NATIONAL LAND COMMISSION

Our Land, Our Wealth, Our Heritage

A GUIDE

FOR THE PREPARATION OF THE

LAND USE AND MANAGEMENT PLAN

FOR LAND HELD BY PUBLIC AGENCIES

2026







Co-funded by the European Union

DIGITAL LAND GOVERNANCE PROGRAMME

Food and Agriculture Organization of the United Nations



A GUIDE

FOR PREPARATION OF LAND USE AND MANAGEMENT PLANS

FOR LAND HELD BY PUBLIC AGENCIES

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ABBREVIATION

ADR:	Alternative Dispute Resolution
DLGP:	Digital Land Governance Programme
EIA:	Environmental Impact Assessment
ESIA:	Environmental Social Impact Assessment
EU:	European Union
FAO:	Food and Agriculture Organization of the United Nations
GIS:	Geographic Information System
ICT:	Information Communication and Technology
L.R. No:	Land Reference Number
L.N:	Legal Notice
LUMP:	Land Use and Management Plan
NLC:	National Land Commission
PPRB:	Physical Planners Registration Board

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DIGITAL LAND GOVERNANCE PROGRAMME

INTERPRETATION OF TERMS USED

Approving Authority- The National Land Commission

Base Map-This is a map that has essential element-topographical features, cadaster, roads, contours administration boundaries, existing development

Commission - the National Land Commission established by Article 67 of the Constitution

Development- carrying out any works on land or making any material change in use of any structures on the land

Development Control- has the meaning as defined in Physical and land use planning Act, Cap 303

Encumbrances- any charge, lease, or other interest noted or required to be noted in the encumbrance section of the Land register

Geo-reference - reference to an object by a specific location either on, above, or below the earth surface as per Land Act, 2012

GIS- a system for capturing, storing, checking, integrating, analyzing, and displaying data about the earth that is spatially referenced

Inventory -detailed record or list of all public land parcels including its characteristics, uses and ownership held by public agencies

Land Management- The practices and strategies employed to oversee the use and development of land resources, encompassing both physical and legal aspects

Land Reference Number – a unique identifier for a parcel of land used for registration and identification purposes

Land use- the manner in which land is utilized

Land use management plan- a plan for use, development and management of the reserved public land vested in the public agency as the management body

Land use planning - the process of designating, regulating, evaluating, zoning, and organizing the present and future use and development of land in all its geographical area and its resources to secure the physical, economic, and social efficiency, health, and wellbeing of urban and rural communities

Management body - by the land act and includes statutory body, public corporation or a public agency that is authorized by the commission to manage reserved land under section 16 of the Land Act 2012

Monitoring - the process of tracking, checking and supervising activities in progress to ensure they are on-course and on-schedule in meeting the set objectives and plan proposals

Oversight –holding the public agency accountable in preparing and implementing the LUMP

Public Land- assigned by Article 62 of the Constitution and includes the coast foreshore, river, dams, lakes, and other reserves under any other law

Registered Planner - a person who holds a certificate as a registered physical planner under section 7 of the Physical Planners Registration Act, Cap 536 and has a valid certificate issued by Physical Planners Registration Board (PPRB)

Reserved public Land- land set aside by order in the gazette by the Commission for use by public agency

FOREWORD



Public agencies have continuously used land reserved to them without preparing and submitting land use and management plans to the Commission for approval as required. The result is uncoordinated use of land, underutilization, encroachment by squatters, land grabbing among others. This manifests into low economic returns, loss of public land and subsequently pose a threat to the future availability and use of public land in Kenya.

Article 67(2)(a) and (h) of the Constitution of Kenya mandates the National Land Commission to manage public land on behalf of the national and county governments, monitor and have oversight responsibilities over land use planning throughout the country. The Land Act 2012, section 17(1) stipulates that management bodies or public agencies are required to submit development, management, and land use plans for reserved public land to the Commission for approval. Additionally, the First Schedule of Legal Notice No. 280 of 2017 mandates public agencies to prepare long-term land use and management plans for the land under their jurisdiction and deposit the plans with the Commission.

Therefore, the Commission has prepared this guide that is intended to provide a comprehensive framework during plan preparation, approval, implementation and management. It will guide public agencies to plan on how they intend to use the land efficiently and also assigns responsibilities to various actors in ensuring effective public land management.

This guide is a call to all public agencies to take ownership of their land and to develop plans that serve short and long-term needs. It also gives collective responsibility to the Commission, public agencies, and development partners to ensure successful implementation of the land use and management plans.
I affirm the unwavering commitment of the Commission to work together with public agencies to ensure the country achieves proper public land management.

Dr. Abdillahi Saggaf Alawy
Chairman, National Land Commission EBS.

PREFACE



The Land Use Planning, Research, and County Coordination Committee of the National Land Commission provided strategic guidance to the secretariat during the preparation of this guide. The committee consequently endorses this guide to provide direction regarding preparation, approval, and implementation of Land Use and Management Plans by public agencies. It is intended for use by the Commission, professionals in land use planning, national and county governments, public agencies and statutory bodies.

Sound technical expertise and experience informed the process of preparing this guide. As a committee, we are keen to apply the guide in collaboration with all public agencies to see to it that the responsibility assigned to the Commission of managing public land is realized. The guide specifically provides direction on:

- The process of preparing, approving and implementing Land Use and Management Plans.
- The expected outputs of Land Use and Management plans.
- Commissions' role in monitoring and overseeing the prepared LUMPs.

The Commission therefore, strongly advises all public agencies to apply this guide for proper utilization and management of public land.

Commissioner Hon. Esther M. Mathenge, EGH.
Chairperson Land Use Planning, Research and County Coordination Committee.

ACKNOWLEDGMENT



I would like to express my sincere gratitude and appreciation to all those who contributed to the preparation of this guide for Land Use and Management Plans. Without their support and collaboration, this guide would not have been possible. I recognize the guidance provided by the Land Use Planning Research and County Coordination Committee; Commissioner Hon. Esther . M. Mathenge (Chairperson), Commissioners; Hon Mary Seneta, FCPA Susan Oyatsi

I take this opportunity to thank the team that successfully prepared the guide. Special appreciation goes to Charles Kagema-Director Land Use Planning and Research; Dr. Samuel Nthuni, Director Land Administration & Management; Mary Ngundo-Deputy Director Land Use Planning; Dr. Mary Wandia-Deputy Director Research, Principal Land Use Planners- Daniel Mmbai, Christopher Kitonga, Munira Jadeed and Adelbert Moriango, Jacinta Gitau-Deputy Director Land Administration; Sospeter Ohanya-Head of Survey Department; County Coordinators-Patrick Waweru, Domtila Gati and Paul Kasimbu, Principal Land Administration Officer Pauline Kariuki, Senior Land Use Planning officer Priscah Kaino, Planning officers; Bonventure Kaliti, Abdub Guyo, Lucy Kyalo, Andrew Kipkenda, Daniel Chelimo, Janet Jepkorir, Fatuma Tari, Abdirizack Bashir, Osman Bulle, assisted by Winnie Kefa-Research officer; Halima Issack- Administration officer and the secretary Priscah Ikapolok and from FAO, Husna Mbarak, Evans Kipruto, and Michael Kitum.

My sincere gratitude goes to all the stakeholders who submitted written comments and actively participated in the preparation of the guide.

Finally, I would like to recognize with gratitude the Food and Agriculture Organization of the United Nations (FAO) in partnership with the European Union (EU) through the Digital Land Governance Programme (DLGP) for the technical and financial support towards preparation of the guide.

Kabale Tache Arero, MBS
Secretary/CEO National Land Commission.

EXECUTIVE SUMMARY

This guide has been developed by the National Land Commission to provide a structured and standardized framework for the preparation of Land Use and Management Plans (LUMPs) for land held by public agencies in Kenya. It responds to persistent challenges among them the uncoordinated use of public land, encroachment, land grabbing, underutilization and fragmented planning.

The guide is in fulfillment and compliance with Article 67(2) (a) and (h) of the Constitution of Kenya 2010 and section 17 of Land Act 2012. It outlines the preparation process and the format of a Land Use and Management Plan for land held by a public agency.

The guide comprises three distinct parts organized into sections. Part 1 constitutes of section 1 which outlines the basis upon which the guide has been prepared and presents the background, purpose, objectives, target users and methodology used. Section 2 provides the Constitutional, policy and legal foundation.

Part 2 outlines the format of the plan report and the layout design. It describes the standard structure and content of the LUMP document. Part 3 on the other hand describes the implementation of the LUMP; land management priorities, operational principles, the monitoring and oversight processes.

Part I -

INTRODUCTION





CHAPTER ONE: INTRODUCTION

This part outlines the preamble,purpose, objectives, targetedusers, and methodology of preparing the guide for preparation of land use and management plans (LUMPs) for land held by public agencies in Kenya.

1.1 Preamble

The guide provides a basis for engagement between the public agencies and National Land Commission in preparing, approving and reviewing Land Use and Management Plan abbreviated as LUMP. This is in compliance with the Constitution and the relevant statutes. Article 67 2(a) and (h) of the Constitution of Kenya, 2010 requires the Commission to manage public land on behalf of the National and County governments and to monitor and have oversight responsibilities over land use planning throughout the country.

In addition, Section 17(1) of the Land Act, 2012 states that a management body shall, on its own motion or at the request of the Commission, submit to the Commission for approval plan for the development, management and use of the reserved public land vested in the management body. The First Schedule of Legal Notice No. 280 of the Land Regulations of 2017 of the Act requires the public agencies to prepare long term land use and management plans (LUMPs) of their land and deposit the plans with the Commission.

Public agencies have used land allocated to them without preparing and submitting LUMP to the Commission for approval as required by the Land Act, 2012. This has resulted into uncoordinated use of land, underutilization, encroachment by squatters and land grabbing. This has manifested into low economic returns, loss of public land and subsequently posing a threat to the future availability and use of public land in Kenya. The situation further contravenes Article 60 (1) of the Constitution 2010, which states that land should be held, used and managed in a manner that is equitable, efficient, productive and sustainable.

It is against this backdrop that the Commission endeavored to prepare this guide for preparation of the land use and management plans (LUMPs) as envisaged.

1.2 Purpose of the guide

The guide serves as a reference document to be used by public agencies and institutions to prepare LUMPs for the land under their care management and control in adherence to provisions of section 17 of the Land Act, 2012. The guide outlines the planning process: plan preparation, approval processes and procedures.

The Commission will use the guide to review and approve LUMPs submitted by the public agencies as well as to monitor and oversee the preparation and implementation of the plans. The guide will be used as a tool to sensitize the public agencies for compliance.

1.3 Objectives

The overall objective of the guide is to enable public agencies to prepare land use and management plans (LUMPs) for optimal use of land under their care.

The specific objectives are:

1. To outline processes for preparation of LUMPs
2. To describe processes for approval and implementation of LUMPs
3. To facilitate effective monitoring and oversight on the preparation and implementation of LUMPs

1.4 Targeted Users

The guide applies specifically to reserved public land, as provided for under section 17 (1) of the Land Act, 2012.

The guide is intended for use by the following:

i Public agencies
ii. National Land Commission
iii. Professionals
iv. Development partners
v. Non-state actors
vi. General public

1.5 Methodology

This section summarizes the methods and approaches used to prepare the guide.

1.5.1 Approach

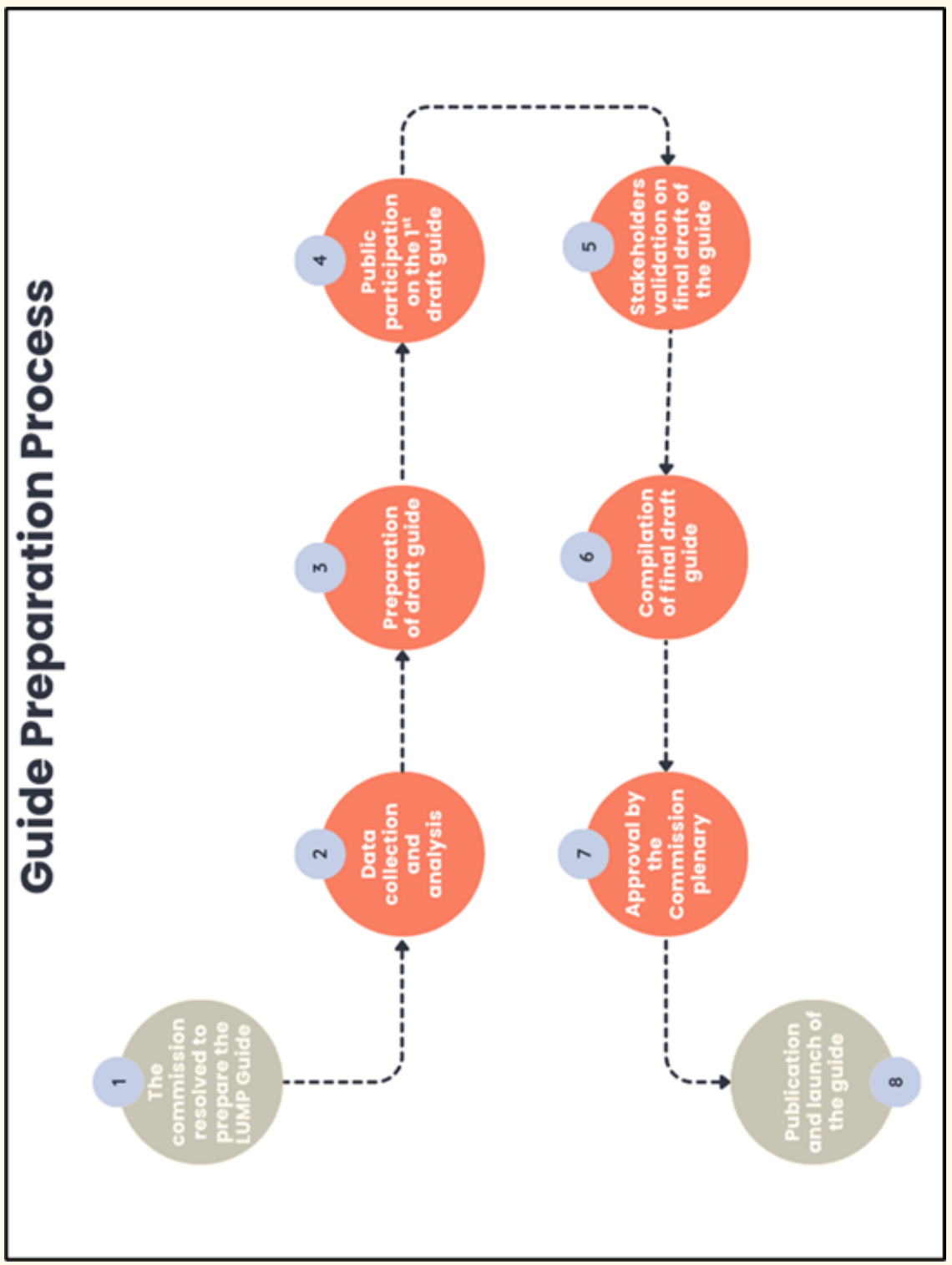
The preparation of the guide adopted the following approaches:

i. Multi-sectoral-various agencies were involved in the preparation of the guide including agencies from the agricultural, rural & urban development, energy, infrastructure & ICT, water, economic, education and governance sectors.

ii. Participatory and Consultative - the guide was subjected to several consultative fora to ensure consensus towards a validated document. Both physical and online modes of public participation were employed.

1.5.2 Process

The preparation of the guide involved key phases that included the preliminaries, data collection and analysis, preparation of draft guide, public participation, Stakeholders' validation and compilation of a final document. The final draft was subjected to the internal approval process of the Commission, published, launched and disseminated.


Guide Preparation Process
1
The commission resolved to prepare the LUMP Guide
2
Data collection and analysis
3
Preparation of draft guide
4
Public participation on the 1st draft guide
5
Stakeholders validation on final draft of the guide
6
Compilation of final draft guide
7
Approval by the Commission plenary
8
Publication and launch of the guide



CHAPTER 2.0 : CONSTITUTIONAL, POLICY AND LEGAL CONTEXT

Key references in preparing this guide include the Constitution of Kenya, 2010, policy documents and legislations.

2.0 Constitutional Context

Article 67 (2) (a) of the Constitution of Kenya 2010 mandates the National Land Commission to manage public land on behalf of the National and the County Governments whereas Article 67(2)(h) mandates the Commission to monitor and have oversight responsibilities over land use planning throughout the country.

Article 60 (1) states that land in Kenya shall be held, used, and managed in a manner that is equitable, efficient, productive, and sustainable. Further on, Article 66 on regulation of land use and property provides that the state may regulate the use of any land, or any interest in or right over any land, in the interest of defense, public safety, public order, public morality, public health, or land use planning. Article 10 (2) (a) on National values and principles of governance emphasizes on public participation in decision making.

In view of this, the guide adopts a participatory approach in preparation of LUMP. Collectively these Articles forms the basis of preparing the LUMP and provides a framework for distinct roles of the various actors in the use and management of public land.

2.1 Policy Context

There are several policy papers which formed an essential reference for the guide. This section indicates the highlights the policy papers.

2.2.1 Sessional Paper No. 1 of 2017 on the National Land Use Policy

The sessional paper calls for proper management of land resources to promote public good and general welfare. The vision of the sessional paper is to guide Kenya towards an environmentally and socially responsible use of land and land-based resources for socio- economic transformation. Section 3.2 (iv) of the policy states that all leases of public land will be issued with binding conditions clearly stating the intended use of the land and which shall comply with the relevant local land use plans, County Spatial Plans and the National Spatial Plan. Furthermore, subsection (vii) provides for management of reserved public land which should be predicated on approved development plans, local area development policies or technical guidance issued by the relevant planning authorities at national and county levels. In line with the foregoing, the guide seeks to operationalize the provisions of that particular section in the National Land Use Policy

2.2.2 Sessional paper No. 3 of 2009 on the National Land Policy

The policy promotes the optimal use of land and sets out goals and directions for the sustainable use of land in Kenya. The guide thus takes into recognition the principles as envisaged in the sessional paper.

2.2.3 Kenya Vision 2030

This is a development blueprint whose aim is to transform Kenya into a newly industrializing, middle-income country providing a high quality of life to its citizens by the year 2030. The vision also recognizes the central role of land in socio economic and political transformation of the country. Land held by public agencies in their nature are therefore key in realizing the vision.

2.3 Legal Context

In undertaking the preparation of the guide, the Commission adhered to the provisions of the following statutes: Land Act of 2012, Physical and Land Use Planning Act, Cap 303 National Land Commission Act of 2012 and Environmental Management and Coordination Act of 1999 (Revised, 2012) as well as other relevant sectoral laws.

2.3.1 Land Act, 2012

Section 10 (1) of the Land Act 2012 states that the Commission shall prescribe guidelines for the management of public land by all public agencies, statutory bodies and state corporations in actual occupation or use of public land. In addition, Section 10 (2) states that the guidelines provided under sub section (1) shall indicate management priorities and operational principles for the management of public land resources for identified uses.

Section 17(1) and Land Regulations, Legal Notice No. 280 of 2017 requires that management bodies on their own motion or at the request of the Commission, submit to the Commission for approval a plan for the development, management and use of their reserved public land.

2.3.2 Physical and Land Use Planning (PLUPA) Act Cap 303

The Act is the principal legal framework that provides for the preparation and approval of physical and land use plans. PLUPA provides for different categories of plans: National, Inter-county, County, Local, Physical and Land Use Development Plans. LUMP can, therefore, be categorized as a lower-level local physical land use plan that should be linked to other higher-level plans inter alia.

Section 18 (3) of the Land Act,2012 requires that the preparation and implementation of development plans under the Act be in accordance with physical planning regulations and relevant law. Therefore, the preparation and implementation of the LUMP, shall be guided by the relevant provisions of PLUPA.

2.3.3 The National Land Commission Act, 2012

Section 5 (1) (a) mandates the Commission to manage public land on behalf of the National and County Governments while section 5 (h) obligates the Commission to monitor and have oversight responsibilities over land use planning throughout the country.

Further, section 6 (2) (c) gives powers to the Commission to take any measure it considers necessary to ensure compliance with the principles of land policy as set out in Article 60 (1) of the Constitution.
The preparation and implementation of this guide will enable the Commission to execute its mandate and ensure reserved public land is utilized sustainably.

2.3.4 Environmental Management and Coordination Act, CAP 387 (EMCA)

The Act section 57A (1) requires all policies, plans &programmes forimplementation shall be subject to Strategic Environmental Assessment (SEA).

The Act and its attendant regulations Legal Notice No. 32 of 2019 section 42 requires agencies in consultation with NEMA to subject all plans and programs for environmental implementation to a Strategic Environmental Assessment (SEA).

The second schedule lists the type of projects that require EIA. This therefore calls for agencies undertaking such projects during implementation of LUMP to always make reference to this schedule and also be guided by section 58 of EMCA.

2.4 : Global Approaches to Public Land Use and Management

Public land is often mismanaged, and nearly all countries underutilize these resources. Many governments share a common problem. In many countries there is still not much awareness and interest in properly managing public land, the question will always be who will define the development objectives and guide the policy development for public land. The Commission drawing from lessons learnt, for instance from the Higher Committee for state land management (Egypt) and the Council for Land Policy (Cambodia) can recommend a land use and management policy to guide the management of public land in Kenya.

The major objective of land use and management is matching the land rights with land- use rights and land-use options for achieving sustainable development objectives. Public property must be managed to the maximum long-term economic advantage of the government, to honor social and environmental objectives, to provide adequate facilities for users, and to respect other relevant government policies. This is elaborated in the case of Rwanda where it advocates for adaptability to climate change, promotes agroforestry and smart land use planning.

In Singapore on the other hand, as they address issues of land scarcity have advocated for efficient use and vertical expansion of land. New Zealand also advocates for management of public land to be governed by a framework, policies and administrative processes.

It's principles of public land management entail the support of social objective which includes providing access to recreational areas and other public benefits. It also promotes for economic advantage-that public land should be managed to maximize its long-term economic advantage for the crown.

Additionally, Malysia has gone ahead to provide for operational principles under their National Land Code which gives state authority to alienate land to individuals or institutions and issue conditions on managing the land. Land can be forfeited if conditions are breeched. They also introduced the torrent system which introduces a land registration system where the title depicts ownership of land. Whereas in Kenya most of these principles have been adopted and implemented to some extent in the past, under the new dispensation (Land Act of 2012) public land maybe safeguarded through reservation for one or more purposes in the public interest. The reserved public land ought to be administered and managed as

per the LUMP. The reservation process is well outlined and attached in Annex 7.4 of this guide.

From the foregoing, Kenya borrows some lessons from the mentioned countries as well as apply the principles in the Kenyan Constitution 2010 and the statutes to develop key guiding principles for the Land Use and Management Plan (LUMP).

Part 2 -

LUMP FORMAT & PROCESS





CHAPTER 3.0 : LAND USE AND MANAGEMENT PLAN

The key characteristics, guiding principles, the planning process, roles of various actors in the plan preparation and approval are presented in this section.

3.1 Guiding principles of LUMP

The LUMP should seek to achieve:

- Sustainable and productive land management practices transparent, efficient and accountable land management processes
- Economic benefits optimization Accessibility to social benefits
- Sound conservation and protection of ecologically sensitive areas
- Preventing mismanagement
- Addressing Land Use Conflicts Inclusivity and public participation

3.2 Characteristics of LUMP

This is a plan prepared pursuant to section 17 of the Land Act 2012. It is a lower-level plan within the broad category of local physical development plans purposely for the use and management of public land. The main characteristics of the LUMP shall be:

- Site specific
- Strategic, clear and precise, adaptable to climate change (incorporate Agroforestry and recreational spaces)
- Applicable to all public land measuring 1 acre and above
- Aligned to relevant legal framework and the existing approved development plans of
- the locality
- A long-term plan for 20 years which will be reviewed every 5 years.
- Varying depending on the core-function, use set out in the reservation, allocation and size of land held by different agencies.
- GIS based: The data captured should be in both spatial (shape files referenced in terms of x, y coordinates) and non- spatial data (attributes)

3.3 LUMP Preparation Process

The preparation of the LUMP shall be completed within a period of six (6) months, from the date of initiation. The process shall be inclusive by involving all key stakeholders, namely; National Land Commission, National government, county government, neighboring community and other relevant state agencies etc. The preparation of the LUMP shall involve the following activities:

1. Pre planning

a. The management passes a resolution to prepare LUMP and notifies the Commission on the intention to prepare the LUMP. The management resolution and A copy of the notice of intention to prepare the LUMP should form an annex of the final plan report submitted to the Commission.

b. Engage the services of a consortium with a registered planner taking the lead.

2. Plan Preparation and approval

a. Data collection and analysis
b. Prepare the Draft LUMP
c. Undertake public participation
d. Circulation to key stakeholders
e. Prepare final draft LUMP
f. Plan Adoption by management (public agency) g. Submission for approval to the Commission
h. Plan approval (within 30 days)

Figure 2 below is an illustration of the plan preparation process. A detailed process is contained in Annex 7.3.

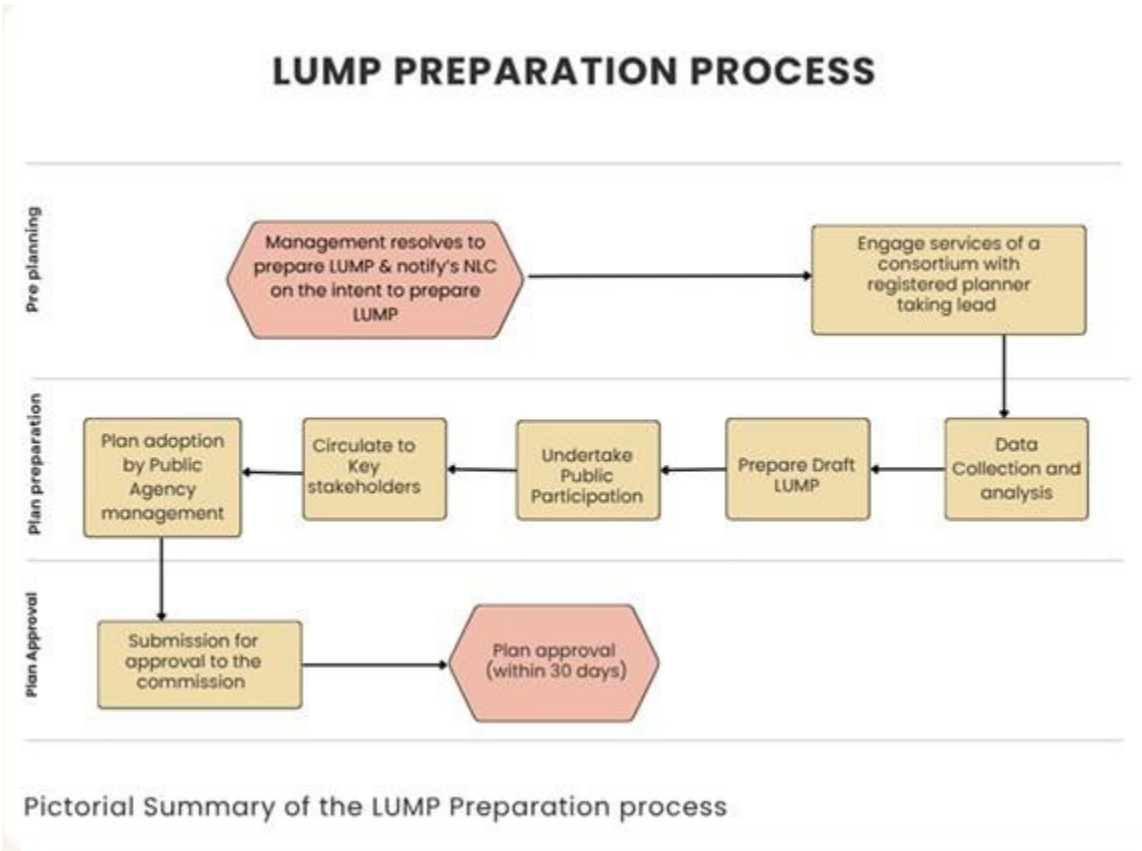


Figure 2: Summary of Lump preparation process

3.4 Institutional Roles

Thet able gives a summary of the roles of the institution involved in the preparation, approval, monitoring and oversight of the land use and management plans as follows:

Table 1: Institutional Roles

Institution	Role
National Land Commission	• Approving Authority • Approve land use management plan submitted by the public agencies and institutions. • Spearheading preparation of this guide • Sensitizing public agencies and institutions on preparation and implementation of land use and management plans. • Monitor and oversee preparation and implementation of the land use management plan. • Issue advisories from time to time. • Issue revocation orders for non-compliance
Public Agencies	• Prepare land use management plans and submit them to the Commission for approval. • Use and develop land according to the approved land use management plans. Implement the land use and management plans in accordance with sec 10 (2) of the Land Act,2012 • Care, control and manage reserved land.
Planning Authority (1. Ministry incharge of Physical planning, 2. County Goverment)	• Undertake capacity building to the public agencies and institutions holding public land. • Make recommendation to the Commission • Checking compliance with development control of the area • Provide planning principles and standards
Development Partners	• To facilitate sensitization and awareness campaigns • Resource mobilization • Champions of accountability and transparency
Non-State Actors	• Popularize and create awareness • Share information with the Commission on any violation of the land use and management Plan • Champions of accountability and transparency (watch dog)
Professional Associations	• Capacity building • Adherence of planning standards and regulations • Sensitization and policy appraisal


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CHAPTER 4.0 : THE PLANNING REPORT

4.0 The planning report will contain thefollowing sub-sections:

1.Preliminary pages;

a) Cover page

The cover page of the report will include the following:

- Name of the agency
- Title of the plan
- Timeframe of the plan
- Pictorial representation of specific strategic highlights in the plan
- Logo of the institution

b) Approval page

The plan approval page shall have:

- Certificate signed by registered planner
- Adoption by the management of the agency
- Certification by Director in charge of Land Use Planning of the Commission Certification by Director Land Administration and Management of the Commission
- Approval by the Chair National Land Commission

Format of the Approval Page see annex 7.1

a) Other sections of the preliminary page may include:

- Foreword
- Acknowledgement
- Executive summary
- Abbreviation
- Table of content List of figures
- List of maps List of tables

2. Overview of the Agency

The public agency shall describe whether it's a constitutional Commission, statutory body, government ministry, County Government as outlined below:

- Brief historical background about the agency
- State the establishment of the agency
- State how many parcels of land the agency owns in the country as per annex 7.5
- Describe the mandate of the agency and the constitutional and legal anchorage
- Describe the vision and mission of the agency

3.0 Purpose of the plan

The agency shall state:

- Reasons for preparing the plan
- The objectives of the plan

- The scope of the plan (location, coverage, time frame)
- Linkages to other plans

This shall indicate how the LUMP links to higher level plans (national, county and local development plans).

4. Planning Context

Describes site-specific information as indicated below:

a) Parcel specific description:

The expected attributes should include: Parcel Number/Land Reference number

b) Location: -

- Location of the land describe the site (county, Sub County and ward spatial representation)
- Provide coordinates based on accepted reference framework
- Provide Location map indicating key land marks
- Spatial representation (layout) – GIS based maps and georeferenced
- Size- give size in hectares (Ha)

c) Status of the land:

- Ownership status can be evidenced by any of the listed documents (title, lease, letter of Allotment, reservation letter) of which a copy shall form part of the annex of the planning report.
- Land tenure-indicate whether freehold or leasehold Current land use/ reserved use
- Give the historical land use development: Land disputes (if any)
- Encroachment on Land
- Legal Suit on Land Boundary disputes
- any encumbrance

5. Methodology

The approach adopted shall depend on the size of the land, the permitted use and the public participation processes.

6. Situational analysis

The data collected, shall be analyzed to inform the plan proposals

7. The plan proposals

This section will include the proposals made in the plan, strategies, programs and an implementation matrix.

8.0 Annexes

i. Minutesof the management body,
ii. Ownership documents,
iii. Inventory,

iv. Evidence of public participation,
v. Recommendation letters from relevant agencies,
vi. Survey plan
vii. Certificate of the registered planner viii.Any other relevant documents

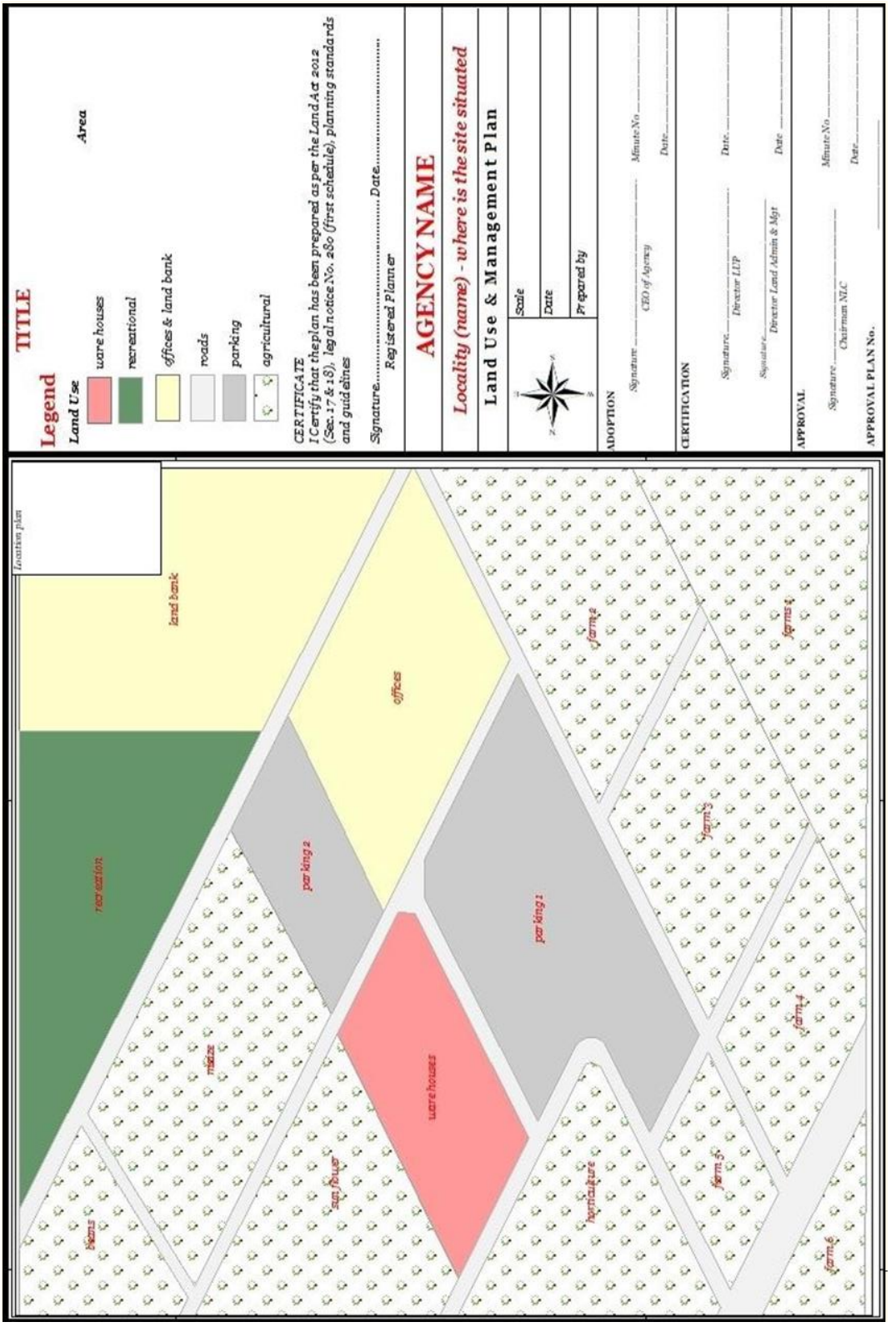
4.1 Format of the Layout design

The layout planshould be GIS based and georeferenced showing the various sub-land uses. These sub-land uses should be compatible with the main land use.

Specific details to be shown on the layout include:

- Title of the plan
- Layout plan
- Land uses (existing and proposed)
- Location plan
- Legend should show the following information:
    1. Land use zones-indicating zones and acreage
    2. Agency Name
    3. Locality
    4. Scale - series of 500
    5. Date of preparation
    6. North Arrow
    7. Section for certificate by registered planner
    8. Section for Adoption by the management body
    9. Section for certification by director land use planning NLC & director land administration NLC
    10. Section for approval by the Commission
    11. Minute number for Commission

Figure 3 below is an illustration of the layout design



Part 3 -

LUMP IMPLEMENTATION & MONITORING





CHAPTER 5.0: IMPLEMENTATION OF THE LUMP

The LUMP shall be implemented through a land management plan that will take into consideration the management priorities and operational principles.

5.0 Land Management Plan

A Land Management Plan (LMP) has strategies for the equitable, efficient, productive and sustainable utilization, development, and conservation of public land. It ensures that land resources are managed efficiently and in compliance with legal and regulatory requirements.

During implementation the public agency shall adhere to an implementation framework (LMP) that details the management priorities and operational principles.

5.1 Management priorities

The agency shall prepare a detailed land management implementation matrix indicating the management priorities, initiatives with defined timelines, resources, actors and responsibilities. The management priorities include the following: environmental and social considerations, Legal and Regulatory Compliance, Maintenance of Onsite Facilities and Improvements, Risk Management and dispute Resolution among others.

5.1.1 Environmental and Social Considerations

The agency shall undertake EIA or ESIA depending on the magnitude of the proposed land use in the LUMP. It shall contain the following:

- Environmental and Social Impact Assessment and mitigation measures
- Sustainable land use practices for the site
- Community engagement and stakeholder consultation
- Compliance with environmental laws and policies

5.1.2 Legal and Regulatory Compliance

- Compliance with relevant land laws, policies, and regulations
- Adherence to planning and zoning requirements
- Any reservations, lease agreements, grants or titles held by the institution

5.1.3 Maintenance of Onsite Facilities and Improvements

- Define standards for routine and preventive maintenance of buildings, infrastructure, and utilities
- Establish regular inspection schedules and record-keeping of the site
- Ensure lessees are contractually responsible for maintaining leased property

5.1.4. Risk Management

- Identification of potential risks (e.g. Land disputes, environmental degradation, loss of income from rent, user fees or royalties).

- Measures for securing institutional land against encroachment, occupation and illegal use.

5.1.5 Dispute resolution mechanism

- Measures shall be put in place to resolve dispute with priority given to ADR as provided Article 159 of Constitution.

5.1.6 Other management priorities

- The agency shall put in place measures to safeguard the boundaries, strategies on waste management, traffic management, water reticulation, land banking, Disaster and Safety management.

5.2 Operational principles (Legal Notice 280 of Land Regulations 2017)

The agency shall adhere to operational principles as outlined in LN. 280 of Land Regulations 2017 i.e.

1. Seeking the commissions consent in compliance with development conditions as provided for various uses in plan.
2. Compliance with zoning regulations, development control of the resident county.
3. The public agencies, statutory bodies and state corporations shall maintain the land for the purposes for which it was allocated and any other use provided in the LUMP.
4. The institutions shall undertake to prepare long term land-use and management plans for the land and deposit the plans with the Commission.
5. The institutions shall be responsible for provision and maintenance of relevant infrastructure in accordance with the county governments by- laws and other authorities.
6. Any change of use of the whole or part of the land, from the registered use shall require public consultation as required by law and approval from the National Land Commission, National or County Government in addition to any other relevant approval.
7. Where the institutions are found to be in breach of any conditions in the land management plans, they shall undertake appropriate action as shall be required by the Commission which include revocation or a fine.
8. Leasing/Subleasing Guidelines:

Where an agency has leased or sub leased its land to another agency whose interest is of public interest then the following needs to be considered.

- **Consent Requirement:** Obtain prior written consent from NLC for any lease or sublease
- **Eligibility Criteria:** Define qualified lessees based on legal, social, economic and environmental interests
- **Lease period and terms:** Outline permitted land uses, duration, rent and other payables including reviews, insurance, and renewal conditions.

- **Subleasing:** Establish approval requirements and conditions for subleases.
- **Handover/Takeover Procedures:** Require detailed handover and takeover reports on commencement and expiry/termination of lease.
- **Maintenance Obligations:** Specify lessee responsibilities for repairs and maintenance of onsite facilities and improvements.
- **Due Diligence:** Conduct background checks on potential lessees.
- **Revenue Management:** Ensure proper accounting and investment of lease revenue.
- Termination and Breach Provisions: Establish consequences for non-compliance.

9. **Amendments of the plan:** If there have been practical difficulties in the implementation of the plan; or there has been change of circumstances since the plan was approved, the agency may cause an amendment, modification, review or revision of the plan. The changes to the plan shall be affected with consent from the commission. The updates should reflect stakeholders' views, changes in policy, land use needs, and emerging best practices.



CHAPTER 6.0: MONITORING AND OVERSIGHT

The Commission shall conduct inspections to ensure that developments on public land are in accordance with the approved LUMP. Monitoring will be done through:

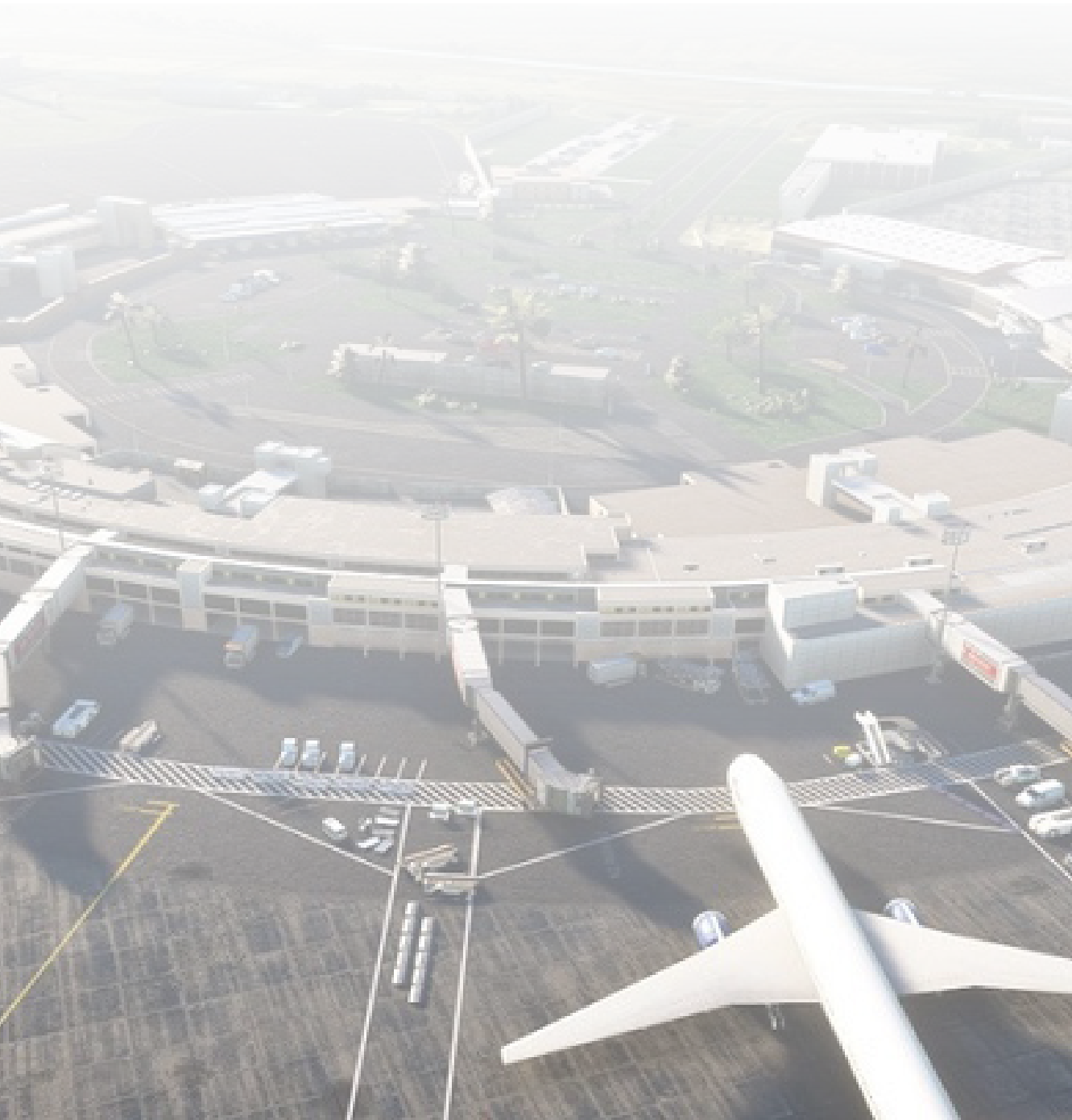
a) **Mandatory site visits at least once a year to;**

- Establish key performance indicators for land management
- Undertake regular assessment of compliance with LUMP objectives and provide monitoring reports
- Document challenges on implementation of LUMP and recommend appropriate corrective measures

b) **Satellite imagery:** the agency shall submit periodic reports indicating the changes made on the land with support from satellite imagery

c) **Drones:** may also be used to support the monitoring process and ensuring of compliance of the LUMP

In case of non-compliance management orders and notices shall be issued through oversight reports.



7.0: ANNEXES

7.1 Format of the Approval Page

I certify that this plan has been prepared as per the Land Act 2012 (Sec 17 & 18), legal notice No 280 (first schedule), planning standards and guidelines.

Signature..... Date .....

Registered Planner

ADOPTION Minute No.....

Signature..... Date.....

Designated office (e.g. C.E.O, Company Secretary, Principal etc.)

CERTIFICATION

Signature..... Date.....

Director Land Use Planning

Signature..... Date .....

Director Land Administration & Management

APPROVAL

Minute no.....

Signature..... ..... Date..... .....

Commission

Land Use and Management Plan Approval No.....

7.2 Legal Notice 280 First Schedule (T.5)

Guidelines for Management of Public Land held by Public Agencies, Statutory Bodies and State Corporations

1. All public agencies, statutory bodies and state corporations shall maintain an inventory of all lands held by them and ensure that such lands are surveyed and titled.
2. The public agencies, statutory bodies and state corporations shall maintain the land for the purposes for which it was allocated.
3. The institutions shall undertake to prepare long term land-use and management plans for the land and deposit the plans with the Commission.
4. The institutions shall be responsible for provision and maintenance of relevant infrastructure.
5. The institutions shall ensure compliance to applicable statutory fees and charges including prompt payments of rates and rents.
6. Where the land or part thereof forms part of an ecologically fragile ecosystem, due measures should be undertaken to conserve such land.
7. Any change of use of the whole or part of the land, from the registered use shall require public consultation as required by law and approval from the National or County Government in addition to any other relevant approval.
8. Where part of the land held by the institutions may be required in the interest of defense, public security, public morality, public safety, public order, or public health the Commission shall cause the Chief Land Registrar to make a temporary entry of the acquisition in the register.
9. The institutions shall undertake periodic valuation of their land by the Chief Government Valuer.
10. The institutions shall ensure that they comply with environmental management regulations as maybe prescribed by any other law.

Where the institutions are found to be in breach of any conditions in the land management plans, they shall undertake appropriate action as shall be required by the Commission.

7.3 Detailed LUMP Planning Process

i. The agency notifies the commission on the intention to prepare the land use and management plan through a management Resolution

- a copy of which should form an annex of the final plan report

ii. Engage the services of a consortium with a registered planner taking the lead.

iii. Carry out data collection;

- Prepare a Base map
- Collect site specific data in respect to: soil type, vegetation, Topography, Neighborhood Characteristics, environmental concerns (Identify and map ecological fragile zones on the land).
- Describe the existing developments,
- Quantify the existing developments,
- Indicate any existing infrastructure and services on the land (storm drainage, liquid waste disposal....).

iv. Undertake the Situation analysis

On this part, there should be a depiction of the current situation or conditions while examining the location attributes and relationship of features on the land. This may include:

- Land suitability analysis -is an assessment based on site characteristics of the land vis a vis the land use proposals of the agency)
- Land availability- an assessment of the proposed land uses against the available land and the planning standards.
- Land capability- is a rational assessment of the proposed land uses/ projections against the ability of the land to sustain the land use proposals without any long- term degradation

v. Plan preparation: The agency to prepare the LUMP

vi. Plan Adoption: The LUMP shall be submitted to the management for adoption

vii. Submission for approval to the Commission-the agency shall submit the LUMP in both hard and soft copies together with the minutes supporting the adoption. Documents required for submission are, these should include stakeholder comments, minutes of board approval, plan reports and maps (including shapefiles), and two hard copies of the plan.

viii. Plan Approval: The Commission may approve, reject or propose modification, giving reasons of the decision use after review within 30 days of submission. Once the plan has been approved by the Commission, a copy will be sent to the agency for implementation purpose. approval will be granted within thirty (30) days.

Below is a table indicating the actors and their roles in approval process of the LUMP:

Table 2: Actors and their roles in the approval process

Actor	Role
Public agency	• Adoption and submission to the commission for approval
Registered Planner by PPRB	• Prepare and certify the plan
Commission	
Director in charge of Land Use Planning	• Technical review and recommendation • Oversight preparation and implementation of LUMP
Director in charge of Land Administration and Management	• Technical review of the management priorities by the agency
Chairman	• Approve the plan

7.4 Process of Public Land Reservation

The steps that are followed to reserve public land are:

- The relevant public agency shall make a request to the cabinet secretary in charge of
- lands or CECM in charge of land as deemed appropriate.
- The CS lands or CECM in charge of land shall forward the request to National Land
- Commission.
- NLC processes the application by issuance of reservation notices and publication in
- the Kenya Gazette.
- The Commission forwards the Gazette Notice to the Land Registrar for registration.

7.5 Inventory Of Public Agencies

Data Collection Template

Name of Agency	Registration No.	Plot No / L.R. No.	Title No.	Size	Value	Locality	Use	Status (developed or not)	Remarks



8.0: REFERENCES

1. Constitution of Kenya, 2010
2. Kenya Vision 2030
3. Land Act, 2012
4. The Land Regulations (Legal Notice 280 of 2017)
5. National Land Commission Act, 2012
6. Physical and Land Use Planning Act, 2009
7. Environmental Management and Coordination Act, (EMCA 1999)
8. Sessional Paper No.1 Of 2017 On National Land Use Policy
9. Sessional Paper No. 3 Of 2009 On National Land Policy
10. Exemplar format for preparation of County Spatial Plans

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