

Training in Land Economy

Abstract:

Over the last six years there has been a tremendous development of infrastructure projects in virtually all corners of Kenya. This has taken the form of Road Improvement Project, Water and sewerage improvement project and the Electricity Transmission Improvement Project as envisioned in the Kenya Vision 2030. The purpose of this paper is to investigate the principles of compulsory land acquisition and way leaves in the three sectors in Kenya by looking at the current legislative framework governing the entire process of acquisition. In considering the process, the paper explores the various provisions of the relevant act which governs the particular utility envisaged for improvement project component in the Kenya Vision 2030. A critical evaluation of the procedures adopted is outlined in each case and the general public apprehensions towards such acquisitions. The second part of the paper focuses on suggestions on the choice of valuation methodology in making claims for compensation for land for various infrastructure projects in Kenya. This is borne out of the fact that there appear to be very little standardization in the methods adopted by the various bodies. The paper cites several cases under the Electricity Transmission Improvement Project where a large proportion of way leaves are dealt with at local level, with little consistency. Coupled to this is the public concern that electricity lines have potentially serious health effects that continue to attract research and media interest. The paper concludes with a description of the various cases on how to improve compensation paid to those affected by compulsory acquisition in cases of land and way leaves