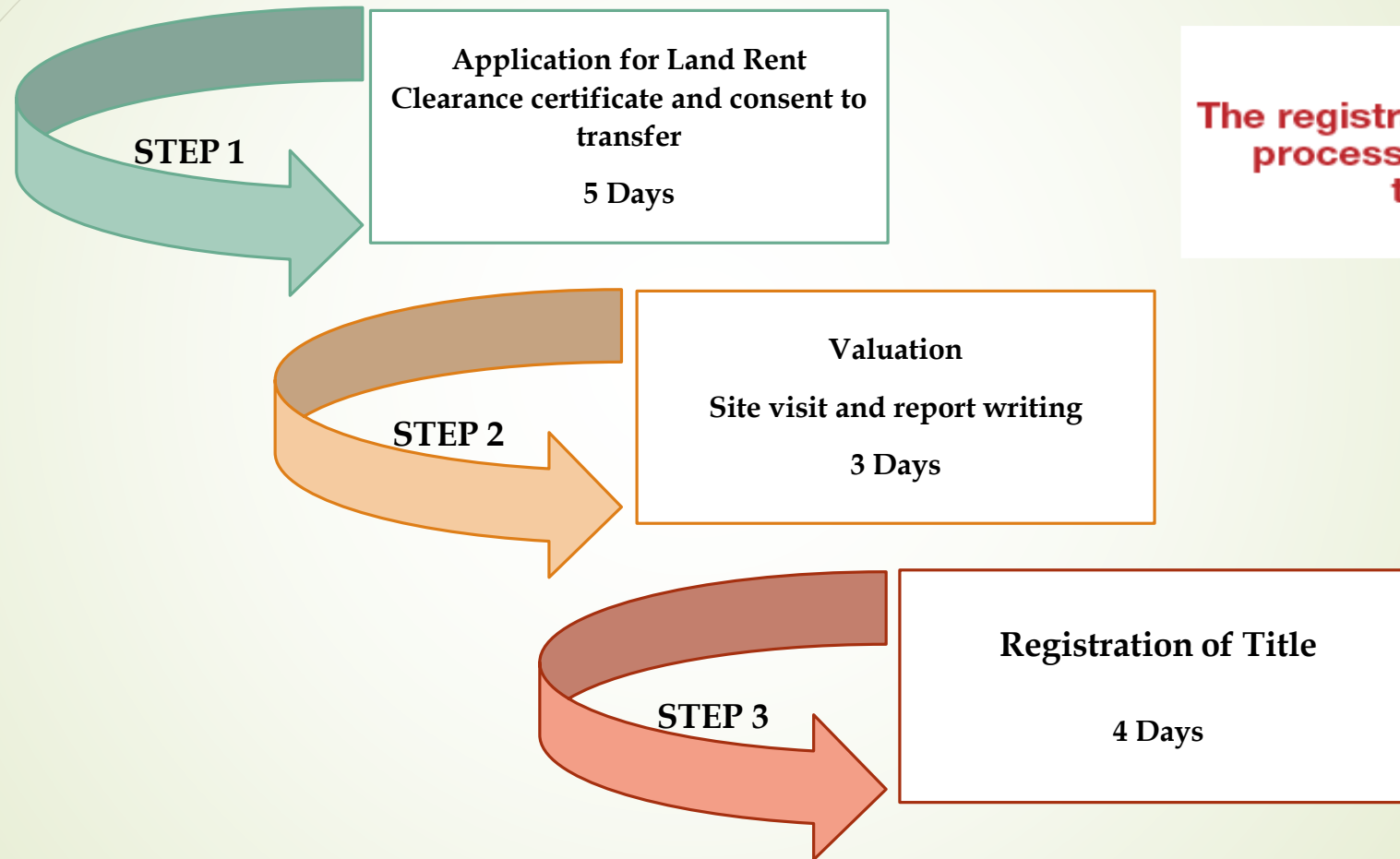


# WHY TAKE 73 DAYS?

- **Missing records/titles**
- **Repetitive steps**
- **Several levels of checking/redundant steps**
- **Duplication of duties**
- **All processes were manual**
- **Some processes are done by other MDAs. e.g. Land rate by County Government**
- **Lack of integrated payment systems. e.g. KRA, e-Citizen**



# CURRENT PROPERTY REGISTRATION PROCESS



The registration process now takes **12 days**

**TOTAL OF 12 DAYS**

# WHY NOW 12 DAYS FROM 73?

- ▶ REENGINEERING WHICH COMPRESSD THE STEPS
- ▶ AUTOMATION OF STEP1- application, search , consent and rent
- ▶ SEMI AUTOMATION OF STEP2- valuation is both manual and online
- ▶ SEMI AUTOMATION OF STEP 3 registration is online if documents are uploaded and manual if not





# REVIEWED BACK STAGE ACTIVITIES

## STEP 1

- Submission of print Land Rent Clearance to accounts department for verification
- Consent to transfer
- Copy of the title from client
- Search – to be done internally
- Correspondent file retrieval

## STEP 2

- Receives valuation requisition from Collector of Stamp Duty
- Site visit
- Write valuation report
- Endorsement of the value on the document
- Assessment

## STEP 3

- Stamp Duty payment verification
- Enter document in Process Booking (PB)
- Auditing, post audit
- Stamping/Franking
- Retrieval of files in the strong room
- Matching of documents
- Allocation of IOs
- Deed plans verification
- Typing titles and making entries
- Forwarding for Registrar signature
- Sealing
- Dispatch and filing



# GANTT CHART

Ease of Doing Business Steps for Reengineered Property Registration			No. of Days											
No	Tasks	Duration	1	2	3	4	5	6	7	8	9	10	11	12
1	Land Clearance Certificate	3 days	█	█	█									
2	Consent to transfer	2 days				█	█							
3	Valuation	8 days						█	█	█				
4	Registration	4 days									█	█	█	█

# ENABLING LEGISLATIONS

## Land Value index Laws (Bill No. 3 of 2018)

- Amended to provide for assessment of land value index, land rates and stamp duty upon compulsory acquisition of land
- Brings clarity in the criteria of assessing land values hence reducing cases of land hoarding for speculative purposes

## Stamp duty Act

- This Act provides for payment of tax upon purchase and transfer of property between 1-4 %.
- Now amended to provide for scrapping of stamp duty for first time home owners to boost affordable housing scheme
- Amended to allow registered and practicing valuer undertake valuation for stamp duty hence fast track valuations at the ministry.

# ENABLING LEGISLATIONS CONTD

## **Sectional Properties Act 1987( revised bill of 2019)**

- ▶ Provides for division of buildings into units to security of tenure hence increased access to ownership of properties under one parcel.
- ▶ An important tool for affordable housing and compact development by optimizing the use of land.

## **Physical Planning Act 1996 ( Revised bill 34 of 2017)**

- ▶ Provides for planning, use, regulation and development of land
- ▶ Critical tool for development control and in attainment of sustainable urban development.

## **Physical Planning Handbook– Under revision**

- ▶ Enables standard planning practices in the two levels of government.



# CONCLUSION

- **Aim to be ranked top country in Africa in ease of doing business through reengineering in all departments**
  - **Decentralization of records to counties e.g. Nairobi registry to reduce congestion**
  - **Continued Benchmarking with top countries in Africa and elsewhere.**
  - **Registration of property is a key enabler to our Big 4 agenda**
- 



**THANK YOU**





NAIROBI CITY  
COUNTY

URBAN PLANNING



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**THE KPDA CEO MORNING LEARNING SESSION, TUESDAY 30<sup>TH</sup> JULY 2019  
AT THE VILLA ROSA KEMPINSKI HOTEL, NAIROBI  
PRESENTATION BY THE NAIROBI CITY COUNTY  
GOVERNMENT**

*“Lands and Urban Planning Processes at the Nairobi City County Government”*

By Mr. Justus Kathenge - Chief Officer for Urban Planning

# DEVELOPMENT APPROVAL PROCESS

## PRELIMINARIES

**STEP ONE:** Establishment of proprietary (ownership) rights over subject parcel of land (plot) by way of documentary evidence i.e.

- Title (copy) to the plot
- Survey Plan etc.

**STEP TWO:** Compliance with statutory obligations e.g.

- Payment of Land Rates
- Secured change of use, extension of use, amalgamation etc. (multiple dwelling units – apartments/town houses; offices, commercial, institutional – school, health centre etc.; industrial etc.) from professional consultant (Registered & Practicing Physical Planner)

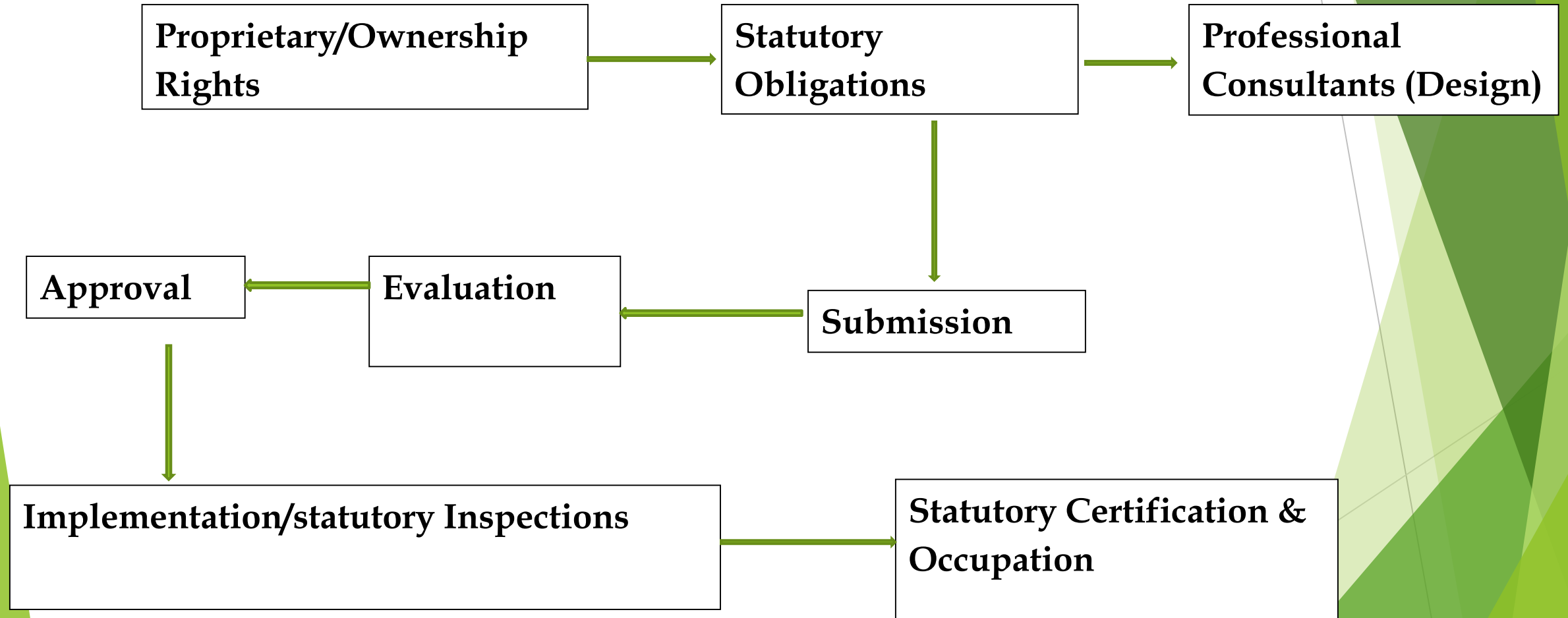
**STEP THREE:** Engaging professional consultant (Architect, structural engineer, geotechnical engineer etc.)

**STEP FOUR:** Submission of development application to the Nairobi City County Government for evaluation and approval



# THE APPROVAL PROCESS

## DETAILED PROCESS - CONSTRUCTION PERMIT



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