

GOVERNMENT OF NAIROBI CITY COUNTY



THE NAIROBI CITY COUNTY ASSEMBLY

OFFICE OF THE CLERK

THIRD ASSEMBLY  
(FOURTH SESSION)



NCCA/TJ/PL/2024(62)

27<sup>TH</sup> JUNE 2025

PAPER LAID

SUBJECT: REPORT OF COMMITTEE

Pursuant to Standing Order 135, I beg to lay the following Paper on the Table of this Assembly, today Friday 27<sup>th</sup> June 2025:

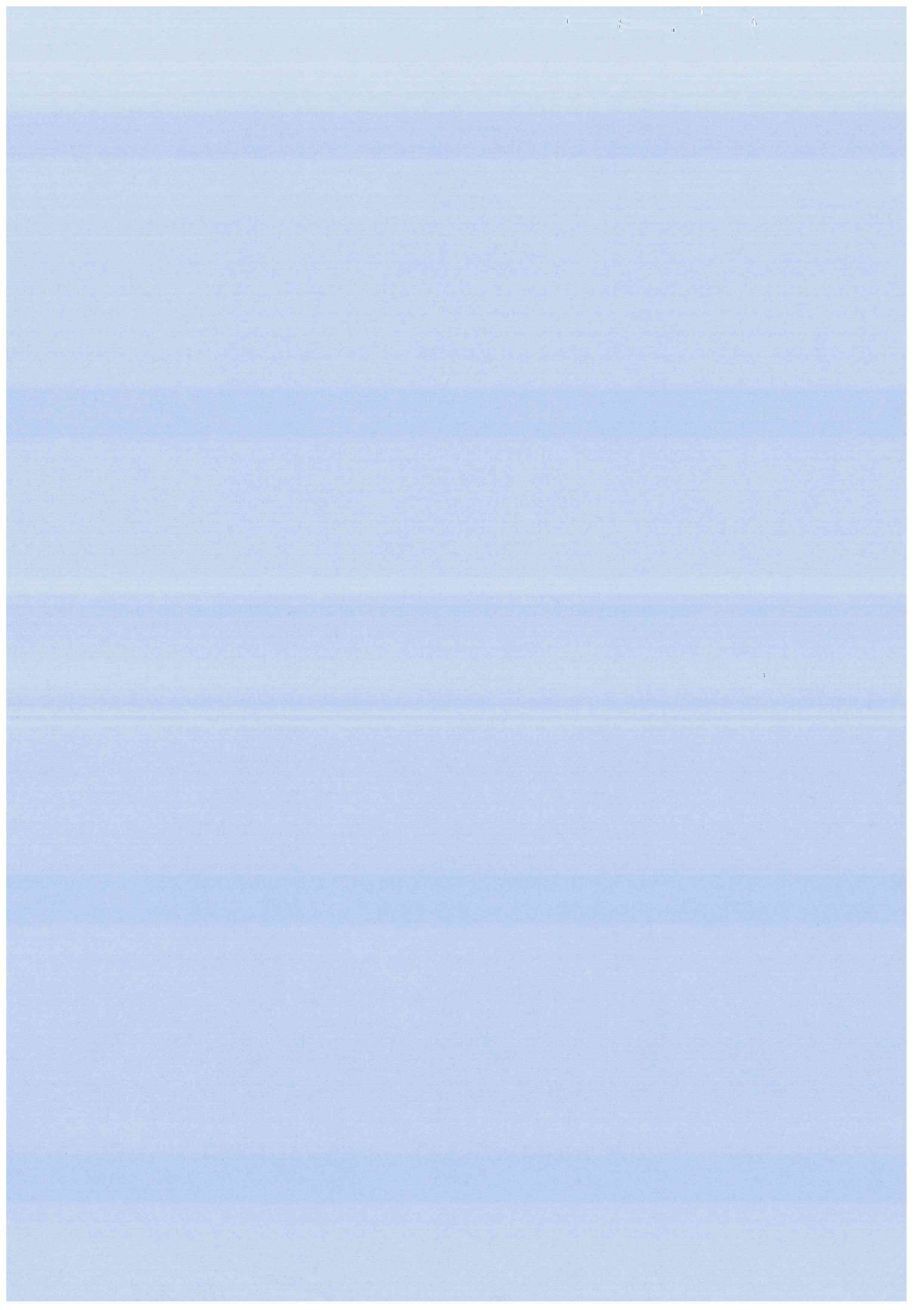
— THE REPORT OF THE SECTORAL COMMITTEE ON LANDS, PLANNING AND HOUSING ON CONSIDERATION OF NAIROBI CITY COUNTY REGULARIZATION OF UNAUTHORIZED DEVELOPMENTS BILL, 2025, ASSEMBLY BILL NO. 2 OF 2025.

*(Chairperson of the Sectoral Committee on Lands, Planning and Housing)*

Copies to:  
The Speaker  
The Clerk  
Hansard Editor  
Hansard Reporters  
The Press

*Depo-laid on 27/6/25  
@ 9.30am by Chairman  
Planning & Housing  
Pala Pala  
SCT  
27/6/25*





COUNTY GOVERNMENT OF NAIROBI CITY



NAIROBI CITY COUNTY ASSEMBLY

THIRD ASSEMBLY

FOURTH SESSION

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REPORT OF THE SECTORAL COMMITTEE ON LANDS, PLANNING AND HOUSING

ON

CONSIDERATION OF NAIROBI CITY COUNTY REGULARIZATION OF  
UNAUTHORIZED DEVELOPMENTS BILL, 2025 ASSEMBLY BILL NO. 2 OF 2025

Clerk's Chambers,  
Nairobi City County Assembly  
City Hall Buildings  
NAIROBI.

JUNE 2025

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## 1.0. PREFACE

### 1.1. Mandate

Hon. Speaker,

The Sectoral Committee on lands, Planning and Housing is established under Standing Order No. 209 (1). Its mandate pursuant to Standing Order 209 (6) is to: -

- a) investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned departments;
- b) study the programme and policy objectives of departments and the effectiveness of the implementation;
- c) study and review all county legislation referred to it;
- d) study, assess and analyse the relative success of the departments as measured by the results obtained as compared with its stated objectives;
- e) investigate and inquire into all matters relating to the assigned departments as they may deem necessary, and as may be referred to them by the County Assembly;
- f) vet and report on all appointments where the Constitution or any law requires the County Assembly to approve, except those under Standing Order 196(Committee on Appointments): and
- g) make reports and recommendations to the County Assembly as often as possible, including recommendation of proposed legislation.

### 1.2. Membership

The Committee comprises the following Members: -

- |                              |                    |
|------------------------------|--------------------|
| 1. Hon. Alvin Palapala, MCA  | - Chairperson      |
| 2. Hon. Collins Ogenga, MCA  | - Vice-Chairperson |
| 3. Hon. Peter Imwatok, MCA   |                    |
| 4. Hon. Anthony Kiragu, MCA  |                    |
| 5. Hon. Paul Kados, MCA      |                    |
| 6. Hon. Waithera Chege, MCA  |                    |
| 7. Hon. Geoffrey Majiwa, MCA |                    |
| 8. Hon. Fuad Hussein, MCA    |                    |
| 9. Hon. Hashim Kamau, MCA    |                    |
| 10. Hon. Thuo Fiunifu, MCA   |                    |
| 11. Hon. Paul Ndungu, MCA    |                    |
| 12. Hon. Nasra Nanda, MCA    |                    |

13. Hon. Hannah Wanjiru Muriuki, MCA
14. Hon. Nyantika Ricardo, MCA
15. Hon. Lily Akoth Kidenda, MCA
16. Hon. Jane Wanjiru, MCA
17. Hon. Nicholas Juma, MCA
18. Hon. Peter Maina, MCA
19. Hon. Clement Kamaru, MCA
20. Hon. Francis Kimondo, MCA
21. Hon. Patrick Macharia, MCA
22. Hon. Tricer Jeptoo, MCA
23. Hon. Martin Wairobi, MCA

Hon. Speaker,

The County Assembly Committees are extensions of the Assembly established under the County Assembly Standing Orders and in accordance with Section 14 of the County Governments Act, 2012. The Committees are supposed to perform functions that the Assembly is not well fitted to consider in plenary.

The Committee exercise its oversight role on the work and administration of the Built Environment and Urban Planning Sector.

Pursuant to the provisions of Standing Order 209 (6) (b), (d) and (e), the Sectoral Committee on Lands, Planning and Housing is required to study the programmes of the Sector; the effectiveness of the implementation; study, assess, and analyze the success of the Sector as measured by the results obtained; and inquire into all matters relating to the Sector.

In accordance with the Third Schedule of the Standing Orders, the Sectoral Committee on Lands, Planning and Housing is mandated to consider all matters relating to:

- (i) County planning and development;
- (ii) Statistics, land survey and mapping;
- (iii) Boundaries and fencing; and
- (iv) Housing and outdoor advertisement.

### 1.3. Executive Summary

Hon. Speaker,

Pursuant to Section 23 of the County Governments Act, 2012, the Nairobi City County Regularization of Unauthorized Developments Bill, 2025 was published in the special issue of the Kenya Gazette Supplement No. 3 on 5<sup>th</sup> May, 2025. The Bill was introduced in the County Assembly as First Reading on Tuesday, 3<sup>rd</sup> June 2025. The Bill was thereafter committed to the Sectoral Committee on Lands, Planning and Housing for scrutiny, public participation and reporting to the Assembly pursuant to Standing Order 135.

Article 196(b) of the Constitution of Kenya, 2010 requires the County Assemblies to facilitate public participation and involvement in the legislative and other business of the Assembly and its Committees.

Hon. Speaker,

pursuant to Article 196(b) of the Constitution of Kenya, 2010 and the Nairobi City County Standing Orders 135 (3) which require public participation in the legislative and other business of the County Assembly and its Committees, the Committee placed a notice in the local dailies on Wednesday, 11<sup>th</sup> June, 2025 notifying the public and other stakeholders of public participation in all the Seventeen Sub-Counties on 18<sup>th</sup> and 19<sup>th</sup> June 2025. Further, the notice requested stakeholders who may have written memoranda to do so through the Office of the Clerk of the County Assembly by 19<sup>th</sup> June 2025 at 5.00 p.m. The Committee held public participation fora on Wednesday, 18<sup>th</sup> and Thursday 19<sup>th</sup> June 2025 to receive proposals from the members of the public. The Committee also identified the following key stakeholders to the Bill and invited them to submit commends, reviews and propose amendments to the Bill;

- a) Institute of Engineers of Kenya;
- b) Institute of Surveyors of Kenya;
- c) The Institute of Planners;
- d) Architectural Association of Kenya;
- e) Town and County Planners Association of Kenya;
- f) Green Building Society; and



Hon. Speaker,

The Committee held a total of 2 meetings to consider the Bill and all presentations received from stakeholders. All stakeholders while supporting the Bill in principle, proposed amendments on some of the provisions of the proposed law.

Hon. Speaker,

The Committee observed that the objective of the Bill falls well within the County's intention to streamline the Built Environment Sector. Its implementation upon enactment will provide an opportunity to investors and property owners to bring developments which do not have approvals into the framework of existing policy and legal framework. It will also aide in addressing the problem of collapsing buildings and generate revenue for the County to implement various other programme.

Hon. Speaker,

The Committee considered the submissions by stakeholders as provided for in the Standing Order and proposed amendment to the Bill in **Clauses 2,6,8,10,14,15,19,21,22 and 29**. Some of the amendments are editorial while others are aimed at ensuring that the Bill is consistent with the Constitution, the National Laws, Policies and also cater for the concerns of the stakeholders.

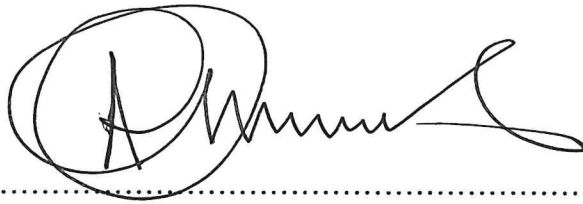
#### **1.4. Acknowledgement**

Hon. Speaker, I wish to acknowledge with gratitude the offices of the Speaker and the Clerk of the County Assembly for the support accorded to the members of the Committee to enable them consider the Nairobi City County Regularization of Unauthorized Developments Bill, 2025. Further, the Committee thanks the County Executive for the support accorded during the public participation process. Appreciation is also extended to the stakeholders for their immense contribution.

I am grateful for the Members of the Committee whose support and commitment enabled the Committee to accomplish this task. Special thanks to the Secretariat for their support at all times.

On behalf of the Committee and pursuant to Standing Order 135 (3), I now have the honour and pleasure to present this Report on the consideration of the Nairobi City County Regularization of Unauthorized Developments Bill, 2025.

Thank You.



SIGNED .....

HON. ALLVIN OLANDO PALAPALA, MCA

(CHAIRPERSON)

DATE 27<sup>th</sup> / 6 / 2025 .....

## 2.0. INTRODUCTION

Pursuant to Article 185 of the Constitution of Kenya, 2010, the legislative authority of a County is vested and exercised and the County Assembly. The County Assembly is to make laws that are necessary for effective performance of the functions of the County Government as provided for in Part Two of the Fourth Schedule to the Constitution.

Pursuant to the provisions of Section 23 of the County Governments Act, 2012, the Nairobi City County Regularization of Unauthorized Development Bill, 2025 was published in the special issue of the Kenya Gazette Supplement No. 3 on 5<sup>th</sup> May, 2025. On Tuesday, 3<sup>rd</sup> June, 2025, the Bill was read a First Time and thereafter committed to the Sectoral Committee on Lands, Planning and Housing for scrutiny, public participation and reporting to the Assembly pursuant to Standing Order 135.

Article 196(b) of the Constitution requires the County Assemblies to facilitate public participation and involvement in the legislative and other business of the Assembly and its Committees.

## 3.0. CONSIDERATION OF THE NAIROBI CITY COUNTY REGULARIZATION OF UNAUTHROIZED DEVELOPMENTS BILL, 2025

*While examining the Bill, the Committee noted the following;*

### 3.1. Part I: Objective of the Bill

The main objective of the Bill is to bring unauthorized developments that meet the minimum standards under the umbrella of the planning framework; and provide a framework for enforcement action against developments that do not comply with the provisions of the Bill and regulations.

Building structures that meet the minimum standards for habitation will be regularized while those that fall below the minimum acceptable standards will require the owners to address the structural defects prior to regularization.

However, developments found to be beyond rehabilitation will be subjected to enforcement action including demolition and disconnection of the supply of water and electricity.

The Committee observed that paragraph 9 of Part two of the Fourth Schedule to the Constitution of Kenya, 2010 gives County Government powers to regulate County



Planning and Development within the County. The Committee is therefore in agreement with the Bill it seeks to ensure that developments that were constructed outside the law are safe, habitable and compliant with minimum construction standards.

### **Part I: Preliminary Provisions**

Part I of the Bill sets out the preliminary matters with respect to the Bill. Clause 1 sets out the short title of the Bill. Clause 2 provides for definition and interpretation of terms as used in the Bill while Clause 3 sets out the objectives of the Bill. Clause provides for Principles and Norms of physical and land use planning.

### **3.2. Part II: Regularization process**

Part II of the Bill contains the provisions relating to regularization process. Clause 5 Provides for regularization of unauthorized developments on both private land and County allotted land upon application. Clause 6 provides for regularization period where developments shall be eligible for regularization from the commencement of the Act and lapse/expire 3 years from such date. However, the period may be extended by the County Executive Committee Member for more than once but not for an aggregate period of more than 3 years. Clause 7 provides for notification to the public. The CEC Member is required to publish the Act for information and awareness at the commencement of the Act. Clause 8 provides for the notice and application for unauthorized developments. Clause 9 provides for plans and documents to be prepared by a qualified person. It requires that applicants should ensure all plans and particulars provided are prepared by the relevant qualified, registered and licensed professionals. Clause 10 provides for grant or refusal to regulate unauthorized developments. Upon receipt of application, the CEC Member, the CEC forwards a copy to the relevant agencies/authorities. Within 21 days from the date of receiving applications, the CEC shall prepare a report and forward it to the Regularization Advisory Committee which committee shall evaluate and make a decision thereof within 7 days of receipt of the CEC's report. The Advisory Committee shall recommend to the CEC to approve, defer or reject applications with grounds thereof. Clause 11 provides for register. That the CEC Member shall maintain a register of regularization applications and documents whether approved or otherwise and such register shall be open to the public for scrutiny. Clause 12 provides for regularization fee which is to be determined by relevant finance laws as passed by the County Assembly. Clause 13 provides for circumstances under

which unauthorized developments may be regularized. Clause 14 provides for circumstances under which unauthorized developments shall not be Regularized. Clause 15 provides for consequences of regularization. That regularization will abate all pending court cases in relation to the unauthorized developments. Clause 16 provides for Prior actions to be recognized under the Act. That in so far as they are in conformity with, and regularised in accordance with the provisions of this Act, all actions taken or omitted in respect to obtaining approvals before commencement of this Act shall be deemed to have been done or omitted under this Act. Clause 17 provides for conditional regularization where the CEC may regularize a development subject to necessary conditions. Clause 18 provides for amnesty whereby all notices issued by the County Government for initiating action against unauthorised developments shall be deemed to have been suspended and no punitive action shall be taken till the expiry of the three (3) months from the date of notification of the public stipulated under the Act if the developments conforms to the safety standards as in force under any written law or such other safety requirements. The amnesty shall not apply to developments exempted from regularization by this Act. Clause 19 provides for unauthorized developments not regularized. That every unauthorized development which is not regularised under this Act after the expiry of three (3) years from the date of publication of this Act shall be liable for an enforcement action, and unsafe structure which cannot be remedied shall be removed immediately. Clause 20 provides for application of certain provisions of Act No.13 of 2019. That the provisions of the Physical and Land Use Planning Act, 2019 relating to matters of procedure or the manner of objections shall with the necessary modifications apply to the Regularization process under this Act. Clause 21 provides for liability where owners shall be solely liable for any injury/damage/loss caused to anyone around the area occasioned by alterations, modification and additions done to their developments in a bid have them regularized.

### **3.3. Part III: Establishment of Advisory Committee**

Part III of the Bill contains provisions on Establishment; powers and function; procedures and remuneration; role of County Director of Physical and Land Use Planning and secretariat to the Committee. Clause 22 provides for the establishment of the Advisory Committee which shall consist of 14 members including the chairperson who shall be a registered planner from the built environment. Clause 23 provides for powers and functions of the Committee. Clause 24 provides for Procedures of the Advisory Committee.

The Committee shall determine its own procedures subject to the Act. Clause 25 provides for remuneration and allowances of the Advisory Committee which is to be guided by the Salaries and Remuneration Commission guidelines. Clause 26 provides for powers of the Executive Committee Member. Clause 27 provides for role of the County Director of Physical and Land Use Planning. On behalf of the CEC Member, the Director shall be responsible for: receiving development applications; Invoicing and confirming payments; Evaluating and processing the applications; Conducting site visits and auditing of the Developments; Recommending for approval, deferment or rejection of regularised developments to the CEC and Preparing reports and updates on the progress to the CEC Member. Clause 28 provides for Secretariat Support. The Directorate of Physical and Land Use Planning shall provide secretariat support to the Advisory Committee.

#### **3.4. Part IV: Miscellaneous provisions**

Part IV of the Bill contains provisions for rules and Regulations. Clause 29 provides for Rules and Regulations where the CEC may on recommendation by the Advisory Committee and approval of the County Assembly make regulations for better carrying into effect of the Act. The Regulations may provide for: The procedure of making applications for regularization and the processing of such applications; Requirements with respect to documentation that may be required with the applications; Forms to be used and the manner of communication in the regularization exercise; Action to be undertaken to make provision for expansion of access roads, disposal of solid and other waste, creation of space for amenities; Manner of public participation in the regularization exercise and the receipt of and dealing with objections by interested parties. Clause 30 provides for administrative Arrangements which shall be put in place by the CEC for full operationalization of the Act. Section 31 provides for repeal of the Nairobi City County Regularization Act of 2015. That notwithstanding the repeal, all previous directions and notices shall be deemed issued under this Act and all pending proceedings and appeals shall be determined under this Act.

#### **4.0. SUMMARY OF THE CONSIDERATION OF THE NAIROBI CITY COUNTY REGULARIZATION OF UNAUTHORIZED DEVELOPMENTS BILL, 2025**

The Committee deliberated on the Bill as follows: -

- Long Title                      – Agree to
- Short Title                     – Agreed to
- Clause 2                        – proposed amendments



Clause 3	– agreed to
Clause 4	– agreed to
Clause 5	– agreed to
Clause 6	– proposed amendments
Clause 7	– agreed to
Clauses 8	– Proposed amendments
Clauses 9	– Agreed to
Clauses 10	– Proposed amendments
Clauses 11	– Agreed to
Clauses 12	– Agreed to
Clauses 13	– agreed to
Clause 14	– Proposed amendments
Clause 15	– Proposed amendments
Clauses 16	– Agreed to
Clauses 17	– Agreed to
Clauses 18	– Agreed to
Clauses 19	– Proposed amendments
Clauses 20	– Agreed to
Clauses 21	– Proposed amendments
Clauses 22	– Proposed amendments
Clauses 23	– Agreed to
Clauses 24	– agreed to
Clause 25	– agreed to
Clause 26	– agreed to
Clause 27	– agreed to
Clause 28	– agreed to
Clause 29	– Proposed amendments
Clause 30	– agreed to
Clause 31	– agreed to
Clause 31	– agreed to

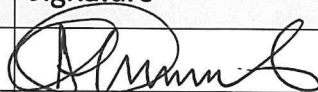






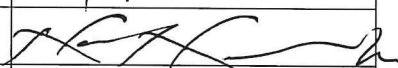
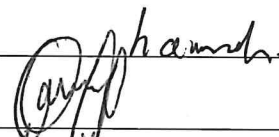

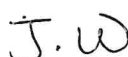






## 5.0. ANNEXES

1. Committee Stage Amendments
2. Amendments Matrix





We Members of the Sectoral Committee on Lands, Planning and Housing do hereby affix our signatures to this report to affirm the correctness of the contents and support for the report: -

No.	Honourable Member	Signature
1.	Hon. Alvin Palapala, MCA	
2.	Hon. Collins Ogenga, MCA	
3.	Hon. Peter Imwatok, MCA	
4.	Hon. Antony Kiragu, MCA	
5.	Hon. Paul Kados, MCA	
6.	Hon. Waitthera Chege, MCA	
7.	Hon. Geoffrey Majiwa, MCA	
8.	Hon. Fuad Hussein, MCA	
9.	Hon. Hashim Kamau, MCA	
10.	Hon. Paul Ndung'u, MCA	
11.	Hon. Nasra Nanda, MCA	
12.	Hon. Hannah Wanjiru Muriuki, MCA	
13.	Hon. Nyantika Ricardo, MCA	
14.	Hon. Lily Akoth Kidenda, MCA	
15.	Hon. Jane Wanjiru, MCA	
16.	Hon. Nicholas Juma, MCA	
17.	Hon. Peter Maina, MCA	
18.	Hon. Clement Kamaru, MCA	
19.	Hon. Francis Kimondo, MCA	
20.	Hon. Patrick Macharia, MCA	
21.	Hon. Tricer Jeptoo, MCA	
22.	Hon. Martin Wairobi, MCA	
23.	Hon. Thuo Fiunifiu, MCA	



**MATRIX OF STAKEHOLDER COMMENTS AND COMMITTEE PROPOSED AMENDMENTS TO THE NAIROBI CITY  
COUNTY REGULARIZATION OF UNAUTHORIZED DEVELOPMENTS BILL 2025**

<b>STAKEHOLDER</b>	<b>CLAUSE</b>	<b>PROPOSED AMENDMENT</b>	<b>RATIONALE</b>	<b>COMMITTEE CONCLUSION</b>
1. The Property Developers Welfare Society of Nairobi	Clause 2	The definition of Unauthorized Developments ought to specify the compliance threshold	To avoid including minor variations or lapsed approvals	The definition is clear and sufficient
	Clause 8	The 3 months' notice and Application timelines are strained	The timeline is unrealistic where applicants are required to obtain bulk documentation	Agreed. This may however be increased to 6 months and not 2 year
	Clause 10 and 11	The County to provide for an online application portal and register	For transparency	Agreed. The Application process will however be provided for in the Regulations to be developed immediately after the Bill is passed into an Act.
	Clause 14	For developments excluded from regularization, provide exceptions for longterm occupations, delayed approvals and projects undertaken with official inaction	The blanket exclusion may negatively affect genuine owners unaware of planning breaches.	Disagreed. However Owners of developments with delayed approvals will definitely be eventually issued approvals or otherwise as the case maybe.

Clause 22	On the Advisory Committee, include a representative from the Property Developers Welfare Society	There is no representative from developers, LSK and Urban policy experts	The County Attorney is part of the committee. Developers cannot sit on this committee to approve their developments.
Generally	Developers who voluntarily apply for regularization to receive waivers on penalties and application fees		Fees will be applicable to all applicants. Penalty waivers can be addressed in the regulations.
	Protect developers who submitted applications under the 2015 Act and are awaiting determinations		Provided for in Clause 31 (2) of the Bill
	Require court issued warrants and 60 days' notice before demolitions of unauthorized developments not regularized		Disagreed. Developments that are unsafe for human habitation should not be subjected to lengthy court processes. Owners shall however be issued a 90 days' notice to carry out demolitions on their own failure to which the county may carry out the demolitions.

		The Bill does not address systemic issues such as delays by the County government in issuing approvals.		Agreed. This is however not a legislation issue but an implementation concern
2. The Institution of Engineers of Kenya	Clause 3 (a)	The objective of the bill is to sanitize illegalities. What implications will regularization have on approved land use? Will a change of user be allowed for future developers in line with the regularization granted?	The Act as drafted is illegally aimed at helping the county collect revenue. The act may also perpetrate corruption at City Hall further.	This is one of the bills that are more people centered. The correct dealing with unauthorized developments is demolition but the County is seeking to protect the interests of owners, developers and even occupiers.
	Clause 14 (2)(b)	Replace the Euro code and BS 114 with the Kenya National Building Code 2024	Our own code was developed in 2024. It covers almost all aspects of building planning and design and refers to structural design specific KS EN These are Euro norms adopted and modified for Kenyan building and construction environments	Agreed. Both codes should however be included to cover any gaps that may appear in either codes



Part II	What has the county put in place to ensure all developers are treated fairly regardless of their financial status?	Every developer must be treated equally to rule out approvals without the input of professionals.	All applicants are equal before the law and the expectation is that all will be treated equally
Clause 22	On the Advisory Committee, clarify on the number and also include a fire marshal	There appears to be duplications	<p>This was a publication issue, the membership is 14 ending at "o"</p> <p>The Chief officer disaster management adequately represents a fire marshal and may co opt a fire marshal where need be.</p>
Clause 2	Exclude the term occupier from the definition of applicant	To ensure that the applicant has the legal standing and responsibility for the property, which is crucial for subsequent liabilities and compliance.	Agreed
Clause 29	The CEC in developing regulations under the Act should do so in consultation with relevant professional bodies.	To ensure regularization is guided by clear, comprehensive, and up-to-date technical	Agreed

			and engineering standards, developed with input from experts.	
3. CECare-Cultural Environment Society	Part I	The term 'unauthorized' should not be used in the bill	It violates the constitutional act of integrity	The term is used to mean the developers were not issued with authorization prior to developing thus the developments are unauthorized
	Generally	The bill seeks to regularize illegalities by the County Government		The intent of the bill is to assist owners of unauthorized developments that meet laid out standards for habitation to obtain approvals.
	Clause 22	The Advisory Committee establishment is unnecessary as those functions can be performed by the County Assembly Committee on Planning and Housing.	It is a waste of tax payers money.	The Planning and Housing Committee is an oversight committee to the County Executive Planning and Housing sector. It cannot perform the functions enumerated.
		Establishing the County Director roles and the Secretariat is a duplication	These are already in existence.	The bill is not creating these offices but rather providing the role of these offices as far as regularization is concerned. The offices are already in place

4. Institution of Surveyors of Kenya	Clause 4	Add a clause that states that the bill is not to be construed as encouraging future unauthorized developments	The bill risks creating bad precedents	Agreed
		Add a clause stating that all reports, data, plans etc relied on during regularization shall be prepared by registered professionals		The bill provides for that at Clause 9
	Clause 6	The provision on possible extension of the 3 year regularization period without firm limitations and accountability is detrimental and may encourage future unauthorized developments.		Agreed. The County Assembly be given the mandate to approve such extensions
	Clause 9	Add a penalty for unverified forged documentation	Falsified documentation may lead to unsafe developments	Disagreed. Forgery will be treated as a criminal offense under the relevant laws. No need for penalties.
	Clause 22	Amend to replace the Surveyors Board of Kenya with the Institution of Surveyors of Kenya.	ISK is the overall professional body	Agreed

	<b>Clause 29</b>	Mandate public participation especially from professional bodies before any regulations to this Act are passed	Professionals will ensure the regulations are technically sound, context sensitive and practically enforceable	<b>Agreed</b>
<b>5. Kilimani Project Foundation</b>	<b>Clause 2</b>	Revise the definition of regularization to exclude developments whose owners were denied approvals	To discourage non compliance	If these developments were denied approvals then the conditions leading to their denial will either still be in existence thus leading to rejection or where there compliance, approvals will be issued.
	<b>Clause 8</b>	The 14 days' notice to all persons with unauthorized developments is insufficient for public sensitization		The 14 days refer to the minimum period. The Bill states' for a period of not less than 14 days'
	<b>Clause 3(a)</b>	The Bill needs to specify that only the developments that have attained a certain construction stage before commencement of the Act may be regularized	To prevent developers from beginning illegal constructions just before commencement.	The threshold is that the developments must be compliant regardless of when construction begun.

	Clause 17	Conditions imposed by the County should be based on independent technical reports		The bill specifies that conditions shall be issued through the Advisory Committee.
	Clause 18	Amnesty could shield unsafe structures Amnesty be limited to developments independently verified as safe		No developments will be regularized if they fail to meet safety standards.
	Clause 21 (3)	Exclude gross negligence from legal immunity to officers and authorities in the Act		Agreed
	Clause 22	Include a representative of neighborhood associations in the Advisory committee	To represent the interests of residents who will also be affected by regularization	Disagreed
6. PUBLIC PARTICIPATION IN VARIOUS SUB-COUNTIES				
a) Westlands	Generally	The bill is addressing symptoms of the problem and not offering solutions as envisaged in the PLUPA act 2019. The county should focus on developing a		Development of these plans is underway.



		county physical and land Use plan and a planning code that will guide developments as outlined in the PLUPA act 2019.		
	<b>Clause 14</b>	What happens to unauthorized developments on public land such as schools which require demolishing?		All demolitions will be carried in accordance with relevant laws
		Notification of the public must not be limited to a gazette notice and newspapers	Most people never read newspapers. Broader measures must be applied	Agreed. Add a clause indicating that public participation be carried out in accordance with the Nairobi County Public Participation Act
	<b>Clause 15</b>	Clarify what court proceedings on the regularized developments will stand abated	Only matters related to the status of 'unauthorized' should be abated	Agreed: sufficiently provided for under Clause 15
b) Embakasi Central	<b>Clause 22</b>	No need for an Advisory Committee	It has financial implications which are unnecessary	The Committee is a committee of experts to advise the CEC accordingly on matters regularization thus necessary.

		There is no need for enacting laws that lapse within short periods such as the Regularization bill 2015 only for it to be repealed by the 2025 one. The County needs one law on regularization to be amended when need be		The bill is an operational bill. The invitation to regularize is not a law in perpetuity. Once regularization period lapses, no other regularization legislation will be enacted. The previous bill had constraint timelines leading to less compliance.
c) Embakasi North	Generally	The County Government to expedite issuance of Title Deeds in Eastlands particularly in Kariobangi North Ward to enable residents apply for regularization and ensure its success		Agreed
		The County should automate/digitize all its revenue streams to enhance accountability of public funds;		Agreed

		The Bill raises suspicions on its intentions being that County Officials often demand for bribes on unauthorized developments in pretext of enforcing compliance		The Expectation is that regularization will be a fair process and will address such concerns
d) Embakasi West	Mowlem Ward	Most residents do not have title deeds and instead have allotment letters. Will regularization exclude such owners? The proposal is that the County should provisionally accept share certificates pending formal titling reforms to allow residents to regularize		Agreed
		Concerns on demolition of unregularized developments built years ago which however meet safety standards		Regularization will be open to all. Approvals will be issued upon application and meeting the required standards including safety.
		The three-month application period is seen as too short to mobilize and prepare documentation, especially in informal settlements;		Agreed. This could be extended to 6 months

		Concerns on the parameters to be applied by the County in issuance of approvals. Corruption will be rampant at the expense of the less fortunate.		The expectation is that the process will be seamless, fair and free of corruption
e) Umoja I and II Wards	Generally	The bill fails to address Slum Upgrading Integration – it does not link regularization with broader slum upgrading initiatives or infrastructure improvement;		This a valid concern which is being addressed under the development control and land use policies currently being developed by the county.
		The local development committees and community organizations were not consulted during the drafting of the bill thus undermining local knowledge;		The bill was subjected to sub-county public participation to ensure it is streamlined and incorporates all stakeholders.
		There is present the risk of losing access to open or shared spaces and legalizing encroachment on communal or public spaces;		The bill specifically excludes such developments from regularization
		The Bill does not provide for mechanisms to resettle affected residents whose structures may be deemed unfit for regularization.		Notice served under relevant laws before demolition will be sufficient for affected residents to relocate.

		The County to come up with a demolitions and resettlements policy		Agreed.
f) Kariobangi South Ward		The Bill fails to adequately address how to handle developments on land with ongoing disputes;		The Bill clearly states that developments on property with land disputes will be excluded from regularization and that the County shall not be determining land disputes by the mere act of regularization
		The County should provide mechanisms to aide vulnerable groups such as elderly who may lack the capacity to go through the application and compliance processes; Ward-based help desks should be set up to assist residents in the application and documentation process.		Agreed. To be provided for in Regulations



		Residents are concerned on whether previous approvals or “letters of no objection” issued by former officers of the County Government will be honored.		All approvals legally issued by the County are valid.
		Amnesty should apply to small infractions like plot boundary adjustments or minor floor extensions  The County to deploy mobile professional teams to help residents with site inspections and plan documentation		Agreed.  To be covered in Regulations
		Once enacted, the county should embark on civic education and public awareness campaigns which should be done in Swahili and other local languages through radio and churches/mosques and chief barazas.		Agreed. But just amend to refer to the Public Participation Act

g) Dagoretti South		The Advisory committee to include one representative from each sub county		This is not viable for a committee.
		The regularization period be extended from 3 years to 5 years		This is already provided for. The CEC may extend the period to an aggregate period of 3 more years.
h) Dagoretti North		Residents do not own titles but allotment letters and share certificates. The County needs to allow regularization for such owners		The County to address titling with urgency
		Enforcement of the Act must be done fairly and devoid of corrupt actions by the county officials		Agreed
i) Roysambu		The County to create a transparent, digitized application system — Establish a digital portal where applicants can submit documentation, track progress, and receive automated updates. Introduce	To prevent bribery and delays. This will ensure record-keeping and audit trails for every stage of regularization.	Agreed: Application process will however be provided for in the regulations to be developed immediately after the Bill is passed into an Act.

		digitized tracking, audit trails, and oversight.		
		Ensure safety-based compliance path — audit buildings, enforce demolitions only on those structurally unsafe, and fast-track those that meet minimum safety standards.	Agreed	
		County to publish demolition and disconnection schedules, giving occupants time to relocate or seek compliance.	Agreed	
		Establish Regularization help desks in each Ward - The public recommended that the Sector do set up fully staffed help desks in every ward to assist applicants with documentation, form-filling, and clarifications..	Agreed	
		Publicize approved planners, surveyors and architects – The County executive should publish and vet a list of certified professionals for use by the	Agreed	

		public to avoid being defrauded.		
j) Kamkunji	Clause 10(1)	Replace the word 'may' with 'shall'	to make it mandatory for the CEC to give a copy of applications to the relevant agencies	Agreed
	Clause 13 (1)	Replace the word 'may' with the word 'shall'		Agreed
	Clause 19	Specify the enforcement action		Agreed but amend it to state enforcement will be done subject to relevant l
k) Makadara Ward		The County to ensure the regularization fee is affordable for all peoples especially the low income earners.		Agreed
		The Approval process should be devoid of unnecessary bureaucracies. Resettlement policies be put in place prior to demolitions		Agreed  Demolitions will be done in accordance with the relevant laws



			Letters of allotments and Share certificates be accepted as prove of ownership before the County issues out title deeds		Agreed
I) Viwandani Ward			<p>The County needs to alongside the bill address concerns on waste disposal and poor drainage.</p> <p>Evictions and demolitions should only be carried out in line with a policy developed and subjected to public participation</p> <p>There is need for a neighborhood association representative on the Advisory Committee</p> <p>Awareness campaigns must be done in a way to reach the common citizens</p>		Agreed
			Most owners cannot afford the legal services required in regularization		The process will generally be affordable

m) Makongeni Ward		Concerns on whether extensions or upper floors will be considered inhabitable or face demolition.		The bill is concerned with developments done without approvals, some of which fail to meet habitable and safety standards
		The County officers should avoid applying excessive force during enforcement		Agreed
		The bill lacks incentives for compliance.		County could apply considerable waivers as incentives
		Decisions of the CEC and the Advisory Committee must be free of political influence		Agreed
		The cost of hiring professionals may not be affordable for everyone. Consider subsidizing fees for low income areas		Agreed
		Extend the regularization period from 3 years.		The Bill provides for possible extension for a further 3 years approved by the County Assembly.

n) Kibra		Property owners only have allotment letters and share certificates. The County to consider regularizing such as the titling process is delayed by the County		The County to expedite and address titling
		The Advisory committee should consider habitable standards for persons with disabilities before issuing approvals		Agreed: Accommodated under Clause 13 (1) (xiv)
		Concerns over possible unaffordable regularization fees and unnecessary application and approval bureaucracies		The expectation is that the process will be affordable and seamless.