

## Langata Road Widening - Are You Affected?

The widening of Langata road is to be extended from Bomas junction to the Karen shopping centre. The new road will be a dual carriageway with cycleways, footpaths and service roads on either side resulting in an overall width of 60 metres. This will require land on private plots to be surrendered and while some plot owners have done so others are unaware of this requirement. The Kenya Urban Roads Authority (KURA) is planning to hold an information meeting to inform affected plot owners with the

assistance of KLDA. *Information on the meeting will be publicised in the press, the KLDA web site and KLDA's Facebook page.*

KURA and KLDA are concerned that unsuitable ribbon development is already beginning to line the existing road – if this is within the 60 meters it will have to go - as KURA's planning advisor stated "a road is not an open air garage or a furniture shop".



Karen desperately needs a bus station.

## The LPDP Review - What Members Think

KLDA asked members by email what are the three priorities for the review to consider. Thanks to all who wrote to KLDA – here is a summary of the points made.

The majority of contributions concerned the seemingly unstoppable tide of development in the area and many said that there should be no more office parks, supermarkets and gated communities. Residential plot sizes should be a minimum of half acre or one acre. Many members also said that there should be no further development without adequate infrastructure and that no permission to build should be given until it is in place. It was suggested that developers should pay an up-front premium for the improvement of public infrastructure such as roads and sewage. (This happens in many countries. Ed).

Planning, or the lack of it, concerned many who said that existing and future plans should be respected and implemented. The area should be properly zoned and managed. Karen Shopping Centre was seen as a mess by many with buildings

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# New Developments

**K**LDA has been approached by developers wanting to undertake large scale projects in Karen. It is intended to build a shopping mall on the old Rusty Nail restaurant site and adjacent plots. The developers made a presentation to KLDA representatives on the 18 August and to members at the KLDA social on the 4 September.

Another mall and offices is planned for a site to be sold by Hillcrest School adjacent to Langata Road and KLDA has been represented at meetings where the developers have explained their proposals.

The upward extension of Tana House at Karen Shopping Centre has angered many residents who have contacted KLDA asking:

Is it legal? No as the Local Physical Development Plan allows commercial buildings to have up to 3 storeys and this will now be five.

Is it safe? We don't know and KLDA has arranged for the CCN buildings inspector to visit. We await the report.

Is it the ugliest building in the area? Yes, despite a lot of competition.

KLDA referred the Karen Central development (next to Karen roundabout) to the National Environment tribunal based on concerns about water usage, sewerage disposal and traffic. KLDA experts have already appeared before the NET and on the 26th September, NEMA's witness is due to be cross examined.

## The LPDP Review - What Members Think *cont'd*

rising above the permitted height, matatus creating chaos, kiosks, bars, car bazaars and traffic jams. Again this was seen a failure of a planning that does not provide adequate space for small businesses and for a bus interchange.

Thanks to (among others) Njuguna Ngumunu, Pop Gunson, David Mead, Gail Paul, Paul Waweru, John Marosi, Lou Grainger-Brown, Nick Mbuvi, P D Paterson, Mike Mills, Rob Burnet, Anthony Gross, Pam Cunneyworth and Michael Tilley.



Tana House Extension

## KLDA Activities

### KARA

The Kenya Association of Residents Associations (KARA) is meeting its members (KLDA is a founder) to discuss how it can improve its services to members. The KLDA suggestions to KARA mainly focused on strengthening the KARA secretariat so that it can engage with Nairobi City Council, NEMA and other authorities on development issues. This could involve sharing publicity and research and legal services.

### KLDA Holds EGM

The KLDA audited accounts were approved at an EGM on the 19 June. The resignation of the previous auditor was accepted and the accounting firm of Kimani and Associates was appointed as the new auditor. Mr Kimani has since visited KLDA to review accounting procedures.

### Trust Fund

At the same meeting members agreed to establish the KLDA Trust to hold funds on behalf of KLDA. The concept of the Trust is to ensure that KLDA funds are fully protected. The trustees are established and respected members of the Karen and Langata community:

- Irving McLean who is a chartered accountant and a former treasurer of KLDA
- Mary Okello who was Kenya's first female bank manager, then with Women's World Banking and a founder of Makini Schools
- Lau Larsen who was a KLDA committee member for many years, a businessman and who is well known for his charitable activities.

### Web site

By the time you read this the new KLDA web site should be on-line. The new site is easy to use. Sections include latest news, a calendar of events, KLDA structure and activities, what to do when you have a problem with service providers, information on neighbourhood associations in the area, security reports, monitoring of developments - and much more. Take a look and let us know what you think.

### The Mbagathi WRUA

After having supported and encouraged the creation of the Water Resources Users Association (WRUA) for the Mbagathi River the Water Resources Development Authority (WRMA) has suddenly changed its policy and is now promoting the creation of a number of WRUAs along the river. This happened after the constitution of the Mbagathi WRUA had been approved by WRMA and had been registered by the Ministry of Social Services. WRMA caused considerable confusion by inviting the potential members of other WRUA's along the river to the AGM of Mbagathi WRUA in April. While many of these participants had interesting points to make on management of the river they had no official status in the meeting.

The committee was re-elected at the meeting and their first task is to get the sort out the confusion and get activities back on track – including the planned survey of the river.



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# CEMESTEVA Development Begins

Building has begun at the Centre for Mathematics, Science and Technology Education in Africa (CEMESTEVA) site on the junction of Karen Road and Bogani Road. The ground breaking ceremony was on the 9 July. CEMESTEVA serves as a national and regional in-service training centre for senior mathematics and science teachers as well as education managers who undergo capacity development on pedagogical leadership.

You may remember that, beginning in 2007, residents adjacent to the site and KLDA vigorously opposed plans to greatly increase the capacity of the

centre. It was argued that the environmental impact, particularly regarding water and sewerage, would be unsustainable. CEMESTEVA and its consultants and JICA (the donor) agreed to go back to the drawing board. The redesign is more modest with the number of students and staff related to the site carrying capacity. At the invitation of CEMESTEVA KLDA is represented at monthly site meetings and it is clear that the concerns of neighbours are being respected. As we write a corrugated iron fence has been erected during construction but this will be replaced with a 2.2 metre masonry wall and a hedge.

## KLDA Supporting Youth Football

The Karengata Youth Soccer Academy (KYSA) football season continues to progress – in spite of the cold weather! The Senior Boys Nairobi League results have been varied, but they continue to battle hard to try to keep up with their positions in the last 2 seasons. One of the reasons for their varied results has been KYSA’s lack of funds for the players’ transport costs to enable them to attend regular training sessions.

The U17 and U14 boys meet regularly, and have been having friendly matches with local teams.

The girls have been progressing with training and friendly matches, and those who attend are now mostly U16. When the new school term starts in September, we intend to recruit more younger players so that we can restart an U14 team.

Planning is now in progress for the KLDA tournament, and we plan to have Senior, U17 and U14 Boys sections, and U16 Girls.. KYSA look forward to welcoming KLDA members to come and support each initial tournament day, with the finals provisionally expected on 2nd December – we will ensure members are informed of the dates.

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## Silanga Residents Stop Mast - Judge Mabeya Refers to Constitutional Requirement for Public Participation

Silanga residents were taken to court by Telkom Kenya after the residents had protested about a mast and associated equipment being installed on a plot in Silanga Road. Telkom had applied for an injunction to prevent residents interfering with the equipment in any way. The residents contended that they had not been properly consulted about the installation, that the NEMA licence granted to Telkom was for a different site and that Telkom went ahead and erected the mast before the NEMA licence was issued. The residents pointed out that they had written to NEMA and Nairobi City Council and the judge remarked that, *"Of course as is usual with our public institutions there was no response or any action whatsoever on the said complaint by the respective authorities."*

Finding for the residents Judge A. Mabeya went on to say that *"the Plaintiff's (Telkom) project may have been undertaken contrary to law"*. He noted that NEMA came to seek the views of residents in February 2012 while construction had been completed on the 27 December. Extracts from the final part of the judgement is worth quoting in full as it has wider

implications. *"Let me state here that without fear of contradiction that by virtue of Articles 42, 69 and 70 of the Constitution of Kenya the practice that hitherto existed in this country where authorities would give approval of the change of user of particular*

*properties by sneaking notices in tiny advertisements in newspapers or their offices as a way of notifying the public of the intention to approve the intended change of user should and is a thing of the past. "*

*"The immediate neighbours MUST be personally be served with such a notice. The constitutional provisions as to the right to a clean and safe environment was not a flowery appendage to that hallowed document."* (Civil Suit No 155 of 2012.)



The Silanga Mast

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## Dogs and Fire

### City Council Liable to Fine Residents

City Council representatives have been visiting residential and commercial premises asking to see dog licences and fire certificates (for commercial premises). Remember to always ask for the ID of CCN representatives – there are many con men around.

For dogs the a licence is needed costing Shs. 500 and a dog vaccination card must be produced. Langata Link and the Dog Kennel in Karen can assist with this.

For fire certificates CCN requires a copy of certificate of incorporation, a copy of your PIN and a fee of Shs. 4,500/- 12,000/- depending on the size of premises. The CCN fire department will then inspect the premises and a fire certificate is issued. Langata Link will assist with this at a fee.



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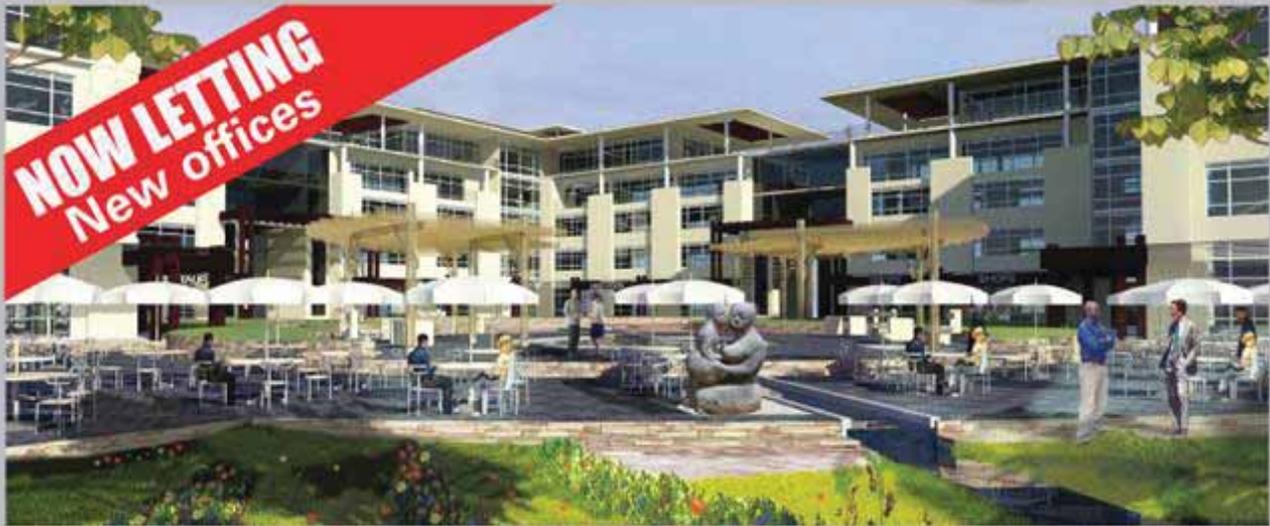
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# Editorial - Courts Judgement Strengthens Rights of Residents

In this edition we report on the success of Silanga Road residents in obtaining a landmark judgement on a mast that was illegally erected by Telkom. The judge was concerned that Telkom had not followed due process and had put up the mast before obtaining a NEMA licence. He said that this was also concerned about the lack of consultation with affected residents and pointed out that this is a constitutional requirement and that a clean and safe environment is a right. This judgement has wider implications for all developments as in numerous instances we have seen that consultations with residents is not carried out when a development is proposed or the list of names of people claimed to have been consulted is not known to neighbours. The judgement strengthens the rights of residents to object to developments that flout existing regulations.

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